

IN THE HON'BLE HIGH COURT OF JUDICATURE
AT ALLAHABD,
LUCKNOW BENCH, LUCKNOW

OTHER ORIGINAL SUIT NO. 1 OF 1989
R.S.NO. 2 OF 1950

GOPAL SINGH VISHARAD

RAJENDRA SINGH

.....

Plaintiffs

VERSUS

ZAHOOOR AHMED & OTHERS

Defendants

STATEMENT OF D.W.1/3

SHRI SAHADEV PRASAD DUBEY

**IN THE HON'BLE HIGH COURT OF JUDICATURE'
AT ALLAHABAD
LUCKNOW BENCH, LUCKNOW**

OTHER ORIGINAL SUIT NO. I OF 1989
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GOPAL SINGH VISHARAD
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**Main Statement Affidavit of Dr. Sahadev
Prasad Dubey D.W. 1/3 under Oath and
under Order 18 rule 4 of' Cvil Procedural Code.**

I, Sahadev Prasad Dubey, Aged around 74, Son of late Shri Ram Prasad Dubey Resident of Village and Post Khironi, Tehsil- Sohaval, District Faizabad give the flowing statement under Oath :-

1. I passed High School Examination in 1950 and Intermediate Examination in 1952.
2. I passed my Graduation Examination in 1955 from Subhash National Degree College, Unnav, which was affilated to Agra University. I got my B. Ed Degree in 1956-57 and M.Ed Degree in 1962-63 from Lucknow University.
3. I got my M.A. Degree in 1977 from Avadh University, Faizabad.
4. I got my Ph.D Degree in 1981 from Avadh University, Faizabad. The subject matter of my research work was "Ram Kavya Parampara Mein Vaidehi Vanwas" - A Special Study.
5. I was appointed as a teacher in R.D. Inter College Suchitaganj, District Faizabad in December, 1958. In 1963, I was promoted as Lecturer of Education. I remained Principal of that College from September, 1984 to February, 1985. I worked in this college upto 30th June, 1990 and retired on 1st July, 1990.

6. My family is Sanatan Dharmi and believes in all Gods and Goddesses. I am also Sanatam Dharmi by birth and believe in Gods and Goddesses and visit temples to worship them.
7. Ayodhya is one of the biggest pilgrimages of the world and the entire area around Ayodhya is known as "Avadh". I am a permanent resident of Village Khironi which falls under this Avadh area of district Faizabad. My ancestors also used to live here. The importance of Ayodhya lies the fact that it is the sacred birth place of Lord Rama and in the north side of this holy city the sacred river Saryu flows. According to the mythological books and legends the birth place of Lord Rama is located in the Ramkot Mohalla of Ayodhya. Though the whole city of Ayodhya is revered as the birth place of Lord Rama, but the place which has been described as birth place of Lord Rama in the Vedas, its glory is mentioned in the religious, literary and history books. Besides, it is a common belief of most of the people that Janam Bhoomi Mandir located at Ramkot which is now under dispute, is acknowledged as the real birth place of Lord Rama. In the ancient time, this place was selected for building a grand temple. Since then the place where the idol of Rama is virajman (ensconced) and installed has been continuously worshipped and people walk around it in reverence.
8. According to Indian Mythology and sanatani faith and belief, a temple was built on this place as a token of Janam Bhoomi (birth place) a number of years ago and thereafter, the great King Vikramaditya built a grand temple on that place some 2060 years ago during his reign according to the chronological order. This chronological order is called Vikram Sanwat.
9. According to Indian chronological order, the world is divided in four ages, namely, Satyug, Treta, Dwapara and Kaliyug which is believed to have started from five thousand years ago. According to Indian Panchang, Lord Rama was born on Chaitra Sukla Navami in Treta Yug. He was born as the eldest son of King Dashratha of Ayodhya. Because Lord Rama was born on Chaitra Sukia Navami so this day is called Ram Navami. The religious and literary books contain the mention of childhood of Lord Rama and in the known history of

thousands of years, the devotees of Rama of Sanatani families celebrate his birthday on Chaitra Sukia Ram Navami at 12:00 Noon according to Vikrami Samwat. His birthday is celebrated in temples also. The devotees throng to the temples to worship, revere and perform arati of Lord Rama. They also walk around the place where Rama is seated and feel blessed.

10. With the blessings of Lord Rama and being inspired by his deeds, I completed my research book on "Ram Kavya Parampara Mein Vaidehi Vanwas Ka Vishist Adhyan" from Avadh University, Faizabad in 1981 and dedicated it to Lord Rama. To complete my research work, I did critical study of about 127 Hindi Books of which Angad Paij, Agni Pariksha, Adhikhila Fool, Alankar Manjusha, Ashok Van, Ashtyam, Ashytam Pujavidhi, Anjaney, Urmila, Kalplata, Kaikeyi, Priyaprawas, Barvai Ramayan, Bali Vadh, Shakti Ka Vikas, BhumiJa Majhli Rani, Manas Ka Hans, Manas Ashtyam, Meghnad, Raskalash, Rasik Rah.ashya, Rajrani Sita, Ram Katha (Utpati Avam Vikas), Ram Katha Aur tulsī, Ram Ki Shakti Puja, Ram Chandrika, Ram Ki Savari, Ram chandrodaya Kavya, Ram Charitmanas, Ram Chant Chintamani, Ram Rasayan, Ram Rajya, Ram Swayambar, Ram Ashwamegh, Ram Raksha Srotra, Ram Janam, Ram Bhajan Manjari etc. are main books and some other books.

Among Sanskrit books I studied about 56 Sanskrit books which included Agni Puran, Atharva Ved, Adbhut Ramayan, Adhyatam Ramayan, Anand Ramayan, Ashtyam, Udar Raghava kalki Puran, Kalika Puran, Narsingh Puran, Padam Puran, Braham Puran, Yajurved, Raghu Vansh, Ramcharit written by Kalidas, Rig Ved, Varaha Puran etc., and 3 Pali Books, namely: Anamakam, Jatkam, Dashratha Kathanam and Dashratha Jatkam and 5 Prakrit Books namely (1) Paumariyam (2) Ram Lalanchariyam, (3) Kalavali, (4) Siyachariyam, (5) Ram Lakhan Chariyam and 3 Apbharansh Books, namely, (1) Paumachariu (Swayambhu), (2) Paumachariu (Pushp Dant), (3) Padam Puran (Balbhadra Puran Raithu). Besides, these books I also studied an English 'Book titled "Linguistic Survey of India" written by Dr. Griyerson.

11. Ram Janam Bhoomi Temple is situated at a hillock in Ramkot Mohalla, Ayodhya and under its surface ruins of many old temples exist. These temples were built at different intervals in several centuries because restoration and reconstruction work of these temples was carried out as and when required. The building portion of the temple which collapsed on 6th December, 1992, ruins of a 12th Century temple exist under its rubble, which was built around eleventh century by a King belonging to Gaharwar dynasty.
12. Even after the collapse of the present structure of Ram Janam Shommi temple on 6th December, 1992 Lord Shri Rama is still virajman on the original place. The devotees and the deponent have been continuously visiting the place and doing Puja, Arati and Parikrama there.
13. Before 6 December, 1992, entrance to the Ram Janam Bhoomi temple could be made through the Hanumat Dwar which was located in the eastern direction. There were two Kasauti pillars (touch stones) on both side of the dwar and images of Gods and Goddesses appeared on them. In the northern side, Sita Rasoi existed and to east of it store house of Ram Janam Bhoomi temple and Ram chabutara existed. In the northern side of Sita Rasoi, there was a Singh Dwar and to its southern and western side the land was barren. The devotees walked around the temple premises, viz; Ram Janam Shoomi temple through this barren land.
14. Devotees of Lord Rama from all countries of the world as well as various parts of India visit Ayodhya every day and after taking bath in the holy river Saryu, they visit thousands of temples situated in Ayodhya and worship there. Every Ram devotee and worshipper visits Janam Sthan and Janam Shoomi Temple, Hanuman Garhi, Kanak Bhavan, in particular and seeks blessing of the deities.
15. Thousands of devotees throng to Ayodhya during Savan Mela every year. Devotees start thronging to Ayodhya from Sravana Pratipada and continue upto Raksha Bandhan. Every devotee of Lord Rama takes bath in holy Saryu River and worship in temples located in Ayodhya. They also visit Janam Bhoomi premises, Janam Shoomi

temple and see the idol of Ram Lal Virajman there. They worship there and walk around the temple and seek blessings.

16. Every year Kartik Mela is held in Kartik Mas (month) in Ayodhya. Thousands of devotees from all parts of the world and across the country throng to Ayodhya on this occasion as well. Taking bath in holy Saryu River is the main occasion of Kartik Mela. After making round of the Panchkoshi and Chaudhakoshi Parikrama, devotees take bath in the holy Saryu river and then visit temples located in Ram Janam Bhoomi premises and other temples in Ayodhya to pay their reverence to Lord Rama and other deities.
17. The birthday of Bhagwan Shri Ram Lalla is celebrated with much gaiety, reverence and belief on Chaitra Shukla Navami, i.e. on Ram Navami in Ayodhya every year. On this sacred occasion, thousands of devotees from all parts of world and across the country throng to Ayodhya and collect at temples located at Janam Shoomi complex, Kanak Shavan and other temples located at Ayodhya. They worship Lord Rama and seek his blessings for emancipation of soul. They also visit other temples located in Ram Nagri i.e. in Ayodhya and worship the deities and seek the blessings of God to be maintained on themselves and on their families.
18. Pilgrimage of Ayodhya is considered to be more sacred than other places of pilgrimage. It is because Maryada Purshotam Bhagwan Shri Ram incarnated as a human being and worked for the welfare of the entire humanity. Lord Rama and his birth place located at Ayodhya, which is popularly known as Ram Janam Bhoomi Temple and Complex is being continuously worshipped by millions of Indians and devotees of Lord Rama as a place of their faith and belief. The deponent is also overwhelmed with full faith and belief in Lord Rama and has been worshipping his birth place and its complex for years and will do so till he is alive.

DEPONENT

Dated : 4th August, 2003

Sd/-

(Sahadev Prasad Dubey)

VERIFICATION

I the above named deponent hereby solemnly affirm that the statement given by me from para 1 to 18 in the Affidavit has been typed on my direction and I have read it again and understood it. The statement is typed according to what I have said and is true. May God help me.

DEPONENT

Lucknow

Sd/-

Dated 4th August, 2003

(Sahadev Prasad Dubey)

(Seal of the Court)

(Seal of the Court)

www.vadaprativada.in

Before: - Shri Narendra Prasad, Commissioner, Additional District Magistrate! Officer on Special Duty, Hon'ble High Court, Lucknow Bench, Lucknow.

(Commissioner appointed under order dated 23.07.2003 of Hon'ble High Court, Lucknow Full Bench).

OTHER ORIGINAL SUIT NO. 1/1989

R.S. NO. 2/1950

GOPAL SINGH VISHARAD (Deceased)

RAJENDER SINGH

.....Plaintiff

VERSUS

ZAHOOOR AHMED AND OTHERS.

.....Defendants

Dated 04.08.2003

D.W. 1/3 Shri Sahadev Prasad Dubey

Affidavit of main examination of Shri Sahadev Prasad Dubey, Aged 74 years, son of late Shri Ram Prasad Dubey Resident of Village and Post Khironi, Tehsil-Sohawal, Janpad Faizabad, containing page 1 to 7 has been presented and was taken on record.

(Shri Ranjeet Lal Verma, Advocate has requested for cross examination on behalf of Defendant No. 11 — Nirmohi Akhara).

(This was objected by Shri Puttu Lal Mishra the Learned Advocate of Plaintiff on the ground that though in the present suit Nirmohi Akhara is Defendant No. 11, but neither any post dispute reply has been filed on their behalf nor there is any dispute on any subject matter. In the leading Other Original Suit No. 0.0.5. 4/89, Shri Gopal Singh Visharad father of Shri Rajendra Singh is Defendant No. 1 and Nirmohi Akhara is Defendant No. 3. There is neither any

dispute between the plaintiff of present dispute and Nirmohi Akhara on any point of dispute nor any such point of dispute exists where their interest clashed with each other. There is no dispute between the Nirmohi Akhara and present plaintiff on any point raised in the dispute. As there is no allegation against the Defendant No. 11 from the side of the Plaintiff or Deponent, therefore, cross examination of present Deponent by the Defendant No. 11 is not legally valid).

(In reply to this abjection and on behalf of Defendant No. 11 and Defendant No. 3 of O.O.S. 4/89, the Learned Advocate Shri Ranjeet Lal Verma stated that in the matter of similar dispute every Defendant has the right to cross-examine any witness who has taken Oath before the Court but refuse to make any statement because cross examination throws light on those facts also which were raised by the concerned Defendant and prove his point. As such this objection is baseless and the intention behind it is to extend time).

(The Learned Advocate of Defendant No. 1/1 Shri Abdul Mannan objected the contention of the above Learned Advocates, Shri Puttu Laf Mishra and Shri Ranjeet Lal Verma on the grounds that both the advocates are making wrong interpretation. Right from the beginning there has been a Babri Masjid (Mosque) and it is still there now).

(On the above objections and counter objections and on the orders of the Hon'ble Full Bench, the Learned Advocate of Defendant No. 11 Shri Ranjeet Lal Verma started cross examination).

The Deponent gave his statement under Oath that.

x x x x x x x

I do not recollect in which year I had visited Ram Janam Bhoomi Temple for the first time. I do not remember my age when I went there. But I have been visiting that place alongwith my parents since my childhood. I started understanding the wordly things since I was 7-8 years old. My parents used to take me along with them on

the occasion of fairs and also on others occasions such as mundan ceremony etc.

On this point, the cross examining Learned Advocate showed a coloured Album Paper No. 200 C-I, Picture No. 9 and 45 to the witness. On seeing those pictures the witness said — This is the picture of the eastern door of Ram Janam Bhoomi. After seeing Picture No. 45 of the same Album the witness said — In this picture stone slab is visible and the same stone slab is visible in Picture No. 44 also. When I visited the disputed site, I did not pay heed to the stone inscription of the disputed site as to what was written on it. In the disputed building, on entering through the eastern door towards left side, i.e. in the south direction there was a Ram Chabutara. The witness was shown colored Album-Paper No. 200 C-i, Picture No. 57. On seeing the picture, the witness said — this is the picture of Ram Chabutara temple. After seeing Picture No. 56 of the same Album the witness. said — In this picture Ram Chabutra is visible under the thatch-roof. Whenever I visited the disputed building, I used to have darshan of Ram Chabutara also. Whenever I visited Ram Chabutra, I used to pay my reverence to Bhagwan Ram Lalla, but due to heavy crowd I could not get charnamrit (foot-nectar). Whenever I went there to attend Mundan ceremony, Ram Chabutara was always seen to be overcrowded by devotees. This crowd consisted of Hindu devotees. Among the people gathered there, some were from outside and some of them were local. Due to heavy crowd I could not see any person giving or taking charnamrit (foot nectar). I do not recollect when I visited the disputed site the last time. After getting my Ph. D Degree, I visited Ram Janam Shoomi to pay my reverence. After getting Ph.D Degree, I do not remember when I visited Ram Janam Bhoomi for the first time. When I wa doing research work, I did not pay any visit to the disputed site during that period.

After the demolition of the disputed structure, I visited the disputed site, but I do not remember when I visited there the last time. After 6th December, 1992 I have been visiting the disputed site after every two or three months. After passing the High School Examination and upto the period of 6th December, 1992, I have been

constantly visiting there, but I do not recollect whether I used to go there after every two months or three months. After attaining senses and upto the period of passing my High School Examination¹ I have been constantly visiting there, but I do not remember after how many days or months, I used to go there. When I was studying in 6th, 7th and 8th class, even then I used to go there but I do not recollect whether Ram Chabutara looked the same or different than as has been shown in the pictures. At that time also Ram Chabutara temple existed. The word Sita Rasoi used in my cross examination affidavit, it is used to convey the sense of roller, roller pin and cooking place etc. The witness was shown coloured Album 200 C-1, Picture No. 71 and 72 and after seeing them the witness said that those were the pictures of Sita Rasoi. When I was studying in 6th, 7th and 8th class, at that time also the hearth, roller and roller pin and foot prints were similar as has been shown in the pictures. On the southern and eastern corner of Ram Chabutara, I had seen Shiv Darbar (court of Lord Shiva) inside the boundary wall. On seeing Picture No. 61 of the same Album, the witness said — This is a picture of Shiv Darbar. I do not remember when I was studying in 6th 7th and 8th class whether Shiv Darbar used to look like as is shown in the pictures. But Shiv Darbar was very much there at that time also. It means the idols of Lord Shiva, Ganesha, Nandishwar were there. People used to walk around the Shiv Darbar from outside the outer boundary wall. In the right side of the eastern door, there was a store house and I have mentioned about it in Pare 13 of my affidavit of main examination. One door of this store house used to open towards western side and the other towards southern side. I do not remember whether these doors were also there when I was studying in class 6th, 7th and 8th, but I am sure store house was there. I do not remember whether the store house had a thatched roof or a tin shed, but it was adjacent to the four walls. I do not remember whether the western and southern side door of store house, which I saw, were wooden or made of some other things. Goods were kept in the store house and Sadhus and Bairagis also used to come there. I do not recollect whether Sadhus and Bairagis used to live in the store house or not. I came to know

from the people that it was the store house of Ram Lalla. When I was studying in class 6th, 7th and 8th, I definitely saw that store house but I did not ask about it from any person. I never visited the disputed premises at the time of Arati of Bhagwan Ram Lala. Some people used to live at the Ram Chabutra Temple. They used to take Prasad and then come back. But I do not know whether they were Pujaris or not. I know who is a Pujari. The person who accepted Prasad from people, used to take out some portion of the Prasad and offered it to God as Bhog and returned back some portion of the remaining Prasad to the people. Flowers were also offered along with Prasad. Prasad and flowers were sold outside the gate of eastern wall. I do not know whether the people who used to accept Prasad to offer it to God and the people who returned a portion of it back to the people were the same people or the different people. Sometimes the work of accepting Prasad, offering it to God as Bhog and returning a part of it to the offerer was done by the same person and sometimes by two people. I had seen people offering flowers and coins at the Sita Rasoi and the same rituals were repeated at the Shiv Darbar. I have been seeing these rituals since the time I visited this place for the first time. I do not recollect whether Singhdwar had doors or not. Above Singhdwar there was a picture of Garud Bhagwan (God) appeared between the two lions. I do not recollect whether there was any Mulsree tree on the western side of the store house or not. Singhdwar was located in the northern direction of Sita Rasoi. There was a stair outside Singhdwar which was connected with a road with which this stair was connected. Inside Hanumatdwar and between the wall with iron bars, where Sita Rasoi, Ram Chabutara Mandir, store house and Shiv Darbar were located, whether the floor of this entire portion was made of concrete or not is not in my knowledge. I cannot tell anything about the distance between Hanumatdwar and the iron bar wall. I guess the height of the iron bar wall would be about 5 to 6 feet. I am not able to guess as to what would be the length of the iron bar wall from north to south. In the west side of the iron bar wall, there was a field and to the west side of it, there was a three tapering tower temple. I do not recollect whether the western side courtyard of the

iron bar wall was made of bricks or not. The floor of the place under the three towers was made of bricks. Whatever I have said about the western side floor of the iron bar wall and the floor under the towers is correct and I had been seeing it right from the beginning. The place under the tower was vacant earlier and later on God had appeared there. Pujan means offering water to God, applying sandal, putting on clothes and reading of slokas. All devotees might be doing the same and I have seen some of them doing these things.

Question : You have just now stated that Pujan means offering water to God, applying sandal, putting on clothes and reading of slokas etc. Have you ever done this in the disputed premises?

Answer : I have only offered flower garland and Prasad.

My parents never worshipped like this in the disputed premises in my presence. During fairs I have never seen any devotee among the crowd worshipping like this. When I went there in the season when fair is not held, I saw one or two people doing worship like this in the disputed premises. I have seen many times devotees doing worship like this. I have seen this since the time I gained sense. We used to handover flowers and Prasad to the people present in the disputed building and they used to return some portion of Prasad to us after offering it to the deities. My father used to offer the Prasad when he was alive and after his death I started offering Prasad to deities. My father had expired when I was studying in 6th class and my mother expired in 1946. After the death of my father, I only used to visit the disputed building. My mother did not go there. After the death of my father I used to offer flower and Prasad there. My mother expired 18 years after the death of my father. When I went there to offer flower and Prasad only one person used to do both the works of accepting flowers and Prasad and offering them to the deities. Devotees used to sing devotional songs and Ramdhun was continuously played in the disputed building. I have heard devotional songs and Ramdhun there even before the death of my father. Arati

means putting camphor on a betel leaf in a Thali (metal place) and after burning it Arati is offered to God and then it is given to devotees as Prasad. This work was done by a Pujari. I do not recollect when Swami Ramanandacharya was born. I have read a little about the philosophy of Swami Ramanandacharya I have studied Vishistadevetwad (qualified non duality) but I do not remember it now. I have read about Advaitvad of Shankracharya. Ramanandacharya was born after Shankracharya.

I know about the 12 pupils of Ramanaridacharya. One of them is Kabirdas. Ramanandacharya founded the Ramanandiya Sect. Ramanandiya Sect used to make no distinction among the castes of Sadhus. They could be of any caste. I do not know whether they were called Sadhus or Bairagis. I do not know whether any Sect of Bairagis was founded or not. I do not know whether Ramanandiya Sect has founded 52 Dwarpeeth or not. I do not know whether there is any Tulsi Peeth of Ramanandiya Sect in Chitrakut or not.

I know about tulsi Das. Narhari Das or Narharacharya was the guru of Tulsi Das. I do not know whether he was the disciple of Swami Ramanandacharya. I do not know whether Sant Tulsi Das belonged to Ramanandiya Sect or not. Bhagwan Rama is the most revered deity of Ramandiya Sect and Bhagwan Shri Rama Chandra Ji is also the revered deity of Tulsi Das. I do not know whether the Sadhus belonging to Ramanandi Sect are family people or Bairagis. The word Mandir has two meanings — one where every house could be called a Mandir and second a place where idol of any deity is kept. God is revered in His both forms, i.e. as a child and as a king. Vibhava Roop means in the form of a king and it also means in the form of an incarnation. Tulsi Das saw Bhagwan Rama in his Vibhava Roop. I do not know whether any Sadhu, devotee or person belonging to Ramanandiya Sect saw Bhagwan Rama in his Vibhava Roop or not. An ordinary person worship and revere Bhagwan in his Shree-Roop. I do not recollect if there is any such temple where shree

Idol (Idol of Bhagan) is not kept. I have no knowledge of Sanskrit language and in my main examination affidavit — Page 4, Paragraph 10 — I have made a mention of 56 Sanskrit Books of whose I have read the Hindi translation. I have read the Hindi translation of Atharvaved which was done by Acharya Shri Ram Sharma. During my research work, besides 127 books. I have read books of Apbhrams language and Pali language through their Hindi translation. At present, I do not know which are the Brahmins of Atharvaved.

Question: What is in Atharvaved?

Answer: Every Ved contains the knowledge of God and so is in Atharvaved too.

I do not remember whether dynasty of kings has been given in Atharvaved and Parikshit has been described as the King of Purus. On being pointed out by you, I am recollecting that the Brahmin Granth of Atharvaved is Gopath.

I have read Garud Puran, it contains information about Shradh Karma and Pitri Karma. I do not know whether dynasty of Kings has been given in it or not. I have read Matsya Purana too. I do not know whether Matsya Purana is considered as the ancient and authentic book or not. I do not know whether Matsya Purana is an authentic source of history of ancient time to Guptakal period or not. I can not recollect 'which king of Gaharwal dynasty built Ram Janam Bhooi Mandir. I do not remember orally the name of person who had filed this suit in which I am appearing as witness. I have heard the name of Gopal Singh Visharad. I do not know the place where he came from. I have never met him.

Question: Have you made any study or have obtained any information about Ayodhya, its various temples, mathas and Akharas?

Answer: No, Sir.

I have visited Hanumangarhi many times. Hanuman idol is the main attraction of Hanumangarhi. Besides, there are idols of

Bhagwan Ramchander Ji, Laxman Ji, and Sita Ji. I had darshan of the idols of Ram-Janki in front of Hanuman Ji in Hanumangarhi. I had darshan of Ram-Janki there because they are virajman or seated there. I have seen this since the time I have been visiting Hanumangarhi. Ram-Janki have been seated there by the Hanumangarhi Math and this Math might be looking after the arrangements of that place. Hanumangarhi is the Akhara of Bairagis. I do not know whether that is Nirvani Akhara or not. I do not know more about other Akharas in Ayodhya. I have not got any information from books, T.V. and newspapers that besides the above Akhara, whether there is any other Akhara in Ayodhya or not. I know Paramhans Ramchandra Das Ji. But I do not know about his Digambar Akhara. My house is located at a distance of 22 Km from Ayodhya.

Near the eastern gate of Ram Janam Bhoomi premises, there was a stone on which something was written. On entering the disputed premises through Hanumat Dwar whether I saw any tin board on Shiv Darbar, Ram Janam Bhoomi Mandir, store house, Sita Rasoi or not, is not in my knowledge. The suit in which I am a witness is against a Muslim person but at this time I can not recollect his name. But after seeing the affidavit I can tell his name, I have heard the name of Nirmohi Akhara in Ayodhya. I do not know whether Nirmohi Akhara has been looking after the affairs of the disputed building or not.

Verified after reading the statement

Sd/-

(S.P. Dubey)

04-08-2003

On my dictation, the Stenographer typed in the Open Court. In continuation be present on 05-08-2003 for further cross-examination.

Sd/-

(Narendra Prasad)

Commissioner

04-08-2003

Dated 05-08-2003

D.W. 113 Shri Sahadev Prasad Dubey

Before :- Shri Narendra Prasad, Co.mmissioner,
Additional District Magistrate! Officer on Special
Duty, Hon'ble High Court, Lucknow Bench, Lucknow.

(Commissioner appointed under order dated 23.07.2003
of Hon'ble High Court, Lucknow Bench).

(In continuation of order dated 04.08.2003. Cross
examination begins by Shri Abdul Mannan, Advocate on behalf
of Defendant No. 1/1).

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I live in Village Khironi of Faizabad. My village is located at a distance of about 18 km from Faizabad city. I have passed High School Examination from Faizabad and Intermediate examination from Sultanput. I graduated from National Degree College Unnav which was affiliated to Agra University at that time. I went to Unnav in connection with my job and I worked there also. I was transferred from Sultanput to Unnav. I went to Unnav in 1953 and remained there upto 1956. In 1949, I was in Faizabad. At that time, I was the Thana Organiser in P.R.D. A new scheme was introduced under which police training was imparted to people so that they could protect their village and also help the administration as and when required. I used to get salary while working as a Thana Organiser. At that time my salary was Rs. 72/- p.m. which was sufficient to meet my expenditure. I remained in P.R.D. for 8 years. After spending 8 years in P.R.D., I went to Lucknow University to take up B.Ed Degree. It took me one year to complete my B.Ed. I was taught educational psychology, Management and History of Education in B.Ed. I completed this course in one year. I stayed in Mahmoodabad Hostel while Completing my B.Ed. At that time my elder brother used to meet my education and hostel expenses. He was older to me by one or two years. At that time he was a lecturer of Western History in Lucknow University. The name of my above elder brother is Dr. Sukhdev

Prasad Dubey. I was kept in Mahmoodabad Hostel, keeping in view the reading facility available there. After completing B.Ed., I was appointed as a teacher. For the first time I was appointed as a Head Master in Syora Junior High School. I remained there for one year. At that time my age was 26-27 years. Syora is at a distance of about 24 kilometers from Faizabad. Syora was at a distance of a little more than 16 k.m. from Raibareilly Road passing through Faizabad. Syora falls south-west of Faizabad. Syora is at a distance of 30 k.m from Ayodhya. I used to come home daily from Syora. My house falls in the north of Syora and the distance between my house and Syora would be about 6 kilometer. I never went to Ayodhya from Syora. I used to go to Ayodhya from my house. I have been to Ayodhya from my house many times but how many times I have visited there is not known to me. But I do not remember the months and dates when I visited Ayodhya. I went to Ayodhya in 1949 too. I do not recollect how many times I had gone to Ayodhya in 1949. I do not remember as to how many times I had gone to Ayodhya in 1950. I do not know the place where the Babri Mosque is located in Ayodhya. I have not seen any Mosque with three domes in Ayodhya but I have seen a three Shikhar temple. This three tower building was a temple. The idols outside the three tower temple belonged to the family of Lord Shiva and idols of Lord Rama, Laxman and Sita were virajman on the Chabutara near the wall outside the temple and inside the premises, there was a Chabutara. There was a Chabutara in the premises of the disputed building. There was no chabutara outside the premises. In the disputed premises, there was one Chabutara outside the iron bar wall. I do not have any idea about the length and breadth of that Chabutara. Whenever I have gone there I saw that Chabutara. I have seen that Chabutara over more than 100 times. I have neither measured that Chabutara nor enquired about its length and breadth because it was not needed. I shall not be able to tell whether the length of the Chabutara was 25 feet, 50 feet or 100 feet. What was the breadth of the Chabutara is also not known to me. I do not have any knowledge about the time when this Chabutara was built. I do not know whether that Chabutara was built after the year 1850 or before

it. I have seen the disputed building both from inside and outside. I do not know in which year this disputed building was built. In which year the disputed building was demolished due to my weak memory, I cannot recollect it. At this time, I cannot recollect whether the disputed building collapsed in 1976 or 1986. I also do not remember whether the disputed building collapsed in 1996 or not. I also do not remember the date on which it collapsed. I understand a little Urdu. I do not know whether Urdu was compulsory as second language upto 1950 or not. I have never read Urdu. Since the time barricading has been done, I have not been visiting the disputed site frequently. I do not know when barricading was done but it has been done longtime ago. I do not remember how many years ago, this barricading was done. Barricading has been done by fastening barbed wire around the poles. I do not remember whether barricading was done in 1949 or not and I also do not recollect whether it was done in 1950 or not. I do not know whether barricading was done after the orders of any Magistrate or not. It is not in my knowledge whether any Writ Petition or revision petition was filed against the barricading orders. I had passed High School Examination in 1950. I used to go to Ayodhya in 1950 also. I went to Ayodhya in 1951 and 1952 also. I do not recollect how many times, I went there in 1951. I guess I visited Ayodhya 2-3-4 times in 1951. I do not remember whether I had noticed any change in the disputed building in 1949 or not. I also do not remember whether I had noticed any change in the disputed building in 1950 or not. I went to Ayodhya 3-4 times in 1950. Every time I went to Ayodhya, it was not important for me to have darshan of deities in the disputed building. Due to barricading, I faced difficulty in paying my reverence to the deities. Once or twice I went to Hanumangarhi and after paying reverence to the deities there, I came back. The disputed building was hardly located at a distance of one and a half furlong from Hanumangarhi. I have paid my reverence to Hanuman Ji in Hanumangarhi of Ayodhya many times. I do not remember how many times I had gone to Hanumangarhi to pay my reverence in 1951. From Hanumangarhi I have gone visiting the disputed site. But I do not recollect how many times I had gone to the disputed site from

Hanumangarhi in 1951. In 1950, I had definitely gone to Hanumangarhi, but I do not remember as to how many times I went there. It takes 10-15 minutes time to reach the disputed site from Hanumangarhi. Barricading starts from the road starting from Kanak Bhavan and passing through Tedhi Bazar to Laxman Tila and then starts from Janamasthan Mandir and passes through the back side of the disputed site and then again passes alongside the road and reaches the road near Gokul Bhavan, then that road turns round to east direction and reaches till the Kshireswar Mandir situated at the FaizabadGorakhpur Marg and then this barricading passes through the back side of Shri Ram Hospital and turns towards the north side.

I obtained Bachelor's Degree in 1955. After working for one year in Syora Junior High School as a Head Master, I left that school and thereafter, I was appointed as teacher in R.D. Inter College, Suchita Ganj, Faizabad on 2nd December, 1958. I was appointed to teach Hindi to tenth class and English to ninth class students of this school. I taught in R.D. Inter College for two years and then in 1963 I joined Lucknow University to obtain M.Ed Degree. While completing M.Ed, I stayed with my brother at his house. I came to Lucknow on 'leave without pay' from school to take up M.Ed. course and after completing my M.Ed. Degree, I went back and started my work. That college is located behind the Sohawal Station (northern railway). When I joined Lucknow University to take up M.Ed. Degree, I was on 'leave without pay' and I did not get any salary for that period. After completing M.Ed., I worked in that college for one year in the L.T. Grade and thereafter I was promoted as lecturer in the same college. I do not recollect what was my salary as a lecturer and thereafter I taught in Rural Development Inter College, Suchita Ganj, Sohawal upto June, 1990 and after this I got retirement. I retired from service on attaining the age of 60. During this period, I used to go to Ayodhya. It means even when I was teaching in Sohawal College, I used to go to Ayodhya. The distance between Ayodhya and Sohawal is 23 k.m.s I do not remember how many times I had visited Ayodhya from Sohawal. Then said Sohawal is a station and Suchita Ganj is a Majra of Khironi village. I used to live in my village. Thus, whenever I

wanted to visit Ayodhya, I used to go there from my village and there was no need to go to Ayodhya from Sohawal. The distance of Sohawal station from my village would be hardly one kilometer. I had three options to reach Ayodhya from my village — first train, second Vikram or tempo and third cycle or motorcycle. I had a motorcycle in my house and it is still there. When I worked in Sohawal College for the first time, I do not recollect as to how many times I went to Ayodhya from my village in the first year. I was prudent when I took up the job. I do not recollect as to how many times I went to Ayodhya while working in Sohawal College. I worked as a teacher in R.D. Inter College, Suchita Ganj for about 32 years. I do not remember as to how many times, I had visited Ayodhya during this 32 years service period. During vacations, sometimes I used to go to Ayodhya. When I used to go to Ayodhya, almost every time I used to come back home in the evening. Once or twice I have stayed at Ayodhya. Sometimes, I went to the disputed site. The distance from Sohawal to Suchita Ganj is one furlong. When I wanted to stay at Ayodhya, I could stay at many places there. One of my friends Dr. Devi Sahai Pandey “Deep” used to live there, where I could stay. In addition to this, sometimes I used to stay at the house of Acharya Nand Kishore Tiwari whose house is located in Swarg Dwar Mohalla. When I was required to stay at Ayodhya, I used to stay there for a night.

I got Post Graduate Degree M.Ed in 1963 and Ph.D in 1981. I did Ph.D in Hindi Literature. “Ramkavya Parampara Mein Vaidehi Vanswas”, a special study was my subject in Ph.D. From where the Ram Kavya Parampara started, I did research work in this subject and then specifically wrote on Vaidehi Vanwas. Initially, I had to go through Vedas to know whether Ramkatha is given in them or not.

Question: What is special in Valmiki Ramayan and what are its achievements?

Answer: Valmiki Ramayan is the first epic of Sanskrit literature and the character and ideals of Shri Rama have been defined in this epic.

The dignified character of Shri Ram Ji is a guiding pillar for the society. Keeping this thing in mind that the Hindu Society will follow the path shown by Maryada Purushotam Shri Ram, Valmiki Ramayan was written. At the time of writing of Valmiki Ramayan, there was no calendar year. May be that chronological calculation was done on the basis of Bhartiya Samvat. No mention about it has been made anywhere. He was the contemporary of Maryada Purushotam Ram and therefore its importance lies in the fact that apart from a literary work, it also serves the purpose of history. Shri Ram Chandra Ji incarnated in Treta Yug and Valmiki was his contemporary. Valmiki wrote Ramayana at the same time and this was written during the life time of Shri Ram Chander Ji. Then himself said during the Ashwamegh Yagna of Ram Chandra Ji, Valmiki made Luv Kush (sons of Shri Rama) to sing Ramayana. How much time it took in singing, I cannot say. This singing of Ramayana took place in the life time of Valmiki. I cannot say for how long Valmiki lived. I do not remember when Valmiki Ji was born. I do not know how much time it took in writing Ramayana. I cannot even guess about the time. I cannot even calculate the time as to whether it took fifty years or hundred years in writing Ramayana. According to Hindu mythology, Kaliyug has a life span of over 4 lakh years and Dwapar has a life span of over 8 lakh years and Treta is understood to have a life span of over 12 lakh years. Ram Chandra Ji incarnated in Treta Yug. Treta Yug and Dwapar Yug have passed. It has been more than 8 lakh five thousand and five hundred years since Treta Yug passed. I also do not know whether the world would have been the same five and half lakh years ago as it looks today or not. Incarnation means appearance of God in physical form. Sakar Roop means in physical form. Bhagwan appeared in a physical form.

Question: Since when this parampara (custom) is going on?

Answer: This parampara is going on since time immemorial. This parampara is going on since Anadikal (eternal).

Anadikal means the time which cannot be calculated. The time which could not be calculated right from the beginning and which has no end, is considered and called Anadikal. Calculation of Anadikal should not be started from Treta Yug.

I got my Ph.D Degree in Hindi literature specializing in poetry. It took me more than two years to get my Ph.D Degree. I got this Degree from Avadh University, Faizabad. I was a teacher when I got Ph.D Degree. I got Ph.D Degree in the field of epic poetry under the poetry section of Hindi literature. At that time, i.e. at the time of getting my Ph.D, I was teaching in a college. I used to teach Shiksha Shastra to intermediate classes. I got Ph.D Degree under the guidance of Dr. Chandrika Prasad. At that time Dr. Sharma was a lecturer in Saket College of Avadh University. I do not know since when Dr. Sharma had been teaching in Saket College. When I got Ph.D Degree, at that time I did not ask Dr. Sharma about his age. I was under his guidance for about 3 years. I used to show my work to Dr. Sharma after fifteen to twenty days. Dr. Sharma used to see what I had written. Dr. Sharma used to make some correction in my work. I used to see what he has corrected, If I was not satisfied with the correction, I used to discuss it with Dr. Sharma. Dr. Sharma always looked hale and hearty and I could not guess his age while doing Ph.D. During this period, I never saw Dr. Sharma falling sick. I cannot say whether Dr. Sharma was older or younger to me in age. I cannot say whether he appeared older or younger than me in age. I had nothing to do with persons of Dr. Sharma's college. I had gone to Dr. Sharma's college to meet him but most of the time I met him at his house. I cannot tell how many times I went to meet him at his college. I do not remember the counting. I might have gone to Dr. Sharma's college fifteen or twenty times to meet him. Dr. Sharma used to give me very little time when I went to meet him at his college. He used to take the copy of my article and then I used to come back. Thereafter, I used to visit him after 5 to 7 days. I used to meet him without taking any appointment. I never took any appointment to meet him because he had already told me to collect the copy after 5-6 days. My copy used to be in Hindi. When I was doing B.Ed or M.Ed, my teacher used to deliver lectures in

English. I used to take down notes in English. I used to write my copy in Hindi for giving it to Dr. Sharma. I had to spent money on transport for contacting Dr. Sharma. Whenever I had to visit Dr. Sharma, I used to sit with him for half an hour or so. During this meeting, I used to discuss with him the subject of my study. Sometimes such discussions took more than an hour's time. Whenever I had to meet Dr. Sharma at his college, I used to meet him in the staff room. Other people also used to sit there but I did not meet any body except Dr. Sharma. I know two-three people of Hindi Department of Saket College. I know late Dr. Raj Narayan Mishra who was Head of Hindi Department. Besides him, I know late Dr. Radhika Prasad Tripathi who became Head of Hindi Department after Dr. Raj Narayan Mishra. Besides these two people, I know one Dr. Pandey of Hindi Department of the college but I do not know his full name. I did not find the opportunity to meet or talk to these three people. But whenever I met them in college, I just used to salute them. My guide Dr. Sharma did not give me any instruction in the college. Dr. Sharma used to instruct me at his house only.

Verified after reading the statement

Sd/-

Sahadev Prasad Dubey

05-08-2003

On my dictation, typed by the Stenographer in the Open Court.
In continuation for further cross-examination be present on
06.08.2003

Sd/-

(Narendra Prasad)

Commissioner

05-08-2003

Dated: 06-08-2003

D.W. 1/3 Shri Sahadev Prasad Dubey

Before: - Shri Narendra Prasad, Commissioner,
Additional District Magistrate! Officer on Special
Duty, Hon'ble High Court, Lucknow Bench, Lucknow

(Commissioner appointed under order dated 23.07.2003
of Hon'ble High Court, Lucknow Full Bench).

(In continuation of order dated 05.08.2003. Cross examination
started by Shri Abdul Mannan, Advocate on behalf of Defendant No.
1/1 under Oath).

When I was doing Ph.D, I was a lecturer too at that time. I had taken permission from my college to do Ph.D. and thereafter I did Ph.D. After doing Ph.D I was thinking of doing D.Lit. but people advised me that it would be of no use. Had I done D.Lit it would have increased my knowledge. After retirement I read spiritual books and keep company with the saints and virtuous people. After keeping company with the saints, I came to know about the creation of the world as well as social order I came to know what the Society is doing and what we are doing. Right from the beginning of this Sirishti (Nature) social order had been established. This Sirishti is existing from time immemorial and will continue to exist upto endless period. This Sirishti is existing for more than 25000 years. By Sirishti, I mean nature which is invisible. When Sirishti is created, then it is noticed that Sirishti is becoming clear. Sirishti is much older than fifty thousand years. It has been existing since billion years. Sirishti is not related to present time but it is related to what all is happening in the world. This Sirishti was there before forty thousand years. May be it looked differently forty thousand years ago. I do not know how many facets are there of Hindu philosophy. I have read Hindu philosophy but not its facets. The philosophy of peace means total peace but it is not a philosophy. The philosophy of dualism means more than one. It

would not be proper to create any difference between philosophy of peace and dualism. I do not believe that Hindu philosophy has been divided in 10 parts. Charwak Darshan is there which is called philosophy of atheism and it means laugh, drink and be merry. Charwak means always smile and be happy. There is no difference between Sakhya Darshan and Dwaitwad. Philosophy has not been my subject. But I have read it just for my knowledge. Sankhya Darshan promotes knowledge and dissuades Karma. According to Sankhya Darshan Karma is prohibited or dissuaded. Adwaitwad means one and Dwaitwad means more than one. My Ph.D Degree had nothing to do with philosophy. By Ram Kavaya Parampara, I mean what poets have written about Rama right from the beginning and what was their objective. The famous primeval poet Maharishi Valmiki is one of the person who write about Rama. This parampara continued till date. Besides Maharishi Valmiki, no other poet made any significant contribution in the field of writing poetry about Rama. Tulsi Das Ji is Hindi poet. He has written "Ramcharitmanas". I do not know in which year Ramcharitmanas was written. But to my knowledge, Tulsi Das Ji was born in 14th century and during that period "Ramcharitmanas" might have been written. Then said Tulsi Das Ji was born in 16th century. I think Emperor Akbar the great was the ruler of Delhi during the time of Tulsi Das. I do not know whether the book written by Tulsi Das was presented before Akbar or not.

Question: Whether Tulsi Das has done detailed study of Ramayana and has also written about it?

Answer: Tulsi Das Ji has written about Shri Rama and not about Ramayana. Ramcharitmanas is what is known as Ramayana. Ramayana means Valmiki Ramayana. Whatever Tulsi Das has written is true.

The Ramcharitmanas written by Tulsidas also contains couplets. He has also used chhanda, Chaupai, Sortha and Chhappaya in Ramcharitmanas. Other forms of Chhandas are also found in Ramcharitmanas. I have never counted the number of chhandas used in Ramcharitmanas. Even if I have heard about the

number of Chandas used in Ramcharitmans from any person, I do not remember the number now. Ramcharitmanas has 7 volumes. The incidents which happened in the life time of Ram Chander Ji have been divided in 7 Kands (episodes). The first Kand of Ramcharitmanas is called Balkand. This kand contains the incidents of childhood period to marriage period of Ramji. Ram Chander Ji was married when he was more than 18 more years old. He was married in Janakpuri.

Question: How many people were present in Janakpuri at the time of marriage of Ramchander Ji?

(On this question the Learned Advocate of Plaintiff, Shri Puttu Lal Mishra raised an objection and said that this incident relates to the Treta Yuga and the witness was not present at that time and therefore asking him about the number is irrelevant and out of context).

Answer: Many people were present there.

Janakpuri is now in Nepal. Earlier, it was in Bihar. There are still many places in Janakpuri which are related to Rama. There is a Dasharath Mandir in Janakpuri. I do not have any other information about Janakpuri. I did not find the opportunity to visit Janakpuri. Janakpuri is situated at the India-Nepal border.

(Cross examination by Shri Abdul Mannan, Advocate on behalf of Defendant No. 1/1 concluded).

(Cross examination begins by Shri Zaffaryab Jilani, Advocate on behalf of Defendant No. 10, Sunni Central Board of Waqf).

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I do not remember as to how many times I have visited the disputed site after it was demolished. I have definitely visited the disputed site 15-20 times during the last 3 years. I had last visited that site about two months before today. While going for paying reverence, barricading i.e. gangway starts from the western side of Manas Bhavan. I presume that this barricading does not start from the east south direction of Manas Shavan. I cannot make a guess about

the length of the barricading from the place it starts and to the place of darshan where it ends. I cannot even make a guess about the length of the barricading through which the devotees return back after having darshan. The distance between the place where the devotees stand to have darshan and the place where idols are kept is about 8 to 10 feet. I cannot say as to how many years have passed since this barricading was done.

I read Hindi newspaper. I have been reading newspaper regularly for the last 15-20 years. I read "Dainik Jagran" newspaper. I have been purchasing newspaper for my house for the last 15-20 years. Before it, I used to read newspaper in my college, it means even before 15-20 years when I was a teacher in R.D. College, I had been reading newspaper. In my village, every house has a television and in my opinion television came 10-12 years before. I have a television in my house since 10-12 years. I listen the news on transistor and do not watch television. Generally, ladies, children and other members of my family watch television. As a part of my habit, I have been listening news on transistor for the last 25 years. In 1984 and 86, I used to live in my village and since then I have been living there. Iff have to go to Lucknow or any other place for two to four days then I do go. I do not remember as to whether a group of pilgrims (yatra) came to Ayodhya in 1984 before the assassination of Prime Minister Smt. Indira Gandhi. Perpaps, the order of opening the lock of the disputed site was issued in 1986 and people were allowed to pay reverence to the deities. A foundation stone laying ceremony took place near the disputed site two-three years after the order of opening the lock was issued, but I do not remember the year. After this incident of foundation stone laying ceremony, the incident of demolition of the disputed site took place, but I do not remember after how many days this incident took place. I heard the news of opening of the lock of disputed site on transistor and also read about it in newspapers. Similarly, I had read in newspapers and heard on transistor about the foundation stone laying incident. Similarly, I had read in newspapers and also heard on transistor about demolition of the disputed building. do not remember whether the name of Babri

Mosque (Masjid) was mentioned in the incidents that took place on all these three occasions and about which I read in newspapers and heard on transistor. At the time of demolition of disputed building, I do not remember whether I had read the name of Babri Mosque in newspapers or heard on transistor or not. I had read in the newspapers about the news of demolition of Ram Mandir and also heard about it on transistor. I read this news and also heard on transistor that some angry people had demolished the Ram Mandir. I had also read in the newspapers that a big crowd had gathered there at the time of demolition of the disputed buildings. This crowd included many karsewaks and visitors. I had read in newspapers and also heard on transistor that at the time of demolition of the disputed building the angry crowd gathered there included the karsewaks. I had also read and heard about it that a big crowd of karsewaks had gathered there, but whether they were in lakhs or in thousand, I have neither read about it nor heard about it. I think these karsewaks were Hindus. When the disputed building was demolished, at that time I was at my house in my village. I came to know that even after demolition of the disputed building, the idols were kept at the same place where they appeared earlier. I had not heard about it whether the idols were damaged or not after the demolition of the disputed place. I had visited the disputed site before it was demolished but when I visited it last before the demolition, I do not remember. I had definitely visited the disputed site 2-3 months before its demolition. Last time when I visited there, I had darshan of the deities from outside the building. At that time the place from where I was having darshan, the idols were kept at a distance of 8-10 feet. At that time I saw an idol there and before that too I saw an idol at the same place, which belonged to Bhagwan Ram. When I heard the news of appearance of Bhagwan, I went there for darshan after some days and for the first time I saw that idol from a distance of 5-6 feet. At that time that idol was kept in the north side under the middle Shikar. At that time that idol was kept on the ground and it was lavishly garlanded from all sides. Due to this reason, it could not be ascertained whether the idol was kept on something on the floor or it

was simply kept on the floor. At that time, the floor of that place was cemented. At that time that idol appeared to be about 3 feet in height. That idol was there in the disputed building till the end and still the same idol is kept at the disputed site. When I last visited the disputed site for darshan, I saw the same idol there and it was of the same height of 3 feet.

The witness was shown coloured Album Paper No. 200 C-1, Picture No. 156 and on seeing it the witness said that he can not recollect whether the floor shown in the picture is the same which was under the middle tower to the disputed building, in this picture the black colour strip is visible on the white colour floor. When I did darshan of the idol in the disputed building for the first time I do not remember whether at that time its floor was black-white or of any other colour. I do not recollect whether the floor outside the building looked like the same as it was under the Shikhar in the disputed building. I do not recollect whether the floor of the courtyard outside the disputed site was made of cement or bricks. The witness was shown coloured Album Paper No. 200 C-1, Picture No. 79 and 80 and on seeing them the witness said that those pictures appeared to be that of disputed building but he could not say as to which part of the disputed building they were related.

Verified after reading the statement

Sd/-

Sahadev Prasad Dubey

06. 08 .2003

On my dictation, the Stenographer typed in the Open Court. In continuation be present on 07-08-2003 before the Hon'ble full bench for further cross examination. The witness should remain present.

Sd/-

(Narendra Prasad)

Commissioner

06-08-2003

Dated 07.08.2003

D.W. 1/3 Shri Sahadev Prasad Dubey

(Before Hon'ble Division Bench of Lucknow Full Bench— Further cross examination of D.W. 1/3 Shri Sahadev Prasad Dubey in continuation dated 06.08.2003 by Shri Zaffaryab Jilani, Advocate on behalf of Defendant No. 10 Sunni Central Board of Waqf, U.P. under Oath).

I have used "Janam Sthan" and "Janam Bhoomi" words in Para 7 of my affidavit. These two are separate places. Janam Sthan is located in the northern side of the road passing through the north direction of Janam Bhoomi. From Janam Rhoomi, I mean that building which has three Shikhars and which has not been demolished. From Janamsthan I mean that place and building which is located in the northern side of the disputed building across the road even today and the building still exists. Janam Sthan Mandir is not called Sita Rasoi Mandir. I do not remember when I first visited the Janamsthan Mandir. I do not remember now whether I visited the Janamsthan Mandir before I saw the disputed building, i.e. Janam Shoomi Mandir or after that. It may be that I might have visited both the places simultaneously. I had visited the Janam Sthan Mandir before 1949. On the main gate of Janam Sthan Mandir, there is a big wooden door. After coming out of the main gate of Janam Sthan Mandir we came across a road which passes from Hanumangarhi to Dorahi Kuan. I do not recollect now whether there was any such stone slab fixed outside the Janam Sthan Mandir on which something was written. I do not remember whether on the main gate of Janam Sthan Mandir, on a stone slab "Janam Sthan Mandir" was written or not. I used to visit Janam Sthan Mandir to have Darshan of Bhagwan Shri Rama. I do not know whether there is any Sita Rasoi inside the Janamsthan Mandir or not. Then said Sita Rasoi is located inside the Janam Bhoomi, i.e. the disputed building. Janam Sthan Mandir is 150-200 years old, but Janam Bhoomi Mandir is very old. The disputed building was built by the Gaharwal Kings during 11th - 12th century. I

have stated in line 6 of Para 7 of my affidavit that according to mythological scriptures and ancient religious faith, Janam Bhoomi and Janam Sthan are located in Ramkot Mohalla of Ayodhya. It is my opinion and presumption that definitely there might be a Mandir on that place earlier also where the present Janam Sthan Mandir is located. This strong conviction has been going on for many generations about these two places, namely, Janam Sthan Mandir and Janam Shoomi Mandir. I have stated in Para 7 of my affidavit about the strong religious faith of people in Janam Bhoomi and Janam Sthan Mandir over lakhs of years, but nowhere anything is written about this. It is based on the hear say and convictions. I used the word over lakhs of years in Para 7 of my affidavit for people. From lakhs of years, I mean more than one lakh year i.e. it can be 2, 3, 4 and 10 lakh years. Ram Chander Ji was born in Treta Yuga and Valmiki was his contemporary in Treta Yuga and the Valmiki Ramayana written by him is a proof of it that Lord Rama was born lakhs of years ago. It may be presumed that Ram Chander Ji was born about 15 lakhs years ago from today. Valmiki Ramayana forms the basis of accepting this conviction. Besides, there is mention of Ramkatha in Vedas also. As Valmiki Ramayana was written about 15 lakh years ago, therefore, on this basis, the life period of Shri Rama must fall 15 lakh years ago. No mention has been made in Valmiki Ramayana about the period when it was written. Even by reading its contents, no conclusion can be drawn as to the fact that it was written about 15 lakh years ago. Then himself said that Love-kush the two sons of Lord Rama sang Ramayana during the Ashwamegh Yagna, the proof of which can be found in Valmiki Ramayana. Due to this reason it can be presumed that Valmiki Ramayana was written 15 lakh years before.

The fact that Valmiki Ramayana is 15 lakh years old is based on the fact that Valmiki was contemporary of Shri Ramji and Shri Rama was born 15 lakh years ago. Valmiki Ramayana in its present form, when it was first composed, passed from one generation to another generation on the basis of hear say and when printing and

publication came into practice, Ramayana was printed on the basis of people's hear-say. I cannot tell how many years ago Valmiki Ramayana was first printed. I do not know when Valmiki Ramayana came into written form, I do not know who composed it for the first time. The witness saw two volumes of Valmiki Ramayenan published by Gita Press, paper No. 261 C-1/1 and 261 C ½ and after seeing them he said Valmiki Ramayana is an authentic book and to my belief the entire book is written by Maharishi Vaimiki. I have gone through the Hindi translation of the Valmiki Ramayana which is written in Sanskrit. The Valniiki Ramayana is originally written in Sanskrit language, and I have also read it because reading this book is considered very sacred. But I could understand its Sanskrit text only when I read its Hindi translation. In this book description about Ayodhya and various places located in it can be found at many places. It is correct that description about various palaces located in Ayodhya is given in this book, but I do not know whether any mention of the area of Ayodhya has been made in this Ramayana. According to some scholars, some parts of this book have been unauthorisedly added. It means that certain parts of Valmiki Ramayana are not written by Maharishi Valmiki. These parts have been added in the Baudha period.

I consider Valmiki Ramayana a mythological scripture. The description of Ramkot Mohalla of Ayodhya is not given in this Ramayana. It is written in Valmiki Ramayana that Shri Ram Chander Ji was born in a palace in Ayodyha. It is not mentioned in Valmiki Ramayana where this palace is located in Ayodhya. In which part of Valmiki Ramayana it is written that Shri Ram was born in a palace in Ayodhya, I can tell about this only after going through the Valmiki Ramayana. If this book is made available to me, I can tell about it tomorrow and not now. I shall not be able to refer any book of mythology wherein I might have read that Shri Rama was born in "Ramkot" Mohalla of Ayodhya. This name to the mohalla has been given now. I cannot say when Ramkot Mohalla got its present name

for the first time. I have been hearing the name of Ramkot Mohalla since the time I have gained senses.

Question : I would like to point it out that in Para 7 of your affidavit you have written, “According to the books available mythology — Janam Shoomi and Janam Sthan are located in Ramkot Mohalla of Ayodhya” — which is wrong?

Answer: I have referred to Ramkot Mohalla as part of present Ayodhya.

I have read Ramcharitmanas written by Tulsi Das in original. It cannot be considered as a mythological book, but it has got validity. After seeing Ramcharitmanas written by Tulsi Das and published by Gita Press Paper No. 258-C-112, the witness said— Ramcharitmanas written by Tulsi Das could be considered authentic. There is no mention of Ramkot Mohalla of Ayodhya in this Ramayana also. Ramcharitmanas was written four hundred years ago from today. As there is no mention of Ramkot Mohalla in this book, therefore, on this basis it cannot be said that Ramkot Mohalla did not exist at the time of writing Ramayana. So far as I know there is no mention in any mythological book about this fact that Shri Rama was born in a particular place or Mohalla of Ayodhya. In para 7 of my affidavit, the scriptures referred by me in connection with the glory of birth place of Shri Rama includes Adhyatam Ramayana, Valmiki Ramayana and Yogvashist i.e. Vashist Ramayana. Besides these books, there are several other books but I do not remember their names now. In the above three books, it has been mentioned that Shri Rama was born in Ayodhya, but the name of any particular place has not been mentioned as his Janam Sthal (place of birth). It is correct that in scriptures no particular place of Ayodhya has been mentioned as Janam Sthali of Shri Ram Chander Ji.

In scriptures, it is written that Ayodhya is the Janam Sthal (birth place) of Shri Rama and because Rama was a king and he had a palace in Ayodhya, therefore description about the grandeur of his

palace is given in scriptures. In Valmiki Ramayana as well as in Tulsi Das Ramayana description has been given about the glory of Ayodhya. A palace is just like a house, therefore, nothing is written about the grandeur of the palace. In line 9 of Para 7 of my affidavit, I have written "The Place" which is considered as Janam Sthali (birth place) of Shri Rama — by it I mean Ayodhya and not for any other place. In line 10 of the same Para the work "Uski" is referred by me in relation to Ayodhya and not for the disputed building of Ayodhya. In addition to the above books,¹ description of Ayodhya is given in mythological books and Mahabharata. In literary books Maithlisharan Gupta has written "Saket". Besides, "Panchvati" is about Shri Ram. Other books are not coming to my memory. I have read historical books on Shri Rama, but I do not remember their names now. At the time of writing the historical books' in my affidavit also, I did not remember the names of those books which contain the description of Ayodhya. The place where Shri Rama was born, we call it by the name of Janam Bhoomi. I have given the reference of construction of a Mandir on the Ram Janam Bhoomi site from Adikal in my affidavit, by mentioning it, I mean the period after Ram Rajya during which the people adored him as Bhagwan (God) and felt the need of constructing a temple. In this later period, Luv-Kush were the rulers and this period could be called Adikal. In my opinion, the building which had three Shikhars was constructed during the period of Luv-Kush and since that time Puja is being offered to Shri Rama at the disputed site. No account is found in any religious literary and historical books about construction of a temple during the period of Luv Kush. This is my conviction. The custom of idol worship existed in Treta Yug and it existed even before the times of Shri Ram Chandra Ji. A symbolic account has been given about idol-worship in Valmiki Ramayana also. I can tell after reading it, but it will take some time. (At this point a book was made available to the witness and the witness said that he would give an answer to this question the next day after reading the book). This is not my contention that the idol of Ram Lalla which is kept at the disputed site at present, was continuously being installed in the temple Since beginning. Instead

my contention in this regard is that whenever the old temple collapsed and new temple came up in their places, new idols might have been installed there. The idol of Ram Lalla which is installed at the disputed site now has been there since the time it appeared. It appeared in 1949. When Gaharwal kings built the disputed building, an idol was installed in the building. But after the invasion of Mughals that idol is untraceable and nobody knows about it. This Mughal invasion took place during the period of Babar. What I want to say is that from Babar period upto 1949, the idol of Lord Rama did not exist in the disputed building. There was no idol of either Bhagwan Rama or any other deity. Meer Baki tried to demolish the temple but he could neither demolish it completely nor could built a full fledged Mosque there. The building which Meer Baki wanted to convert into Mosque remained there till the time it was demolished. At the end of Para 7 of my affidavit, a reference has been made about the Parikrama of the place which is in relation to the Parikrama of the disputed building in the Janam Shoomi Mandir. It is not in my knowledge whether Parikrama of the Janamsthan Mandir located in the northern side of the road takes place or not. I have neither done Parikrama there nor seen any person doing Parikrama. In para 8 of my affidavit the word "Asankhya Varsh" means thousands and lakhs of years which cannot be counted. One thousands years are not "Asankhya" because they can be counted. In the same para, I have mentioned that King Vikramaditya built a grand temple on the disputed site about two thousand sixty years before. This period also cannot be called "Asankhya" because by "Asankhya", I mean a very ancient time. I do not have any authentic information whether the Gaharwal Kings built the temple at the same place where a temple was built during the period of King Vikramaditya about two thousand sixty years ago. It may be that the temple built during the period of King Vikramaditya got damaged and thereafter a new temple would have been constructed during the period of Gaharwal Kings. I have not read about the construction of these temples in any book or scripture, but it is simply my idea. I have referred to 127 Hindi books and 56 Sanskrit books in Para 10 of my affidavit which I have read. In one of these

books, I have read somewhere about the renovation of temples by the Gaharwal Kings and King Vikramaditya, but I am not sure when and in which book I have read about it. When I got my affidavit prepared, at that time also I did not remember the name of the book in which this fact of renovation of temples had been mentioned. I do not remember the name of Gaharwal king who undertook renovation work of temples but he belonged to Kannauj which was in Ayodhya. I do not exactly remember the period of rule of that King. Perhaps it would have been 11th, 12th Century. In 11th and 12th century, temples would have been renovated and not reconstructed. Ayodhya and Kannauj were two separate States. But Kannauj being a weak State, no special mention has been made about it anywhere. Ayodhya State was not under the control of Kannauj King. I do not know whether the boundaries, of Kannauj State were extended upto Varanasi. I do not know about the area over which Gaharwal Kings ruled. I have not read Dr. T.P. Verma and Dr. S.P. Gupta's book (Edition 2000) on Ayodhya. I do not remember the names of history books that I have read. I do not remember the name of the book in which I have read about Gaharwal dynasty. In class 8 history book, I had read about Mughal Kings. In para 9 of my affidavit the chronological order referred to therein is based on Mahabharata and I have read it there. I do not remember whether I had read about this Chronology (Kalanana) in Manusmriti or not. I have also read about this in Mahabharat. According to the division of yugas as given in Mahabharata, Bhagwan Rama was born as a son of King Dashratha in Treta Yug. Then said, I do not recollect whether this thing was written in Mahabharata or not, but as per Kalganana Shri Ram Chander Ji was born in Treta Yuga. I am not sure whether this is written in Mahabharata or not, "according to Kalganana of Indian Pancharig, Bhagwan Shri Rama was born as eldest son of Maharaja Dashrath of Avadh on Chaitra Sulka Navami in Treta Yuga". I do not remember whether the word "Avadh" has been used in Mahabharata or not. I am sure about the use of Avadh word in Valmiki Ramayana. In mythology on the one hand names of King Dashrath and Rama have been mentioned; on the other hand reference has also been

made about Avadh. Purushotam Bhagwan Ram Chandra was born on Chaitra Sukla Ram Navami as per Vikrami Samvat. Since the time Vikrami Samvat has come to be used the birthday of Bhagwan Rama has been celebrated on Chaitra Sukla Ram Navami for the last two thousand sixty years. I do not know which Samvat was being used at that time. I do not know before Vikrami Samvat on what basis Kalganana was being done. From known history of "Thousand Years" I mean the period before two thousand sixty years. The birth of Bhagwan Shri Rama about which I have mentioned in Para 9 of my affidavit, means his incarnation and not appearance as human being. There is no difference between incarnating and appearance. In 1949, when Bhagwan Rama appeared in the disputed building, we will call it incarnation. In 1949, Bhagwan Rama appeared in the disputed building in the form of a Murti (idol) and not as a human being. I cannot tell the names of those persons before whom Bhagwan Rama appeared in 1949. I have not heard the names of persons before whom Bhagwan Rama appeared. I have heard the name of Param Hans Ram Chander Das. I have never met him. After 1949, I have never tried to ascertain the names of those persons from any body before whom Bhagwan Rama appeared. I am neither told nor do I know at which place Bhagwan Rama appeared in 1949. I also do not know whether the idol was kept at the same place where Bhagwan Rama appeared. In Photograph Paper No. 154/13, the idol of Bhagwan Rama is not clearly visible. However, in 1949 the idol was kept at the stairs visible in this picture and from 1949 to 1986 the idol was kept on these stairs only and from 1986 to 1992 I saw it on the same stairs.

Verified after reading the statement

Sd/-

Sahadev Prasad Dubey

07-08-2003

On my dictation, the Stenographer typed in the Open Court. In this continuation for further cross examination be present on 08.08.2003.

Sd/-

(Narendra Prasad)

Commissioner

7. 08. 2003

Dated 11.08.2003

D.W 1/3 Shri Sahadev Prasad Dubey

Before: Shri Narendra Prasad, Commissioner, Additional
District Magistrate! Officer on Special Duty, Hon'ble High Court,
Lucknow Bench, Lucknow.

(Commission appointed under orders dated 08.08.2003
of Hon'ble High Court, Lucknow Division Bench)

(In continuation of order dated 07.08.2003 further cross
examination of Shri Sahadev Prasad Dubey under Oath by Shri
Zaffaryab Jilani, Advocate on behalf of Defendant No. 10, Sunni
Central Board of Waqf, U.P.)

The Learned Cross Examining Advocate showed coloured
Album Paper No. 200 C-I, Picture No. 152 to the witness. On seeing
the picture, the witness said this is the picture of the middle tower
(Shikhar) of temple under which Bhagwan Rama was born. I can not
see any throne in this picture. In this picture something like an idol is
seen, but is not clearly visible. In this picture no staircase is visible
and the idol is also not clear. The idol is covered under the flower
garlands and on the upper side a picture is visible. I do not recollect
when I saw these things which are visible in the picture in the
disputed building or it may be that I saw them after 1950, I do not
remember. On seeing picture No. 153, 154 and 155 of this Album, the
witness said that same things are visible in these three pictures which
are visible in picture No. 152. I do not remember whether saw the
things visible in these pictures on the stairs or away from the stairs
under the middle Shikhar (tower) of the disputed building. I do not
recollect whether the things visible in these pictures were kept on the
right side or left side of the top stair. No stairs are visible in these
pictures.

Question: When you saw the things visible in Picture No. 152 to 154 on
the spot, can you tell at what distance from the stair these

things were kept as is mentioned by you in your statement at Page 52 ? After going through his above statement the witness replied:

Answer.: After seeing these things, I am unable to guess whether the things visible near the stairs in the picture exist or not. I am also unable to guess that at what distance from the stairs these things were kept.

The things visible in picture No. 152, 153 and 154 are different from the things visible in Picture No. 155. I cannot tell at what distance from the middle gate of the disputed building ending towards inside, the things visible in Picture No. 152, 153 and 154 were kept and in which direction they were kept. I cannot tell about the distance between the thing visible in Picture No. 155 and the thing that is visible in Picture No. 154 and the direction where it was kept.

Question: I have to say that the things which are visible in Picture No. 154, the same things are there in Picture No. 155, what have you to say about this?

Answer: On seeing Picture No. 154 and 155, it appears that they are of the same place. But Picture No. 155 is taken from side and that is why neither the idol is clearly visible nor the front of the picture in the upper side is clearly visible.

Question: I have to say that in Picture No. 152, 153, 154 and 155 a throne like thing is visible on which an idol was kept, what you have to say about this?

Answer: I can not see any throne in these pictures.

Question: My contention is that the throne like thing visible in Picture No. 152 to 155 was not kept in the disputed building from 1950 to February 1986, what have you to say about this?

Answer: Whenever I went there to have darshan, that place used to be overcrowded and except the upper portion of the idol of God nothing was visible and due to this reason it was difficult to see whether there was a throne or not.

Question: It means that you cannot tell whether the throne like thing appearing in the above Picture No. 152 to 155 was kept under the disputed building from 1950 to 1st February 1986 or not?

Answer: Whenever I went there to have darshan, a big crowd of devotees used to gather there and except the upper portion of the idol everything was covered under the flowers, garlands and the idol was surrounded by the devotees and therefore it was difficult to say whether the idol was kept on the throne or not and that is why I am unable to tell.

It would be wrong to draw a conclusion from my above deposition that I did not go there from 1950 to 1st February 1986. After seeing Picture No. 155 and 156 the witness said that the floor visible in the Pictures belongs to the portion under the middle dome of the disputed building or not, I do not recollect. After seeing picture No. 79 of the same Album, the witness said that it appears to be the picture of the disputed building. But to which portion of the building this picture belongs to, I cannot tell. In this picture, I can see an open door but I cannot tell whether the door visible in the picture is the middle door or southern door or the northern door of the disputed building. After seeing Picture No. 80, the witness said that this picture belongs to the disputed site. In this picture I can see two doors. On guessing, it can surely be said that both the doors belongs to the door with tower in the disputed building. But it is not been clear whether this picture belongs to the northern door or the southern door. After seeing Picture No. 84, the witness said I can see a door in this picture. In my view, the door appearing in this picture is that of southern door of the disputed building. After seeing picture No. 88 and 89, the witness said that these pictures belong to those doors which are under the middle Shikhar (tower) in the disputed building. After seeing Picture No. 99 and 100 in the disputed building, the witness said that the door appearing in these pictures belong to the door which is under the middle Shikhar of the disputed building: After seeing Picture No. 102 the witness said this picture also belongs to the disputed building and the northern side of the disputed building is

seen in this picture. After seeing Paper No., 200 C-1, Picture No. 128 and 129 of the same album, the witness said that this picture belongs to a person who is wearing a turban and picture appearing there is that of the then city Magistrate Guru Dutt Singh. I do not remember whether I saw the picture of Guru Dutt Singh visible in these photos hanged in the disputed building or not. After seeing Picture No. 148 and 150, the witness said that it was not clear to him whether these pictures belong to the disputed building or not. After seeing Picture No. 172 and 173, the witness said that these pictures belong to the disputed building and to the lower portion of the middle Shikhar. After seeing Picture No. 201 of the same Album, the witness said that this picture belongs to the disputed building and the entrance door of middle dome is shown in it. After seeing Picture No. 11 and 12 of the same Album, the witness said these pictures belong to the outer wall of the disputed building premises, but I cannot guess whether the northern side, eastern side or western or southern side of the outer wall of the disputed building has been shown in them. After seeing Picture No. 9 of the same Album, the witness said that this is the picture of the disputed building and the door under the middle Shikhar has been shown in it. After seeing Picture No. 36 of the same Album, the witness said that Parikrama Marg is visible in this picture. In Picture No. 37, a path is visible in the picture which was in the east-west side. This path after going towards western side turned to the southern direction. Once or twice when I did Parikrama from outside, I have taken this path. I do not remember when I took this path the last time. I do not recollect whether I took this path before 1986 or after that. After seeing Picture No. 47 and 48 of the same Album, the witness said these pictures belong to the touch stone pillars of the disputed building and middle Shikhar (dome) part is shown in these pictures. After seeing Pictures No. 55 of the same Album, the witness said that a wall is visible in this picture and this is the outer wall of the disputed building but I do not recollect which side of the wall has been shown in the picture. After seeing Picture No. 56 of the same Album, the witness said that a thatched roof and a tin shed are visible in the picture. After seeing the picture I could not guess where this tin shed

was in the disputed building. After seeing Picture No. 58, the witness said that the lower part of the Ram Chabutara is visible in the picture. After seeing Picture No. 63 of the same Album, the witness said that the picture appears to be that of iron bar wall. It appears to be of the southern part of the iron bar wall. After seeing the Picture No. 65 of the same Album, the witness said that this picture also appears to be that of iron bar wall and the southern part of the iron bar wall has been shown in this picture. After seeing Picture No. 68 of the same Album, the witness said that this picture appears to be that of northern part of the iron bar wall and a tree is also visible in the picture. I can not recollect whether there used to be an entrance gate in front of this tree or not. After seeing Picture No. 72 of the same Album, the witness said that in the picture a throne is visible and above the throne Kaushalya Rasoi is written and this is the place of Sita Rasoi. I did not notice at the site whether Kaushalaya Rasoi was written there or not but it was Sita Rasoi. The place shown in picture No. 71 and 72, I have always considered it as Sita Rasoi and Kaushalya Rasoi. The only difference between Sita Rasoi and Kaushalya Rasoi is that until Sita's arrival to Ayodhya after her marriage with Rama, till that time it was Kaushalya Rasoi and after Sita came there it became Sita Rasoi. Kaushalya Rasoi was part of the palace during the time of Kaushalya Ji where food used to be cooked. I do not have any knowledge whether there is any building in Ayodhya in the name of Kaushalya Ji or not. I believe, there must be a palace in the name of Kaushalya during the time of King Dashratha. All the three queens of King Dashratha had separate palaces and all the three palaces belonged to King Dashratha and whether there was any separate palace of King Dashratha or not, I do not recollect. During the time of King Dashratha, there was a separate palace of Shri Ram Chander Ji and when Sita Ji came there after marriage she also lived there. I do not know whether there was any Rasoi in the palace of Shri Ram Chander Ji or not. I do have knowledge that Sita started cooking food in Kaushalya Rasoi. The place seen in Picture No. 71 and 72, Kaushalya Rasoi is written there, but people know it by the name of Sita Rasoi though Sita Rasoi is not written there. About Sita

Rasoi my conviction is based on traditions, I have not found it written anywhere. In Picture No. 71 and 72, kitchen roller, rolling pin and smoke stove (Chouka, chakia, belan and chulah) are visible. I have always seen them there but I do not know since when they have been kept there. These chakla, belan, chulah and foot prints were made of marble as per my knowledge. How old these things appeared, I cannot guess. After seeing Picture No. 77 of coloured album Paper 200 C-1, the witness said that he can see a tree and a gate in that picture and it is the eastern side small gate of iron bar wall. I do not remember when I saw this gate whether it was open or close. I do not remember whether I have even entered through this gate or not. Most of the people entered through the main gate and so I did. After seeing Picture No. 103 of the same Album, the witness said that this picture appears to be that of the lower portion of the middle Shikhar (dome) of the disputed building. The black strip floor appearing in this picture seems to be that of the lower portion of the middle Shikhar (dome). The floor of the courtyard of outer portion of the lower part of the dome is also visible in the picture. I can also see touch stone pillars in this picture. The floor of the outer courtyard visible in this picture was cemented but I cannot tell about the material or the stone used in it, I have not noticed. After seeing Picture No. 116 of this Album, the witness said that the childhood picture of God is visible in the Photograph. I saw this picture hanged in the disputed building, but did not notice where it was hanged. I saw this picture hanged on the wall of the disputed building but do not recollect whether it was hanged on the eastern, western, northern or southern side wall. So far as I remember I saw this picture hanged on the wall even before 1986 and afterwards also. Before, 1986 I saw this picture from outside the iron bar wall. I remember that the lock of the iron bar wall of the disputed building was opened in 1986. After 1986, I went there upto the middle door and had darshan from there and also saw the surrounding area, but did not go inside. Once or twice I have gone inside the disputed building and also went there after the lock was opened. At that time, I saw the inner wall from inside but did not see them seriously.

The four black pillars of touch stones were located at the lower portion gate of the middle Shikhar, two on the outer side and two inside. The lower portion entrance of the southern Shikhar had four black pillars, two outside and two inside. Similarly, the lower portion gate of northern Shikhar had four black touch stone pillars, two on the outside and two inside. Thus in all 12 black touch stone pillars were there on the gates under the three Shikhars. I have seen closely the pillars of the middle gate and saw the pillars of the rest of the gates from a distance. The witness was shown the coloured Album Paper No. 200 C-1, Picture No. 84, seeing which the witness said that in his view it is the southern side gate. In this picture, I can see the stone pillars but black touch stone pillars are not visible. In this picture, two stone pillars are visible in the outer side, but the black pillars can not be seen. After seeing Picture No. 85, the witness said to which gate this picture belongs to is not clear, whether it belongs to the northern side or southern side gate it is not clear. I can not see the black touch stone pillars in this picture, though I can see two pillars on the outer side. They appear to be stone pillars. After seeing Picture No. 86, the witness said — the gate appearing in this picture is the middle gate or the northern or the southern gate, I cannot guess and in this picture too the black touch stone pillars are not visible, but two stone pillars are visible in the outer side. After seeing Picture No. 99 and 100 of the same Album, the witness said — the gate appearing in these pictures is the northern side gate. The black touchstone pillars are visible on the gate, but the stone pillars are visible in the outer side. In Picture No. 99, these pillars are clear and in Picture No. 100, the gates are visible, I had not seen the black touch stone pillars among them. In these gates, I had neither seen the black touchstone pillars inside nor outside. After seeing the picture, I shall try to identify the pillar and its location. The witness was shown picture No. 49 to 54 of the same Album and was asked to identify the pillars and their locations in the disputed building as shown in the picture. After seeing the above pictures, the witness said — in some of these pictures the upper portion is visible and in some of them the lower portion is visible. I cannot tell where these pillars were located in the disputed

building. After seeing Picture No. 104 to 108 the witness said — I am sure the pillars appearing in the picture belonged to the disputed building, but I cannot tell the place where they are located. After seeing Picture No. 109 and 114 the witness said — I cannot tell about the place where these pillars were located in the disputed building which are shown in the pictures. After seeing picture No. 115, 118 to 120, the witness said that the pillars appearing in these pictures belong to the disputed building but where they were located in the disputed building, I cannot say. After seeing Picture No. 121 to 127 the witness said — the pillars appearing in these pictures belong to the disputed building but where they were located, I cannot say. After seeing Picture No. 136 to 147 the witness said — the pillars appearing in these pictures also belong to the disputed building but where they were located, I cannot say. After seeing Picture No. 157 to 167 the witness said — the pillars appearing in these pictures also belong to the disputed building but I cannot tell where they were located in the disputed building. After seeing Picture No. 176 to 200, the witness said — the pillars appearing in these pictures too belong to the disputed building but I cannot tell the place where these were located.

The Learned Cross Examining Advocate showed the witness black and white Album Paper No. 201 C/1, Picture No. 25, 26 and 27, seeing which the witness said — This is not a coloured picture, but black and white and every thing in it appears either black or white. These pictures belong to the disputed building but to which portion of the disputed building they belong to, I cannot tell. After seeing Picture No. 56, 57 and 58, the witness said — in these pictures pillars can be seen but I cannot say whether these are black pillar stones or white pillar stones. I cannot even say to which portion of the disputed building they belong to. After seeing Picture No. 59, 60, 61 and 62 of the same album, the witness said after seeing these pictures it is not clear whether they are black stone pillars or white stone pillars. I cannot say to which part of the disputed building these pillars belong to which are visible in the pictures. After seeing Picture No. 63 to 66,

the witness said — the pillars appearing in these pictures are made of black stone or white stone, I cannot tell. I cannot tell in which part of the disputed building they were located. After seeing Picture No. 71 to 77 of the same Album, the witness said — the pillars appearing in these pictures are made of white stone or black stone, I cannot say and I also cannot tell about the place where they were located in the disputed building. After seeing Picture No. 86 to 91 of this Album, the witness said — the pillars appearing in these pictures are made of white stone or black stone, I cannot tell. I also cannot say whether they were located in the disputed building. After seeing Picture No. 95 to 106, the witness said — the pillars appearing in these pictures are made of black stone or white stone, I cannot tell and I also cannot say where they were located in the disputed building.

After seeing para 13 of the affidavit of main cross examination, the witness said that he can not recognize the two touchstone pillars mentioned in this para from both the coloured and black and white Album pictures. Although, I still remember about those pillars. People used to say that Murties (idols) of Jai-Vijay are carved out on the above two pillars, which have been mentioned in Para 13 of my affidavit. After seeing all the coloured and black and white pictures of the album the witness said — I can not clearly see the idols of Jai-Vijay in any picture of the albums. The idols of Jai-Vijay were carved out on the pillars but I do not remember whether they were carved out in the upper side or lower side or in the middle of the pillar. I do not remember whether I have seen idols of Jai-Vijay in any other temple or not. After going though Para 13 of affidavit of the main cross examination, the witness said that he does not remember the length and breadth of the store house mentioned in the affidavit. I saw that store house till the time the disputed building was not demolished. I do not remember when I first saw that store house. I can not recollect whether the store house had a thatched roof or a tin roof or leaves-roof or a wooden roof. Jai-Vijay are gods. I do not recognize the two touchstone pillars mentioned in this para from both the coloured and black and white Album pictures. Although, I still remember about those pillars. People used to say that Murties (idols) of Jai-Vijay are

carved out on the above two pillars, which have been mentioned in Para 13 of my affidavit. After seeing all the coloured and black and white pictures of the album the witness said — I can not clearly see the idols of Jai-Vijay in any picture of the albums. The idols of Jai-Vijay were carved out on the pillars but I do not remember whether they were carved out in the upper side or lower side or in the middle of the pillar. I do not remember whether I have seen idols of Jai-Vijay in any other temple or not. After going through Para 13 of affidavit of the main cross examination, the witness said that he does not remember the length and breadth of the store house mentioned in the affidavit. I saw that store house till the time the disputed building was not demolished. I do not remember when I first saw that store house. I can not recollect whether the store house had a thatched roof or a tin roof or leafed roof or a wooden roof. Jai-Vijay are gods. The idols of the deities carved out on the pillars about which I have made a mention in Para 13 of my affidavit of main cross examination — by it I mean Jai-Vijay and not Gods. I do not recollect whether idol of any Goddess was carved out on the two pillars or not. The rest of black stone pillars which I saw in the disputed buildings, were bearing the idol of any God or Goddess, I do not recollect.

In my opinion, there are more than six thousand temples in Ayodhya. The smallest temple I saw among these temples is about one foot in height and a small idol has been kept there. Its length and breadth would be less than one foot. I cannot tell about the number of such small temples in Ayodhya whether they are twenty or twenty five or hundreds and more in number. I cannot tell out of six thousand temples, how many number of temples are located in houses and how many are there in public places. I shall not be able to tell as to how many temples I have visited in Ayodhya. People say and I also guess that there may be about six thousand , temples in Ayodhya. I mentioned four temples in Para 14 of my affidavit of main cross examination; they include Janam Sthan and Janam Bhoomi Mandir, Hanumangarhi and Kanak Bhavan. Besides these temples, I have visited many other temples in Ayodhya and had darshan there, but I

do not remember their number. The number of such temples would be 100, 200. Among these 100, 200 temples, I do remember the names of Nageshwar Nath Temple, Chhoti Chhawani Temple, Janaki Mahal temple, Hanuman Bag temple etc. The number of temples I have visited in Ayodhya, in my opinion among them, the oldest temple is Ram Janam Bhoomi Mandir, i.e. the temple whose building was demolished on 6th December, 1992. The building which was demolished on 6th December, 1992, it was renovated from time to time and it is very difficult for me to guess as to when this temple would have been built. In Para 8 of my affidavit of main cross examination, I have written that Ram Janam Bhoomi Mandir was built innumerable years ago, it is based on the faith and belief of the people from generation after generation. I have also the same feeling. After this temple, the oldest temple of Ayodhya is Nageshwar Nath temple, as people say. People believe that Nageshwar Nath temple was there before the Mughal Era and it had been renovated from time to time after it became age old and dilapidated. I do not have any source of information about the king who built Nageshwar Nath Mandir. I do not know, besides these two temples which are the other old temples in Ayodhya. Kanak Shavan and Hanumangarhi buildings are also very old, but they are not as old as Janam Bhoomi Mandir and Nageshwar Nath Mandir. I do not know when Hanumangarhi temple and Kanak Bhavan temple were built. People say that Kanak Bhavan was built by a King of Tikamgarh. But I do not know who built Hanumangarhi. I do not know how many hundred years ago Hanumangarhi Mandir and Kanak Bhavan would have been built. I do not know whether they were built about one thousand or two thousand years ago. Except the disputed building, I have not seen any other three Shikhar (domes) temple in Ayodhya. People say there is a temple of Lord Shiva in the eastern side of Pratap Garh District of Uttar Pradesh which has three Shikhars except this, I do not know if there is any other temple existing in India which has three Shkhars. The place where the idol Bhagwan or deity is kept in a temple is called Garbhagriha. I do not know whether any such place exist in Kanak Bhavan or not which is called Garbhagriha. Hanumangarhi and

Janam Sthan Mandir have idols of Bhagwan and the place where idols are kept we call that place Garbhagriha. I do not know the length and breadth of the place where idols have been kept in Hanumangarhi and Janam Sthan. I do not know whether the place of Garbhagriha is open from all sides or has a wall on its any side. I have never seen any temple without a Garbhagriha. I have not read in any book about any temple without a Garbhagriha. Besides Ayodhya, I have visited Jagannathpuri, Gaya, Banaras, etc, among places of pilgrimage. Besides these places, I have gone to other places of pilgrimage such as Neemsar, Devi Patan etc. I have not visited Mathura. In the temples of the above sacred places which I have visited, idols have been kept and the same place is called the Garbhagriha. I have seen the Garbhagriha but I cannot tell about the length and breadth of the Garbhagriha of any temple. I cannot say if this is said that the length and breadth of the Garbhagriha of a temple shall not exceed by multiple of 2 and 2 meters, whether this contention would be correct or wrong. If it is said that the Garbhagriha of a temple is surrounded by wall from all sides and one of the walls has a door, I cannot say whether this contention is correct or wrong.

In Hanumangarhi of Ayodhya, the main idol is of Hanuman Ji and in the same room the idols of Bhagwan Rama, Laxman and Janaki are kept on the back side. In Hanumangarhi, the upper portion of the throat of the idol of Ha'numan Ji is visible and rest of the portion is covered with garlands, that is why I cannot tell the height of the idol. I cannot tell whether that idol is one feet or four feet in height. The room where the id& of Hanumanji is kept, the idols of Ram Chander Ji, Laxmanji and Sitaji are also there. But I cannot tell their length and breadth. In the Kanak Bhavan the main idols are that of Ram Chanderji and Sitaji but I do not know their heights. I go there to have darshan with religious feelings and therefore, I cannot tell their heights.

Question: While having darshan of the idol with religious feeling whether guessing about its height constitute an irreligious act?

Answer: In my view it is absolutely irreligious because we worship God entirely with devotion.

I never visited the disputed site with the above religious feeling.

(On this point the Learned Advocate of the Plaintiff Shri P.L. Mishra objected of this and said that the question for which the above answer has been given, in that question "with this religious feeling" words are vague).

(Answering to the objection raised, the Learned Cross-Examining Advocate said that in the above question "with this religious feeling" words have been used in the context of the religious feeling described in the written statement of the witness and this fact had been explained to the witness by the Court and after understanding that fact the witness had replied). Since the time I started visiting the disputed site,

I have always been seeing the idols of Rama and Janaki being kept at the Ram Chabutara.

Verified after reading the statement

Sd/-

Sahadev Prasad Dubey

Dated 11.08.2003

On my dictation, the Stenographer typed in the Open Court. In this continuation for further cross examination the witness remain present on 13.08.2003

Sd/-

(Narendra Prasad)

Commissioner

11.08.2003

Dated: 13.08.2003

Shri Sahadev Prasad Dubey

Before: Shri Narendra Prasad, Commissioner, Additional
District Magistrate! Officer on Special Duty, Hon'ble High Court,
Lucknow Bench, Lucknow.

(Commission appointed under orders dated 08.08.2003
of Hon'ble High Court, Lucknow Division Bench)

(In continuation of order dated 11 .08.2003 further cross
examination of Shri Sahadev Prasad Dubey by Shri Zaffaryab Jilani,
Advocate on behalf of Defendant No. 10, Sunni Central Board of
Waqf U.P. continues under Oath).

Whether I have stated in my statement dated 07.08.2003 at
Page 47 in the last 2 lines "the place where Rama was born we refer
that place as Ram Janam Shoomi" is correct. Janam Bhoomi is
surrounded by walls from all four skies and this entire complex is
called Janam Sthan. It means that the palace where Lord Rama was
born will be called Janam Bhoomi and the area around it will be called
Janam Sthan.

Question: According to your faith Ram Chander Ji was born in the palace
of Kaushalya, do you think the entire outer complex of that
palace which is surrounded by any fort or four walls, will be
called Janam Sthan?

(On this point the Learned Advocate of the Plaintiff, Shri Puttu
Lal Mishra objected on the ground that the question is only a figment
of imagination because it does not relate to the personal knowledge
of witness.

(Replying to the objection the Cross Examining Advocate stated
that if the above question is said to be based on figment of

imagination, then the entire testimony of the witness and his full statement which is related to the birth of Ram Chander Ji, Janam Sthan and Janam Shoomi and about which the witness has mentioned in his affidavit, all the statement will be treated as based on figment of imagination and when the witness is himself giving statement on the basis of figment of imagination, then it is in the jurisdiction of the Defendant to do cross examination on a statement which is based on imagination).

Answer: I believe it will be called Janam Sthan.

Question: Do you have knowledge based on faith and scriptures, whether the palace of Kaushalya, was located inside a bigger palace or fort?

Answer: I know this much only that Maharani Kaushalya was the principal wife of King Dasharatha and due to this reason her palace itself was a big palace.

Question: This was my question, as per your faith and on the basis of your knowledge of scriptures, whether the above palace of Kaushalya formed a part of any bigger palace or fort or not?

Answer: The palace of Kaushalya itself was a big palace and nowhere the word fort has been used in scriptures.

Question: Whether word Durg has been used for fort anywhere in the scriptures or not?

Answer.: In scriptures, the word Durg has been used but I do not know whether it has been used for fort or not.

Question: Whether word Durg, has been used for fort anywhere in the scriptures or not ?

Answer: In scriptures, the word Durg has been used but I do not know whether it has been used for fort or not.

From Durg, I mean a place where soldiers used to live. Weapons, armaments, horses were kept there and soldiers and officers used to live there.

Question: Was there no provision for accommodation for the then kings and their families in a Durg?

Answer: Durg were built to keep armaments, cantonment, residences of officers and for their families. If the kings or their family members came there, they were also accommodated there.

Question: Whether the kings and their families used to have permanent residence elsewhere outside of Durg?

Answer: Kings and their families used to live in capitals and that place used to be built after keeping in view all the security norms. Near to this place soldiers and civilians also lived and that entire city used to, be surrounded by four walls and this place had a strong security arrangements.

Ayodhya was the capital of King Dashratha.

Question: Whether the palaces of King Dashratha and his family members were not located in a Durg in Ayodhya?

Answers.: Capital used to be a city. A strong wall (Prachir) was built from all sides around the city and the city as well as the cantonment area and the palaces of the king used to be inside these four walls.

Question: Should I understand from it that there was no Durg located in Ayodhya during the period of King Dashratha, it was only a city surrounded by walls?

Answer: I do not know about Durg but I know only this much that the boundary walls were very strong and were made fully secure.

From Prachir I mean Chardiwari (four walls constructed in a square shape). King Dashratha had definitely a separate palace in Ayodhya. I do not have knowledge whether the palace of King Dashratha was connected with the palace of Kaushalyaji or not. I do not know whether the palace of Shri Ram Chander Ji was connected with the palace of Kaushalya Ji or was located at some distance. I do not even know whether the palaces of Rani (Queen) Kaikeyi and Sumitra were connected with the palace of Kaushalya or located at some distance. I can only guess that the palaces of Laxman Ji, Bharat Ji and Shatrughana Ji would be located near to the above palaces. I cannot tell whether all the above palaces were located in the same courtyard (prangan) and in the same four walls or not.

Question : It is possible that King Dashratha and his other family members houses, as mentioned by you above, were located in the middle of houses of other citizens and there might be no four walls between their houses and the houses of other citizens?

Answer: The palaces of the members of the family of King Dashratha were located at a small distance but no four walls existed between the palaces of his family members and the houses of citizens.

Question: The facts you have given about the King Dashratha and his family members and citizens palaces, houses and four walls in your statement, whether they are based on your faith or you have read about them in any religious or historical book?

Answer.: After reading Ramayana I came to know that there was no other four walls between the royal palace and the residences of citizens. I have stated this thing based on my knowledge of books.

From books, I mean other Ramayanas, because there are several Ramayanas. From other Ramayanas I mean Valmiki Ramayana, Adhyatam Ramayana and Bhusundi Ramayana, Yog Vashist Ramayana and Ramcharitmanas.

The witness was shown Valmiki Ramayana Paper No. 261 C-1/1 and it was asked from him if he could tell at what page or in which Shloka the description of the above palace and other palaces has been given in this Valmiki Ramayana?

After seeing the above, the witness said that these things have been described in Pancham Sarga, Sixth Shloka at Page 41 of this Ramayana.

Question: I have to say that in any Shloka of above Pancham Sarga there is no mention of King Dashratha or his above family members' palaces by their names?

Answer: This has been mentioned in Pancham Sarga and Chaturtha (fourth) Sarga.

Question: Please indicate that Shioka of Chaturtha Sarga and Pancham Sarga in which the description about the above palaces and their occupants has been given?

Answer: Such description is found in 6th, 7th, 10th, 11th, 15th, 16th and 17th Shlokas of Balkand in Pancham Sarga. In other places where this description has come, I can tell after seeing my note.

(The Learned Cross Examining Advocate did not raise any objection on seeing the note and the witness was allowed to answer on the basis of a note which he had brought with him. After seeing the above note, the witness said that description of the palace of Maharaja Rama has been given in third Shloka of Chaturtha Sarga of Ayodhya Kand).

Question: In your above reply you have referred the Shlokas of Pancham Sarga of Balkand, but in none of them the palaces of King Dashratha and his other family members have been mentioned by their names, what have you to say about this?

Answer: This is correct that there is no mention of palaces by their names but there is a mention of Puja Raj Marg, and splendour of that city.

Question: Similarly in the third Shioka of Chaturth Sarga of Ayodhya Kand, there is no mention of King Dashraha and his family members' palaces by their names, what you have to say about this?

Answer: This is correct that there is no mention of palaces by name of King Dashratha and his family members, but in Ramayana there is mention of their palaces in some palaces. However, I can not recollect in which Kand and in which Shloka such mention has been made.

At present, even after going through both the volumes of Valmiki Ramayana, I shall not be able to tell in which Sarga and Shloka such mention has been made because it will take time to

search that. I shall try to tell about this tomorrow after going through the two volumes of Valmiki Ramayana.

Question : You had stated at Page 45 of your statement dated 7th August, 2003 that "I shall be able to tell after going through Valmiki Ramayana, in which part it is written that Shri Rama was born in a Rajmahal (Palace) in Ayodhya. If book is given to me, I can tell." Will you be able to tell today where in Valmiki Ramayana the above fact about Rajmahal is written? After going through his above statement the witness replied:-

Answer: As Valmiki Ramayana is not available here with me and even after searching of it I could not get it. I have not brought it from home and until I get the Valmiki Ramayana and locate the portion where this mention has come, till then I cannot give reference of the Sarga and Kand.

Question: Just now you have given your statement after going through a note which you brought with you; did you make that note without reading Valmiki Ramayana?

Answer: I had in my mind that once you had asked whether the temple was built at the place at that time where Puja was performed. In this connection, I consulted some scholars on the subject and asked them at which place that description was given, because it was not coming to my mind. Whatever they told me I noted it down. No question was asked about palaces and so I did not seek any information.

Question: You have said in your statement dated 7th August, 2003 about taking birth in a palace, you told that you would yourself give reference of Valmiki Ramayana about that, so did you discuss that matter with the above scholars and tried to know the relevant Shloka of Valmiki Ramayana?

Answer: I could not do it because I had taken lot of their time in getting information about the temple.

Question: Were you not made available the two volumes of Valmiki Ramayana by Shri Puttu Lal Mishra, Advocate and Shri Ajay kumar Padey, Advocate or you yourself did not like to ask for it from them?

(On this point Shri Ajay Kumar Pandey, Learned Advocate of Other Original Suit No. 5/89 objected and said that on the one hand the Learned Cross Examining Advocate is saying that why request for Valmiki Ramayana was not made to Shri Ajay Kumar Pandey, Advocate and on the other hand he is raising objection on the ground that Ajay Kumar Pandey has no right to raise objection in this Suit — both these two positions are contradictory and, therefore, permission should not be granted to ask such questions).

Answer: I neither know the distance nor the place where the house of Shri Ajay Kumar Pandey or the house of Shri Puttu Lal Mishra from my house is. Whenever I come to the Court only then I contact them and the second thing is that it never came in my mind that these books could be with them and in my opinion the lawyer mostly keeps of the books of law.

Question: I have to say that Shri Ajay Kumar Pandey has been bringing the Valmiki Ramayana in the Court and at this time too, he is reading Valmiki Ramayana?

Answer: You have rightly said it.

Question: If you like I can give you both the volumes of Valmiki Ramayana for reading even today so that after going through it you could point out the relevant Shlokas of Ramayana in reply to the questions being asked from you?

Answer: I shall obtain both the volumes of Valmiki Ramayana from Shri Ajay Kumar Pandey today and give reference of the Shiokas relevant to the above two questions.

Question: You have stated in Page 48 of your statement dated 7.8.2003 that "there is mention of symbolic idol worship in Valmiki Ramayana too. I can tell after reading but it will take time". Can you tell it today?

Answer: In thirtieth Shloka of Chaturtha Sarga of Ayodhya Kand, this has been mentioned and also in Shloka 25, 26 and 27 to 82 Sarga of Yudh Kand this is mentioned that Meghnath tried to perform Yagna at the Nikumbhala Temple.

Valmiki Ramayan Volume-II Paper No. 261 C-1/2 from Page No. 457, 82nd Sarga is beginning and Shioka 25th, 26th and 27th on Page 458 of the same Ramayana makes it clear that deities were worshipped in temple.

Question: I want to point it out that in Saloka 25, 26 and 27 to 82nd Sarga of Yudh Kand and 30th Shloka of Chaturha Sarga of Ayodhya Kand, there is no mention of idol worship, what have you to say about it?

Answer: In the above Shlokas, idol worship is specifically mentioned. The place where mother Kaushalya worships Narayan Dev and offers prayers in temples, one cannot imagine a temple without an idol. Similarly, in Shloka 25th, 26th and 27th of 82 Sarga of Yudh Kand, description of Devi Nikumbala Temple and how the Puja is performed there is given. It clearly proves that both these temples had idols of deities and these deities were worshipped.

Question: Do you find any mention of keeping an idol in the above Shlokas?

Answer: After reading these Shlokas it is found that these temples had idols. The worshippers of these idols went before them and offered their prayers and requested the deity to grant them requisite boon which makes it clear that there was idol there and had that temple not been in name of any God or Goddess, prayers would not have been offered there in their names.

Question: Whether in 30th Shloka of Chaturtha Sarga of Ayodhya Kand, there is mention of only Dev Mandir and worship of the deity and there is no mention of any particular God or his temple?

Answer: As Dev Mandir word has been used and by sitting in a Dev Mandir and offering prayer to him means this is being done to worship a particular God and that God was Narayana Dev.

From Narayana Dev I mean Bhagwan Vishnu. In this connection 33 Saloka support my contention

Question: Is there any difference between Dev Aradhana, Yachana and Murti Puja or all these things are the same?

Answer: Yes, Sir, there is difference between them. Aradhana can be done at any place but if Dev Mandir word has been used and if it comes to the matter of doing Aradhana by sitting there, it definitely means there is an idol of some God or Goddess.

Question: In 25th shioka of 82nd Sarga of Yudha Kand, name of Nikumbhila has been used, may I know for which God or Goddess this name has been used?

Answer: Nikumbhila itself is the name of a Goddess.

Question: Is Nikumbhila Devi is the incarnation of some deity or she is adored or worshipped as God herself?

Answer: Nikumbhila Devi is neither incarnation nor treated as God. Like other deities, Nikumbhila Devi is also a divine power who grants boon which is wished for and also brings good fortune to her devotees.

Question: In the 24th Shloka of 82 Sarga, Indrajeet expresses his desire to perform sacrifice (Hom). what does it mean?

Answer: Indrajeet wants to visit that temple and after performing Pujan of Nikumbhila Devi entreats her to grant him the boon he wishes for.

I have not seen the ido' of Nikumbhila Devi. I do not know whether in today's time her idol is kept anywhere or not. I have not seen anybody performing the Puja of Nikumbhila DeW in Ayodhya.

The witness was shown Page 49 of his statement dated 7.8.2003 wherein he had stated "I do not have definite information to the fact the temple was not built two thousand years ago" and it was asked from him whether his statement was correct.

(On this point the Learned Advocate of Plaintiff, Shri Puttu Lal Mishra raised an objection on the ground that this thing has already been written in the statement of witness and unless and until anything contrary comes in the statement, till then the previous statement could not be quoted, because it would be the repetition of the statement).

After going through his above statement the witness said it is correct.

In this connection I have further said on the same page that I have not read in any book or scripture about the construction of these temples and this is based on my conviction. Extract of my statement

on the same Page No. 49 and 50 “The books which I have mentioned in Para 10 of my affidavit — read about renovation” is also correct.

Question: After reading your above statement, shall I conclude that you have read about renovation work in some books but you have not read about construction work in any book?

Answer: I meant to say that Maharaja Vikramaditya got these temples built after investigation. From these temples I mean this temple of Ayodhya and other temples at places of pilgrimage which were built by him. I am also of the same belief, but so far as the issue of renovation work is concerned, disputed temple of Ayodhya was built by King Vikramaditya and it was definitely renovated by Gaharwal Kings.

Question : Actually my question was this that according to your statement at Page 49, you have not read in any book or scriptures about construction of these temples, but whatever you have said about construction of temples is based on your belief? What have you to say about this?

Answer: Everybody knows it that Maharaja Vikramaditya built the temple after making investigation, this temple was also built by him. This is accepted by one and all. I have read about renovation work of temples, but I do not remember in which book I have read about it.

Question: Where have you read about the construction of this temple by Vikramaditya?

Answer: No Sir, I have not read about it.

At present Vikrami Samvat 2060 is running and Samvat year started from the period of Vikramaditya. This Vikrami Samvat year begins from the date of Chaitra Shukia Partipada. Chaitra month has

either of two halves in which Krishna Paksha is treated as last Paksha of last year and then the new Paksha begins. Chaitra month is divided in two halves — first Chaitra Sukla, second Chaitra Krishna. The Samvat year begins from Chaitra Sukla Paksha has thirty days. In these thirty days, Chaitra Sukiha has 15 days i.e. from first date to 15th it is Chaitra Sukla. Every Samvatsar has a name, which begins from the pratipada date of Sukia Paksha of Chaitra month and the entire year i.e. when the twelfth month ends, at that time it is considered as Krishna Paksha of the twelfth month.

Question: As per your statement is first fifteen days of Chaitra month are first fifteen dates of Samvat year and last fifteen days of Chaitra month are last fifteen dates of Samvat year?

Answer: From the date of pratipada of Sukla Paksha of Chaitra month new Samvatsar begins and then the last fifteen days of the year are treated as Krishna Paksha. These last 15 days are the days of Chaitra month.

The second month of Samvat year is Baisakh. This month of Baishakh begins on the 15 dates of Shukia Paksha of Chaitra month. The eleventh month of Samvat year is Magh and it has 30 days. The twelfth month of Samvat year consists of 15 days of Falgun and 15 days of Krishna Paksha of Chaitra month. The learned Cross Examining Advocate showed the witness the original Gutaka Paper No. 258 C-1/2 published by Shri Ramcharitmanas Gita Press, Gorakhpur and asked him that in this paper in the 21st chaupal of 35th Doha the words “Naumi Bhom War Madhu Mesa” have been used, whether these words have been used for Navami of Sukia Paksha or for Navami of Krishna Paksha?

After going through the above, the witness replied that these words refer to the Navami of Sukia Paksha. I do not remember at which place this reference about the birth of Shri Ram Chande ji has come in Valmiki Ramayana. I do not remember whether any such

reference about the birth of Ram Chander Ji has come in Valmiki Ramayan or not. The months of the bamvat year I have referred above in the Vairniki Rarriayana, I do not remember whether any such mention has been made about them in Valmiki Ramayana or not. It has been a very long time since I read Valmiki Ramayana and therefore it is not coming to my mind whether there is any mention about the date of birth of Ram Chander Ji in Valmiki Ramayana or not. I do not remember whether any reference has been made about the date of birth of Ram Chander Ji in other Ramayanas which I have read or not. If I am given two to four days time to read the Valmiki Ramayana, only then I shall be able to tell whether any reference about the date of birth of Ram Chander Ji has come there or not. It is very difficult for me to read the entire Valmiki Ramayana in a night and then say something about it. I am unable to tell at this time whether any account has been given after the Ramyug period in Valmiki Ramayana or not. After going through Volume-I of Valmiki Ramayana Paper No. 261 -1/1 the witness said that in Shloka No. 8 to 10 of 18th Sarga of Balkand, reference has been made about the birth of Ram Chander Ji.

Question: In Shloka No. 8 to 10 of 18 Sarga of above Balkand, Shri Ram Chander ji is said to have been born on Navami of Sukla Paksha of twelfth month, whereas you have stated in your above statement that Shri Ram Qhander Ji is said to have been born on the Navami of first month, what have you to say about this?

Answer: I have already submitted that Samvatsar begins from the date of pratipada of Sukla Paksha of Chaitra month and it is also written here that Shri Rama was born on Navami day of Chaitra Sukla Paksha of twelfth month. It is clear that both the Sukla Paksha and Krishna Paksha of twelfth month are part of Chaitra month and this is the twelfth month of Samvastar.

Question: My question is that in 8th Shloka of 18th Sarga of Balkand in Valmiki Ramayana there is mention of the twelfth month and reference has also been made about date of Navami of that twelfth month, whereas as per your statement Sukla Paksha of Chaitre month is the first month of Samvasar, what have you to say about this.

Answer: The twelfth month whose reference has been made in this Shloka, according to it either the writer has made some mistake or this has been said on the basis of astrological calculations in a different way. So far as I know this Shukla Paksha of Chaitra month, which is also written in this Shloka, must be the first month of new Samvat year and not the twelfth month.

Question: Do you mean that in the above Shioka of Valmiki Ramayana, the word "Dwadashe" is wrongly written?

Answer: In my view the word "Dwadashe" is wrongly written and this should be the first month of Samvat year.

Question: In the above three Shlokas No. 8, 9, 10 by which word you mean "Shukia Paksha"?

Answer: I cannot tell this even after reading the Shloka because I have not read Sanskrit and in the Hindi translation of all the three Shlokas of this Valmiki Ramayana "Shukla Paksha" word has come.

Question: I want to say that in the above three Shlokas, Shukla Paksha has not come anywhere, what have you to say about this?

Answer: In these three Shiokas "Shukla Paksha" word has not come.

Question : In this.18th Sarga of Balkand, refrence has been made about the birth of Laxman Ji, Sharat Ji and Shatrughana Ji but their date of births have not been mentioned in this Sarga?

Answer : I do not remember whether the date of births of Laxman Ji, Bharat Ji and Shatrughana Ji have been mentioned in Vaimiki Rarnayana or not.

In the 21th and 22nd Shloka of 18th Sarga of this Valmiki Ramayana, the namkaran (the naming ceremony of a child after birth) ceremony of the four sons of King Dashratha was held after 11 days of their birth. I fully believe that whatever has been written in these Shlokas is universally acknowledged. It is correct that when Ram Chander Ji was born, no body knew him by the name of Rama, but after 11 days of his birth, he was known by the name of Rama but the Trikalagya persons (holy person) like Vashist Muni, Vishwaniitra Rishi knew about it that God has incarnated in the form of Rama. King Dashratha and Queen Kaushalya did not know the name of Rama at the time of his birth. The person who knows about past, future is called Trikalagya.

Question: Whatever things have been written in the 10th Shloka of the last Sarga of Uttar Kand of Valmiki Ramayana, do they belong to the period after Ram Chander Ji?

Answer: I had already submitted that some portions have been added to this book. The main Ramayana concludes in the Yudh Kand which represents that Ramayana is concluded. Whatever additional things have been written in it is added later on and most of the scholars are of the view that these are added portions.

Question: Should I understand that the Uttar Kand of Valmiki Ramayana is an added portion?

Answer: In my opinion, it is an added portion.

No part of Ramcharitmanas is considered an added portion by the scholars. The original manuscript of Ramcharitmanas is not completely available. Therefore, if some portion is found added later on, its possibility cannot be ruled out.

Question: The Uttar Kand Sarga of this Ramcharitmanas Paper No. 258 C-1/2 is considered as the original work of Tulsi Das or it has been added later on?

Answer: All the scholars are not unanimous on Uttar Kand that it is written by Tulsi Das and some scholars are of the opinion that this portion has been added later on.

I am myself in a fix whether it is the original work of Tulsi Das or is added later on. I do not have a definite opinion about it. I do not fully believe that this portion has been added later on. I do not even fully believe it is an original work. In, my opinion the Uttar Kand portion on Valmiki Ramayana is an added portion.

After going through Ramcharitmanas original Gutka Paper No. 258 C-1/2, after Doha 3-C, 4th and 5th line — “Avadhpuri Sam Priya Nahin Sou-Uttardisi Baha Sarju Pawani”, the witness said I consider it an original work of Tulsi Das Ji. So far as I understand it and keeping in view the critical notes on these chaupais, none of the scholars have expressed any doubt about its authenticity as being an original work of Tulsi Das. After going through the Shioka after Doha 130 B of Uttar Kand Ib Ramcharitmanas, the witness said that he could tell only after going through the translation of the Shloka whether it is an original work or not. I cannot understand the Sanskrit Shlokas of Ramcharitmanas without reading their translation, I understand the Dohas written only in Hindi or Avadhi language.

The witness was shown Para 10 of his affidavit of main cross-examination and was asked to explain on the basis the books mentioned in the above para, which among them are the original work of Tulsi Das Ji and which are only translation of his work. After going through the above, the witness said Barwai Ramayana and Ramcharitmanas are written by Tulsi Das. The other books mentioned

in the above para, are neither written by Tulsi Das nor are translations of his books.

None of these books is the biography of Tulsi Das Ji, but many of the books mentioned in para 10 are literary work of Tulsi Das Ji. The literary books on Tulsi Das Ji include Angad Paige, Agni Pariksha, Urmila, Bali Vadha, Manjhli Rani, Manas Ka Hans, Mans Ashtyama, Meghnad, Ra] Rani Sita, Ram Katha (Utpati Avam Vikas), Ram Chandrika, Ramashwegh, Ram Swamyambar, Ram Rajya, Ram Bhajan Manjari Ram Janam, Ram Katha and Tulsi etc. Besides, "Manas Ka Hans" is the only book which is completely related to the life of Tulsi Das.

Question: In the second part of para 10 of your affidavit, you have mentioned Sanskrit, PaN, Prakrit and Apbharansh Books, can you tell if any one of them is the literary work of Tulsi Das?

Answer: No, Sir.

All the books mentioned in second part of para 10 of my affidavit are more or less related to Ram Katha.

Verified after reading the statement

Sd/-

Sahadev Prasad Dubey

13-08-2003

On my dictation, the Stenographer typed in the Open Court. In this continuation for further cross examination be present on 14.08.2003.

Sd/-

(Narendra Prasad)

Commissioner

13.08.2003

Dated: 14.08.2003

DW 1/3 Shri Sahadev Prasad Dubey

Before: Shri Narendra Prasad, Commissioner, Additional District Magistrate/ Officer on Special Duty, Hon'ble High Court, Lucknow Bench, Lucknow.

(Commissioner appointed under orders dated 08.08.2003 of Hon'ble High Court, Lucknow Division Bench)

(Cross examination of Shri Shadev Prasad Dubey in continuation of order dated 13.08.2003 by Shri Zaffaryab Jilani, Advocate on behalf of Defendant No. 10, Sunni Central Board of Waqf, U.P. continues under Oath)

People advised me to study "Linguistic Survey of India" written by Dr. Griyarsan in connection with writing my research paper. But I did not find any facts relevant to my subject and so I did not go through it in detail. I do not remember if any reference is made in it about the birth of Shri Ram Chander Ji or Ram Janam Bhoomi Mandir. The books which I have mentioned in para 10 of my affidavit, in them I did not find any mention of "Ram Janam Bhoomi Mandir". Among the books I mentioned in para 10, I found mention of Ram Janam Bhoomi only in "Ramcharitmanas" and I do not remember whether "Ram Janam Bhoomi" has got mention in any other book or not.

Question: Ayodhya has been referred as the Janam Bhoomi in "Ramcharitmanas" but no particular place of Ayodhya has been referred as "Janam Bhoomi"? What have you to say about this?

Answer: It is clearly written in Ramcharitmanas at a place that "Janam Shoomi Mam Puri Suhawani, Uttar Disi Saryu Bhai Pawani." In the lines the word "Puri" has been used for .yodhya and the

word “Janam Shoomi” has been used for that place which is located in Puri.

Question: In my opinion, the scholars have made interpretation of the above chaupai as under — “This beautiful Puri is my birth place. In its northern direction the sacred river Saryu flows and after taking bath in this river people come to stay near me.” Do you agree with this interpretation?

Answer : So far as the implied meanings of this Doha is concerned, the word “Puri” represents only the place of residence and the word “Janam Bhoomi” has the implied meaning of “name of the place” i.e. Janam Bhoomi in Puri is where Rania was born and about which Rama is telling to his colleagues.

It is correct that the word “Puri” is used for a city and not for a particular place. Jagannath Puri is the place where Lord Jagannath had settled. The birth place of Lord Jagannath is not “Jagannath Puri”. Except in the above chaupai, nowhere in Ramcharitmanas the word “Janam Bhoomi” has been used and if it has been used anywhere, it is not in my knowledge. After going through Para 11 of his affidavit of main cross examination, the witness said that the word “Ramkot” means the place where Ram Chancier Ji used to live. Its present name is “Ramkot”. Now a days, Ramkot is the name of a Mohalla where the palace of Lord Rama was located.

Question: Whether the area of “Ramkot” Mohalla at present would be about one kilometer by one kilometer or less?

Answer: I cannot make a guess about it.

I shall not be able to tell what would have been the area of the palace of Shri Ram Chander Ji. I have mentioned “Hillock” in Paragraph 11 of my affidavit, since when it came into existence, I do not know about it. In the same paragraph of my affidavit, it is

mentioned “under the surface of which the ruins of the ancient temples exist which was built around eleventh century by a king belonging to Gaharwar dynasty”. I have heard it from people that from time to time when the old and dilapidated palaces collapsed or were demolished the new palace built on it and it is still there and under it the rubble of old temple had gathered and the height of that place had increased. Besides, the palace of Ram Chander Ji, there were palaces of Kaikai, Sumitra Devi, Kaushalya Devi, King Dashratha and also the palaces of Ram’s brothers.

Question: As per your statement these palaces would have been there for last 15 lakh years or more, do you think this tila has come up on the rubble of those palaces?

Answer: A beautiful building cannot be built by using the rubble of ruins. The rubble is leveled and after collecting new building material the second palace is built and I think this procedure is being followed since lakhs of years.

Question: After the palaces of Shri Ram Chander Ji and his family members collapsed, by whom and which palaces were built on the above place?

Answer: The later generation of Shagwan Ram, whosoever they were, built new palaces and this practice continued.

Question: Please mention the name of the descendants of Bhagwan Ram Chander Ji and his family members, which you remember as of now?

Answer: His dynasty expanded so much so that even today from Rajepur Sarai through Faizabad to Janora, the entire area is inhabited by Suryanashi Kshtriyas but I do not know their names.

I do not know whether any descendent of Ram Chander Ji is present in Ayodhya or not.

Question: As per your statement, do you have any knowledge whether after Ram Chander Ji and his sons, any other king or person built his palace at the place of that tila, which after collapsing became part of the tila?

Answer: I do not have any knowledge of this.

Question : In paragraph 11 of your affidavit, the facts you have given and the extracts of which has been given above, are they based on any book or on hearsay?

Answer: I have written those things after hearing from the people.

Question: You have mentioned virajman Ram Lalla in "Janam Shoomi Parisar" and "Janam Bhoomi Parisar Mandir" in paragraph 15 of your affidavit, what do you mean by this - that the idol of Ram Lalla was virajman at two places?

Answer: After going through the, above paragraph, the witness replied that by mentioning Virajman Ram Lalla in "Janam Bhoomi Parisar" and "Janam Bhoomi Parisar Mandir", I mean to say that after having darshan of Ram Lalla in "Ram Janam Bhoomi" and after having darshan of idol of Bhagwan Shankar at the same parisar and Ram Lalla, Ram Janki on Chabutara, Sita Rasoi and places of meditation of Rishi-Munie, people feel blessed and content.

Question: My question was that you have written about virajman Ram Lalla in "Janam Bhoomi Parisar" and "Janam Bhoomi Parisar Mandir" by it, do you mean two idols of Ram Lalla or one idol?

Answer: From above, I mean one idol of Ram Lalla and idols of Ram Chancier Ji, Janki Ji on the Ram Chabutara and idol of Bhagwan Shankar and his family members kept at the corner of this complex.

In my opinion, only one idol of Ram Lalla was kept at the disputed Site and that idol was there even before Ram Lal.la appeared in the form of a murti (idol). When the Genral of Babar attacked the temple to convert it into the Mosque (Masjid) and demolished it and the idol was also displaced from there or what happened thereafter I do not know. At the time of invasion by Babar, the idol of Ram Lalla which was installed there disappeared. People used to have darshan of that empty place uptil the time God appeared there in the form of an idol.

Question: Do you mean to say that before the arrival of Babar, the idol of Ram Lalla was virajman at the disputed site and after his arrival, the idol of Ram Lalla was not there at the disputed site till 22nd December, 1949?

Answer: I do agree that during this period, idol was not there.

Question: As per your statement the idol of Ram Lalla was never there on the Ram Chabutara. What have you to say about this?

Answer: The idol which is kept on the Ram Chabutara at present was there earlier also.

Question: As per your statement, upto December 6, 1992 the idols of Ram Chander Ji and Janki Ji were there on the Ram Chabutara but that of Ram Lalla was not there. So the same idol was there before 1949?

Answer: Definitely the same idol would have been there.

To the best of my knowledge, the idol of Ram Lalla was not installed anywhere except the disputed building.

According to my faith and belief, the birth time of Ram Chander Ji is 12 noon as I have written in paragraph 9 of my affidavit. I do not know whether the same time of birth has been given in Valmiki Ramayana or not, but the birth time of Shri Rama is clearly written in Ramcharitmanas.

The witness was shown the original Gutka paper No. 258 C-1/2 by the Learned Cross Examining Advocate and was requested to indicate where the birth time of Lord Rama was written?

After going through the above, the witness replied that in Ramcharitmanas at page 140, in the line below Doha No. 190, the birth time of Lord Rama is given, which is as under:-

Naumi Tithi Madhumas Punita,
Sukul Pacha Abhijit Hariprita
Madhya Diwas Ati Seat Na Chama
Pawan Kal Lok Visharama

Further in Doha No. 191, it is written:-

Sur Samooh Binti Karl Pahunche Nij Nij Dham, Jagnivas Prabhu
Pragate Akhil Lok Vishram.

In the above chaupai, the word "Madhya Diwas" has been used. I have interpreted Madhya Diwas as 12 noon what I have stated in Para 18 of my affidavit of main cross- examination about the incarnation of Maryada Purushotam Bhagwan Shri Rama in the form of a human being is based on an age old conviction of 15 lakh years.

Question: You have stated in your affidavit. that Ram Chander Ji has incarnated in the form of an idol in the night of 22/23 December, 1949. Will it be called his. second incarnation?

Ahsver: I can reply to this question only after going through my statement.

The witness was shown his statement dated 07.08.2003, extract of Page 51 — “The birth of Bhagwan Shri Rama about which I have mentioned in Para 9 of my affidavit, means his incarnation and not appearance as human being. There is no difference between incarnation and appearance. In 1949, when Bhagwan Rama appeared in the disputed building, we shall call it incarnation. In 1949, Bhagwan Rama appeared in the disputed building in the form of Murti (idol) and not as a human being. I cannot tell the names of those people before whom Bhagwan Rama appeared in 1949.

After going through his statement, the witness in reply of the above question said that Bhagwan Rama appeared here in the form of idol and to appear in the form of an idol is just like an incarnation. On incarnation as a human being only he can perform the special act of a deity but after appearing in the form of an idol he remains just like an idol (murti), to whom we can offer Puja, Upasna and Aradhana.

Question: As per your faith, besides the above two time incarnation of Shri Ram Chander Ji, do you have any knowledge on the basis of tradition or on the basis of any religious book about his incarnation at any other time?

Answer : Shri Ram Chander Ji incarnated as a human being at this place only one time but he appeared in the form of an idol the second time: Thus, Shri Ram incarnated as a human being only once.

Question: As per your faith whether Shri Ram Chander Ji appeared or ipcarinated in the form of an idol or human being at any other place also?

Answer: This subject has come earlier also that Prabraham Parmatma Bhagwan Rama incarnated in other forms also for the well

being of worldly people and he also appeared in the form of an idol with other names here and there, this is based on hearsay.

Question: Have you read the above fact in any book or is it only based on hearsay?

Answer: There has been talk about his incarnation in other forms also. In mythological books also, there is mention about his appearance in the form of an idol and people go there to have darshan.

Question: In which mythological books incarnation of Shri Ram Chander Ji in another form has been written and by what names he had incarnated?

Answer: In the form of Narisingh Bhagwan, Matsys Bhagwan, Kamath Bhagwan, Krishna Shagwan and about similar other incarnations have been mentioned in mythological books. These mythological books include Mahabharat Puran, Harivansh Puran etc.

Question: Shri Ram Chander Ji incarnated in the form of Narisingh, Matsya, Kamath and Shri Krishna or are these incarnations that of Vishnu?

Answer: Parbraham Parmatma Bhagwan Shri Ram is one and he has incarnated in various forms from time to time for the welfare of the people. Vishnu Bhagwan himself in the form of his Param Shakti has incarnated as Vishnu.

Question: you mean to say that Vishnu Ji was incarnation of Ram Chander Ji and m Chander Ji was not an incarnation of Vishnu?

Answer: Param Shakti whom we call Shri Rama, when he incarnated as Vishnu was called Vishnu and when incarnated in other forms was called by other names. But all these incarnations of Bhagwan had a similar goal of well being of the people. Therefore, it is not the custom of Hindu religion to make any distinction between Bhagwan Rama they are one.

The people of Hindu religion who call Shri Ram Chander Ji an incarnation of Bhagwan Vishnu are not wrong because at one place in Bhagwan Geeta Lord Krishna says, when you talk of best of all the grandeur in the world or talk of having darshan of the all-mighty, it is none other but me.

Question: You have said in your statement at one place today that Vishnu Bhagwan himself in the form of his Param Shakti incarnated as Vishnu and at the second place you have said "The Param Shakti whom we call Rama when incarnated as Vishnu, he was called Vishnu" and simultaneously you say that "the people of Hindu religion call Shri Ram Chander Ji an incarnation of Vishnu, are not wrong". Are the above facts relevant and not contradictory?

Answer: What I mean to say was that the Param Shakti whom we call Shri Rama when he incarnated as Vishnu he was called Vishnu Shakti, whom people call Bhagwan Ram which is an incarnation of Vishnu, there is no difference in it. Being Ram Shakti it can make itself bound by time and also remains separate from the time. For example Vishnu, Brahma and Mahesh works under a time frame and thereafter they stop working in that form and return to the Shakti. In other words Bhagwan Shri Rama incarnates in the form of Vishnu, Brahma or Mahesh and works in a wordly form and remains with us with his divine powers.

Question: You have said in your statement that “Vishnu Bhagwan himself in the form of his Param Shakti incarnated as Vishnu”. Can you tell when this Shri Vishnu Ji incarnated as Rama, i.e. before he was born as a son of Raja Dashratha or thereafter?

Answer : For directing the Shirishti, the Parbraham Parmatma by assuming the five elements through his natural powers has to incarnate and his life time is fixed. Meanwhile, If in the form of Brahma, Vishnu or Mahesh, the God gives such a big boon to his devotees after being pleased by their Bhakti (devotion), who after becoming more powerful start harassing the people and become a source of trouble. It becomes even difficult for Brahma, Vishnu and Mahesh to contain that person because they have given him the boon of their power. And that is why, the Parbrahm Parmatama Bhagwan Shri Ram has to appear in the form of a human being or some other form and has to destroy that wicked soul with his external power so that the Shrishti continues its work smoothly.

Question: Do we understand from your above statement that Brahma, Vishnu and Mahesh are also the incarnation of Shri Ram Chander Ji?

Answer: Yes, Sir. They are part of him and are his incarnation.

Question: Whether all these Gods, i.e. Brahma, Vishnu and Mahesh have incarnated even before Shri Rama was born as a son of king Dashratha?

Answer: Yes, Sir. They keep having incarnations.

There has been description of Ram Katha in Vedas but it is not given in a systematic way.

Question : This was my question whether there is mention in any Veda book about Shri Rama taking birth in Ayodhya or not?

Answer. In some Kathas (stories) mention has been made about Shri Rama descending on earth and working as son of King Dashrath, but not in a systematic way. I do not remember at this time in which Veda book this mention has come and if I am given an opportunity I can tell about this.

All the four Vedas have been translated in Hindi by Acharya Shri Ram Sharma and the Hindi text has been published in Mathura or Sareily. In my opinion, this Hindi translation is more or less correct. In my opinion, Hindi translation of Ramcharitmanas is done by Shri Hanuman Prasad Podar and published by Geeta Press Gorakhpur. The translation work is by and large correctly done. The translation of Valmiki Ramayana published by Geeta Press is correct and filed in the court and placed at Paper No. 261 C-1/1 and 261 C-1/2.

Question : You had stated in your statement yesterday that you had read in Valmiki Ramayana about the birth of Shri Ram Chander Ji in a palace and the fact that there was no other four wall between the royal palace and the residences of the citizens, you had also stated that after studying Valmiki Ramayana you would show that part of Valmiki Ramayana where the above description is given, can you throw light on the above facts today?

Answer: In Valmiki Ramayana there is proof of Ramas birth in a Raj Mahal (Royal Palace) and also non existence of a four wall between the Raj Mahal and citizens proves that except the outer city wall there was no other separating wall between the Raj Mahal and citizens, otherwise it would have been mentioned there. About Ram Chander Ji's birth in a Raj Mahal, I do not remember orally in which part of Ramayana this subject has come, but I have brought with me a note and on being given permission, I can tell after seeing it.

(The Learned Cross Examining Advocate did not object to it and in the interest of justice, permission was granted to the witness to see the note brought by him).

After going through the note brought by him, the witness said that in 8th to 10th Sloka of 18 Sarga of Bal Kand, there is mention of Ram Chander Ji taking birth in a Raj Mahal. On this point, the witness was shown in the 1st part of Valmiki Ramayana paper no. 261 C 1/1 8th to 10th Sloka of 18th Sarga of Balkand. The Learned Advocate asked the witness to indicate where this mention of Ram Chander Ji taking birth in a Raj Mahal has come? After seeing the above, the witness replied that the queens used to live in Raj Mahal and so Rama was born in Raj Mahal.

Question: In the above three Slokas which are given in Valmiki Ramayana paper No. 261 C-I/I at page 69, none of the word convey this thing about taking birth in a Raj Mahal, what have you to say about this?

Answer: Definitely the word Raj Mahal has not been used in the above three Slokas but if we go through the next 17, 18, 19, 20 Slokas, this thing proves that after the birth of Lord Rama, King Dashratha distributed alms in Ayodhya, the occasion was celebrated with songs and dance, a big crowd gathered there, clothes and money was distributed amongst poors and this way the festival was celebrated in Ayodhya which indicate that Rama was born to Kaushalya in a Raj Mahal in Ayodhya and this is also a proof that Rama was born in a Palace where Kaushalya used to live.

Question: In the above Slokas even after it has been established that the word Raj Mahal has not been used, your opinion is based only on these Slokas that the birth of Ram Chander Ji took place in the palace of Kaushalya, what have you to say about this?

Answer : This is my firm belief that the queens have been getting the facility of having a palace and this has been a parampara (tradition) that kings were born in their Raj Mahals (Royal Palaces).

Question: You have also stated in your statement at page 51 that in Valmiki Ramayana, the word "Avadh" has been definitely used, please tell us where the word "Avadh" has been used in Valmiki Ramayana?

Answer: Because, I read Ramcharitmanas daily. Therefore, the word "Avadh" has been used in many places in Ramcharitmanas. On this basis, I thought that in Valmiki Ramayana too definitely this word might have been used. I studied the Valmiki Ramayana to find the place where this word "Avadh" has been used, but I could not locate it.

Question: You have used the word "Avadh" in your statement. As per your above statement you have said this on the basis of Ramcharitmanas or Valmiki Ramayana, what have you to say about this?

Answer: I had explained in my reply to an earlier question that I read Ramcharitmanas daily and the word "Avadh" has been used at many places in Ramcharitmanas and on this basis I thought that the use of word "Avadh" might have definitely come in Valmiki Ramayana but I could not find it in Valmiki Ramayana.

Question: As the word "Avadh" has not come in Valmiki Ramayana, therefore, king Dashratha cannot be called the king of Avadh what have you to say about this?

Answer : Only in one book i.e. in Valmiki Ramayana the use of word "Avadh" has not been found. Except this book, the word

“Avadh” has come in Ramcharitmanas and many other books and king Dashratha has been addressed there as Avadhesh which certainly proves that he was the king of Avadh and the word Avadh and Kaushal are same as king Dasharatha was also addressed as Kaushalesh.

Question : As per your statement, only in the period of king Dashratha Ayodhya used to be called Avadh, what have you to say about this?

Answer: Because in Ramcharitmanas the word “Avadh” and “Avadhesh” has been used and king Dashratha has been addressed as Avadhesh at many places, which certainly proves that time too Ayodhya Rajya used to be called Kaushal Raj also known as Avadh Rajya.

When I was studying in class VI th when my father expired. My father expired in 1942. My mother expired in 1946. I do not remember how many times I visited the disputed site alongwith my father. It would be wrong to say that I had never visited the disputed site along with my father. It would also be wrong to say that I had never visited the disputed site uptil the year 1950.

Question: I want to say that upto 22nd December, 1949 five times Namaz, Jume and Taravi Namaz was regulary offered in the disputed building, what have you to say about this?

Answer: Whenever I visited there, I neither saw any Muslim offering Namaz there nor walking around the place.

It is wrong to say that the disputed building has never been called Janam Shoomi. It is. also wrong to say that my contention is not based on any ground that Shri Ram Chander Ji was born in a portion of disputed building. It is totally baseless that I have come to give witness at the behest of Vishwa Hindu Parishad.

(Cross examination by Zaffaryab Jilani on behalf of Defendant No. 10 concludes).

(Cross examination by Shri Mushtaq Ahmad Siddiqui on behalf of Defendant No. 5, Shri Mohammad Hashim in the case of Other Original Suit No. 5/89 and Plaintiff No. 7 in Other Original Suit No. 4/89 begins).

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Whatever I have stated in para 1 to 18 of my affidavit of main cross examination is true to the best of my knowledge and belief. In Hindi poetry Kavya Parampara, Gadya Kavya Parampara, Champu Parampara, Alochanatamak Granth, Varnatamak Granth, Gadya Parampara etc. are in vogue. All of them are not Hindi Kavya Parampara. Kavya, Gadya Kavya and Champu all these three are covered under the Kavya Parampara. I have knowledge of only these three in Kavya Parampara. Under the Kavya Parampara, Krishna Kavya Parampara is also covered. Hindi Kavya Parampara also covers Gadya Kavya Parampara. Sita Ji is the daughter of Videh and she is also called by the name of Vaidehi and poet Ayodhya Singh Upadhyay has written an epic on Vaidehi. The name of this epic is Vaidehi Vanwas. In my research work, I have used word Vaidehi which means Sita Ji.

Verified after reading the statement

Sd/-

Sahadev Prasad Dubey

07-08-2003

On my dictation, the Stenographer typed in the Open Court. In this continuation for further cross examination be present on 18.08.2003.

Sd/-

(Narendra Prasad)

Commissioner

14. 08 .2003

Dated : 19.08.2003

DW 1/3 Shri Sahadev Prasad Dubey

Before Shri Narendra Prasad, Commissioner,
Additional District Magistrate! Officer on Special Duty,
Hon'ble High Court, Lucknow Bench, Lucknow.

(Commission appointed under orders dated 08.08.2003
of Hon'ble High Court, Lucknow Division Bench)

(Further cross examination of Shri Sahadev Prasad Dubey in
continuation of order dated. 14.08.2003 on behalf of Plaintiff No. 7 in
O.O.S.

No. 4!89, and Defendant No. 5 of Shri Mohammad
Hashim O.O.S No. 5!89 by Mushtaq Ahmed Siddiqui, Advocate
begins).

The two epics of poet Ayodhya Singh Upadhyay — first "Priya
Pravas" and second "Vaidehi Vanwas" have been published, but I do
not remember when they were published. I do not recollect which
press printed them and where they were published. I have studied the
above epic namely, Vaidehi Vanwas. My research work is based on
the Vaidehi Vanwas epic. in this epic, no account has been given
about the birth of Ram Chancier Ji.

In 1984, due to suspension of my Principa his place tell vacant
and I was appointed Principal, on this vacant post. In February, 1985
the former Principal was reinstated and I again became the lecturer of
Shiksha Shashtra. I have studied Valmiki Ramayana and
Ramcharitmanas not just because of my faith but keeping in view my
literary taste and for increasing my knowledge also. I have not studied
these books with a historical view pont because I did not consider it
necessary. in Para 6 of my affidavit of main examination the word
"Devi-Devtaon" has been used. By Devta I mean a community of
Devatas are made to look after the affairs of Shrishti and for welfare

of human beings after the Ishwar (Lord). This community of Devtas are compassionate and help human beings and animals at the time of need and protect them at the time of any natural calamity. These people are called Devatas and women among them are called Devis. Guru Nanak Ji was neither Ishwar nor Devata but he was a saint. In my view the Tirthankar of Janins also come in the category of Saints.

Question : In Islam religion, there have been many Prophets. Among them, Mohammed Sahib was the last Prophet. May I know in which category you will keep these Prophets?

Answer. I would keep them in the category of Saints and social reformer.

By Sanatan Dharama I mean when the Srishti was created and human beings and animal appeared on the earth alongwith them a religion also came. Nobody knows about its origin as to when it came to Shrishti. That is why it is called Sanatan.

Question: As per your opinion, the other religion being practiced in this world like Jews, Christianity and Islam are also covered in this Sanatan Dharma?

Answer: No Sir.

I see Lord Buddha in the form of an incarnation. He was an incarnation of Ishwar.

Question: In your cross examination the word "Parbraham" has been used at many places whether Ishwar is above Parbraham or below him?

Answer: Ishwar is below Parbraham.

Question: All incarnations which you have mentioned are incarnations of Ishwar and therefore they would be considered somewhat lower than Ishwar, will it be correct to say?

Answer : All incarnation are not lower than Brahma, some incarnation are for some partial or short period purpose and after Brahma they are part of the existence of Ishwar.

Question: Are there any such incarnations who are smaller than Ishwar, i.e. their level is lower than Ishwar or say they are considered subordinate of Ishwar?

Answer: I do not have such knowledge. I understand that only Ishwar incarnates and thereafter, if a situation comes where the Ishwar fails to protect the Shrishti, then Parbrahma Parmatama whom we call Shri Rama has to descend on earth to protect Shrishti.

Question : Would it be correct to understand that one who incarnates and of whom he is the incarnation both are similar?

Answer: He is similar to his incarnation.

Question" It has been written in Ramcharitmanas at a place that "there is such a power which cannot walk but which remains present everywhere, which is without eyes but sees everything, which is without ears but hears everything. Can you tell who that power is?

Answer : That power which can see even without eyes and keep walking without legs and works without hands, is none other than the power of Parbrahma Parmeshwar i.e. Shri Rama. He does not need all these limbs-which are found in a common man and animal and with these limbs they see and hear. The Shakti whom we call Shri Rama, the Parbrahma can do all the work even without these limbs.

In Para 7 of my affidavit of main cross examination, I have said about Ayodhya that it is one of the greatest pilgrimages of the world. The greatest pilgrimages also include Kailash Parwat which is the

seat of Bhagwan Shankar. The greatest pilgrimages also include Kapil Vastu of Gautam Buddha, Ujjain, Vindhyaachal etc. All these pilgrimages are located in India except the Kailash which is located in China. I have heard the name of Mecca city of Saudi Arabia. This is a sacred place of Muslims.

Question: In Para 7 of your affidavit you have used the word greatest pilgrimages which is not in the context of greatest pilgrimages of world but is restricted to the pilgrimages of a particular religion?

Answer: In my view it is for the whole world, and if we keep in view all the religions of the world, Ayodhya is the greatest pilgrimage I have not heard the name of "Baitull Mukddas".

Question: Except Kailash which is outside India, can you tell the name of any other greatest pilgrimages of the world of which you know the names?

Answer: Except Kailash which is outside India, I do not think any other place of pilgrimage come under the category of greatest. They may come under the category of great but not greatest. I do not find any place of pilgrimage greatest than that of India.

In the entire Avadh, the districts of Faizabad and Lucknow Commissionerate were included which were 12 in numbers. Now the jurisdiction of the two Commissionerate has been reduced. At present no body knows Avadh. Only the old Avadh is in its place. In Para 7 of my affidavit of main cross examination, I have mentioned the area of Avadh which is in the context of old Avadh and not of present one. This past time belongs to the period earlier than Ramcharitmanas and it covers the area coming under the rule of King Rama as has been stated in Valmiki Ramayana . In Valmiki Ramayana there is mention of two types of boundaries of Ram Rajya. In the first category that land area comes which was directly under the Central Rule of

Ayodhya and, besides this that land area was also covered in it which was conquered by Chakravarti Raja Dashratha and Chakravarti Raja Shri Rama. It is difficult for me to say how much area was directly under the control of Central Administration of Ayodhya but its boundaries were extended upto present Madhya Pradesh. In the western side the boundaries were extended upto Sindhu river and in the north the boundaries were extended upto Himalaya mountains and in the east the boundaries were extended upto videh state and this area was under the Central Administration. In both "Valmiki Ramayana" and "Ramcharitmanas" these boundaries have been mentioned. There is no contradiction on this subject between "Ramcharitmanas" and "Valmiki Ramayana". In "Kishkindha Kand" of Valmiki Ramayana description of area has been given.

Question: Can you tell after going through the Valmiki Ramayana at which page and in which Saloka this description has been given in "Kishkindha Kand"?

The witness saw Volume-I of Valmiki Ramayana paper No. 261 C-i and replied.

Answer: In Sloka No. 6 to 11 of 18th Sarga of Kishkindha Kand, this description has been given that besides Kishkindha entire world was under the administrative control of Shri Rama.

I have studied this and it is my faith too that Ayodhya is the greatest pilgrimage of world. I do not remember when I have read it or in which book, I have read it.

Question: Would it be correct to say that the scholars have written in their books that Ayodhya comes at Serial No. 3 in the categorization of places of Hindu pilgrimages in India ?

Answer : I have not seen any such book in which Ayodhya has been placed at No. 3 among the places of pilgrimages. Then himself said there is a Sloka in which Ayodhya has been placed at

number one. I remember the Sloka but do not remember the name of its author or book.

The title of the case in which I am giving evidence is Ram Janam Bhoomi versus Babri Masjid. The names of the Plaintiff of the case in which I am giving evidence is Gopal Singh's son Rajendra Singh and the Defendants are Shri Zahoor Ahmed etc. I do not remember the name of all the Plaintiffs. The main issue of this case is that the defendants are of the view that this Janam Shoomi Mandir is their Mosque, which has been demolished I don't know what these people called it before its demolition. I have no knowledge that what Gopal Singh Visharad said filed the case. His parokar is Shri Shri Rajiv ji, Few days ago he came to me and said to me that you are a very senior and reputed person of this locality, and have knowledge. Being a devotee of God, you visit Ayodhya quite often. In this case you must give evidence of whatever is known to you in this regard. I don't have any knowledge that where Rajiv ji resides. I have not been meeting him earlier. He himself came searching me and I met him only once about 20-25 days before evidence.

Question: You have not visited the disputed site at the time of offering Namaz that is why are saying that you have never seen any Muslim offering Namaz there. They may have been offering Namaz, what have you to say about this?

Answer. I have visited the disputed site between 12 to 2 O'clock many times but I had neither saw any person offering Namaz nor saw any Muslim there. During this time, i.e. from 12 to 2 O'clock Namaz is generally offered. This has happened prior to 22 December, 1949. Before 22 December, 1949 I have been in the disputed site from 12 to 2 O'clock but how many times I was there, I do not remember. I presume this number can be two-four-ten times. It cannot exceed this digit because I do not remember it. I do not remember when I was there at the disputed site between 12 to 2 O'clock for the first time.

There is a Sugriva Kot Mandir located on a hillock in Ayodhya and Hanumangarhi is also located on a hillock. In front of Hanumangarhi there is Rajgarh Mandir which is also located on a hillock. The Rajya Sabha Temple is also located on a hillock and many other temples are also located on hillock. I have not heard the name of Nal hillock in Ayodhya. There is one place by the name of Mani Parvat in Ayodhya. It is also located on a height. I have not heard the name of Nal Tila. I have not heard the name of Tila Madar Shah. I have heard the name of Kuber Tila. I might have seen it from a distance, but do not recollect. I think it is located near Sugriva Kot. In the northern side of the disputed building after some place, there is a road and to the north of that road is located Janam Sthan Mandir. I have seen that temple and I have had darshan also. I could not perform Pooja-Archana in Ayodhya at any place. Had a road not been constructed between the disputed building and Janam Sthan Mandir, they would have been at the same height and in the same premises. Janam Sthan Mandir was built about one hundred fifty to two hundred years before. I do not have knowledge whether there is a Sita Rasoi Mandir in this Janam Sthan Mandir or not, no body has told me about this. I do not even know whether there is Sita Rasoi in Janam Sthan Mandir or not. I had visited Janam Sthan Mandir once or twice and came back after having darshan. There is an idol of Rama in Janam Sthan Mandir. Like in other temples in Ayodhya, there is an idol of Shri Rama in Janam Sthan Mandir too.

Question: You have said that like other temples of Ayodhya, Janam Sthan Mandir too have an idol of Shri Rama — Can you tell these idols belong to the period of Dashratha when Rama incarnated as human being or these belong to the period after December, 1949 when Shri Rama appeared in the form of an idol?

Answer: I had already answered this question that I do not recollect whether it is the idol in the form of Ram Lalla or it is like any other idols of Ram, Janki and Laxman kept in other temples.

Apart from this suit regarding the disputed site, proceedings have been instituted in many other cases. I do not have details of other cases. The proceedings being initiated about the disputed site, I know about this case since many days. I know about it since the time of proceedings were initiated. I do not have information about the origin of the Suit. I came to know that the disputed building was attached under Section 145 of the Criminal procedure code. I did not try to know about the root cause of the dispute. When the proceedings started I came to know about the claim of the Muslim community regarding the disputed site. The contention of Muslim community is that the Mosque belongs to them.

In Ayodhya, some temples have abundant property. Hanumangarhi, Sari chawni, Sara Sthan etc. have abundant properties. They have got fields and land in Faizabad district and also in Gonda. I do not know whether the property of Sara Sthan is also located outside Uttar Pradesh or not. There is no property of any temple of Ayodhya located in my village Khironi. Whatever property the temples possess, people have entrusted it to the temple with full reverence. I do not know whether Janam Sthan temple has any property or not. When Rajiv Ji asked me to give witness, I did not seek any other information from him, because he told me to tell the court whatever I knew. I do not have any knowledge about the art of making sculpture. I do not have any knowledge about the art of making temples I did not try to know about it from somebody. I do not even know the style of construction of temples in South India, North India or other countries. I have seen temples of many cities in India. "Gumbad (domes) appears to be a word of Urdu. Gumbad and Shikhar are the same things. Once I have visited Jama Mosque, Delhi. One of my Muslim friend was there who showed me Jama Mosque. Besides, Jama Mosque, I have seen many other Masjids too. The disputed building had three gumbads, then said three Shikhars. All the three gumbads in the disputed building were in a straight line. I do not recollect whether these gumbads were of the same size or there was any difference in their size.

Question: Whether Gumbads or what you call it Shikhars are also there in the temples?

Answer: Yes, Sir, they are very much there in temples.

Question: Is there any difference in the construction of the gumbad of a Mosque and gumbad of the temple?

Answer: The construction and shape of both these gumbads is more or less similar. I did not find any special difference.

Question: Is there any mention of various ndian languages in the “Linguistic Survey of India” written by Dr. Griyarsen in his book?

Answer : Since I tried to study this book in the context of “Vaidehi Vanwas” and when I did not find the requisite material in it, so I did not read it and I do not remember what was written in this book.

Question : To find out the requisite material in that book was it necessary to turn alt the pages of the book?

Answer: Yes, Sir. In the search of requisite material, I threw a cursory glance on the pages of the book, but when I did not find anything worthwhile I just kept the book aside. I have neither read that book earlier nor later.

Question: Even after turning the pages of that book you do not know what was the subject matter of the book?

Answer : I would have definitely known it as that time but it has been 20 years since that time and during this period I had to read several other books. What was the use of reading a book which was not helpful in my research work, so I did not read it again nor did I feel the need to read it again. Now I do not even know the contents of that book.

The witness was shown last line of Para 10 of Page 4 of affidavit of his main cross examination in which it was written, “apart from reading the above books, I studied the “Linguistic Survey of India “a book written by Dr. Griarson and go over it” and was asked to explain whether whatever he has written is correct.

Answer : After seeing the above, the witness said it is correctly written.

At this point, the Learned Cross Examining Advocate showed him his today's statement's extract — “I have tried to study this book in the context of Vaidehi Vanwas and when I did not find the requisite material in it, so I did not read it and I do not know what was written in this book” and Yes, Sir. In the search of requisite material, I threw a cursory glance on the pages of the book, but when I did not find anything worthwhile I just kept the book aside. I have neither read that book earlier not later and was asked as to whether there was any contradiction in his above two statements and the one he gave just now? After going through the above the witness said that from these two statements he meant to say that on being advised to read this book, I certainly read this book and t'h over it but I did not find the requisite material in it and so I did not feel the necessity to read it again. I do not see any contradiction in it. It is incorrect to say that I am making some mistake on this point.

Generally reading any book is called study but when thought is given over what you have read and at places comparison is done, then it is called critical study.

When I have written in Para 10 of my affidavit of main cross examination about studying some books and doing critical study of some books is correct.

Question: You have stated in the above para that you have studied 127 Hindi books and you have also mentioned names of some books there. You have written in the middle of the above para

“and did critical study of other relevant books”, whether the books you have critically studied are also included in these 127 books or they are separate books?

After seeing the above para, the witness replied that these are separate books.

The books I had critically studied, I do not remember their names. I do not remember their number also. Because the books I had studied, still come into my sight and sometime I read them too. But other books of which I can not recollect the names were read by me in connection with my research work and then I left them. My memory has somewhat weakened.

Question: Do I understand that your memory has weakened so much that you do not remember the number and the names of the books that you have critically studied and you remember the names of only those books of which you made general study?

Answer : At the time of filing my affidavit had I remembered their names, I would have certainly given them.

Apart from Hindi language books, the other language books which I have mentioned in my affidavit I have read their translation only. Ramcharitamanas of Tulsi Das is written in Hindi. I have read Valmiki Ramayana published by Geeta Press Gorakhpur in which Hindi translation is available along with Sanskrit. Besides this, I have not read any other translation of Valmiki Ramayana. In “Vaidehi Vanwas”, there is mention of Sita Ji’s second Vanwas, It is also mentioned there under what circumstances Sita Ji had to go to Vanwas and when she returned.

Question: Whether in your research work “Ram Kavya Parampara, Men Vaidehi Vanwas” gives any description about the attitude of people towards Sita Ji before her Vanwas, during her Vanwas and after her return?

(On this point the Learned Advocate of Plaintiff, Shri Puttu Lal Mishra objected and said that the question asked about Sita Ji Wife of Maryada Purushotam Ram is out of ill will and painful, therefore, such questions should not be allowed as this question has nothing to do with facts relevant to this dispute, because the research book of the witness has not been brought on record, therefore, no question can be asked about the subject matter of that book also).

(In reply to this objection, the Learned Cross Examining Advocate stated that the witness himself had mentioned in his affidavit of main cross examination about his research work and study of different books relative thereto and has expressed his view point on the subject matter of this dispute, therefore, this question is justified).

Answer : Yes, Sir, there is mention about this.

I have stated in Paragraph 7 of my affidavit of main cross examination that a grand temple was built on a place earmarked for this purpose in ancient time. But I cannot tell about the people who earmarked the place. People would have earmarked the place for construction of a temple some fifteen lakhs years ago and had constructed the temple there. I am telling this thing on the basis of the views of the Saints and my own personal thinking. I have not made any study about it. I acquired knowledge about it since I started visiting Ayodhya. But I do not remember who were the saints and when they told me about this. I have written in paragraph 8 of my affidavit of main cross examination that King Vikramaditya built a grand temple on that place. This is based on hearsay and it has also been mentioned in a history book but I do not remember the name of the book or the name of the writer and publisher of that book. I do not even remember the year of its publication. Whatever I have read and heard, on the basis of that I came to know that Vikramaditya built only this temple in Ayodhya. He built temples on other sacred places also.

I have read Skand Puran a bit. I have not stated about it in my affidavit of main cross examination. Satya Narayana Katha is given in Skand Puran. I do not remember how many chapters are there in Skand Puran and what are their names. There are two aspects of reading Scriptures — one is what is written in the book — secondly it contains knowledge which is beneficial to the common people and if I derive this knowledge and disseminate it amongst the people what will I gain. I have read Skand Puran with this view. "There are so many Purans that it is very difficult to study them time and again. Mahabharat Puran has one lakh Slokas and it consists of seven volumes. It took me four years to read it twice and still it is very difficult for me to say how many Sarga it contains and which stories have been given in, it. I have studied the book keeping in view the above two aspects.

Verified after reading the statement

Sd/-

Sahadev Prasad Dubey

19-08-2003

On my dictation, the Stenographer typed in the Open Court. In this continuation for further cross examination be present on 21.08.2003.

Sd/-

(Narendra Prasad)

Commissioner

14.08.2003

Dated 21.08.2003

DW 113 Shri Sahadev Prasad Dubey

Before Shri Narendra Prasad, Commissioner, Additional
District Magistrate! Officer on Special Duty, Hon'ble High Court,
Lucknow Bench, Lucknow.

(Commission appointed under orders dated 08.08.2003
of Hon'ble High Court, Lucknow Division Bench)

(In continuation of cross examination dated 19.08.2003 of Shri
Sahadev Prasad Dubey on behalf of Plaintiff No. 7 O.O.8. No. 4/89
and Defendant No. 5 in O.O.8 No. 5/89 by Shri Mushtaq Ahmed
Siddiqui, Advocate under Oath begins).

The meaning of the word "Parbraham" is greatest or most
respected, i.e. no body is equal to him and none is so great other than
him. I am well versed with the English word "God" which starts with
capital "G". Its English meaning is almighty.

Question : Whether this Parbraham, Shakti is called "God" in English
which begins with the English letter "G"?

Answer : So far as I understand it, in Christian religion the word "God" is
used for Ishwar.

Question: What is the status of Khuda in Islam religion" do you know
about it?

Answer: So far as I understand it, in Muslim religion too this has been
used for Ishwar.

Question: Whether the follower of Islam consider Khuda as almighty?

Answer: I do not know about it.

The reason why I do not know about it because I do not have much knowledge of Islam. To my knowledge, the follower of Islam offer five times Namaz which include the Namaz being offered between 12 to 2 O'clock. I do not know the time of the rest of the four Namaz. Before 22nd December 1949 I went to the disputed site between 12 to 2 O'clock, sometimes I used to go there along with my father and sometime alone. I do not remember when I went to the disputed site between 12 to 2 O'clock for the first time. I do not even remember when I last went to this disputed site between 12 to 2 O'clock. I do not remember in which year, month and season I visited the disputed site between 12 to 2 O'clock on both the occasion. Between the first and last time when I visited the disputed site between 12 to 2 O'clock, I do not remember the year, month and season of my visit there.

Question: Do you think people who believe in Sanathan Dharma include Sikh, Jain, Budha, Protestant, Catholics, Parsi, Fire-worshippers, Zoroastrians, Ahmadi, Kadiyani religion! sect.

Answer : It is my conviction that any Dharma of the world which is called religion in English comes under Sanatan Dharma, except that their customs and religious belief are a little different and apart from our Sanatan Dharma and they have accepted their sect, as Dharma.

I know Dr. Girija Dayal Sukla of Suchitagunj, he has expired. He was a famous person of that area and later on he joined politics. He had remained manager of R.D. College for many days, but was not a life time manager. He did not remain on this post in R.D. college for more than seven-eight years in the latter end of his life. In the initial days of the college Pandit Ram Sharan Mishra retired Divisional Inspector of Schools was the manager. A few days before his death the management of the school changed and the above Dr. Sukla took his place. I do not remember when Ram Sharan Mishra expired. In 1958, I was appointed in R.D. College and at that time my

appointment letter was signed by Shri Ram Sharan Mishra. Before his appointment as Manager of R.D. College. Dr. Girija Dayal Sukla was actively associated with managerial work. I am well acquainted with the Bhartiya Jana sangh Party and that party still exists. Dr. Girija Dayal Sukla was not an active worker of that party. Earlier he was in Congress. Thereafter, he joined Samajwadi Party and after a big gap of time he joined Jana Sangha and later on he left his party to join Bhartiya Kranti Dal. He left this party also and joined Congress and remained in Congress till the end. I do not remember when Samajwadi Party came into existence.

The Sanatan Dharmis believe in both Dwaitvad and Adwaitvad. There is no specific difference between Dwaitvad and Adwaitvad. Vishistadwaitvad is also a discipline of Dwaitvad and Adwaitvad. Adwaitvad is just like a trunk of a tree from which Vishistadwaitvad and other branches sprout. In the first one is accepted and the second one is not accepted, it is called Adwaitvad and if more than one is accepted it will be called Dwetvad. Both Adwaitvadi and Dwaitvadi honour Parbraham. I do not find any difference between them. The Shaivas are devotees of lord Shiva, they also rever Parbraham. Bodh Dharmis do not accept the theory of God, they don't even accept Parbhraham but they will be included in the category of Sanatan Dharma Sect.

Question: Is it your view point that Sanatan Dharam includes all persons irrespective of their ideology and thoughts whether they believe in Parbraham or not, whether they believe in Dwaitvad or Adwaitvad ?

Answer: In view of the above all of them are covered under it.

I do not know whether Shaivas and Vaishnavas fought many times in Ayodhya or outside Ayodhya. I do not know whether Shaivas and Vaishnavas have any differences. Ayodhya has never been an important centre for the followers of Baudh Dharma. Even the

followers of Jam Sect do not consider Ayodhya an important centre. I have not heard anywhere that Ayodhya is also called Khurd Mecca.

I do not know anything about Naugaji Grave (Kabra) in Ayodhya. I do not know whether there is any Shish-Paigambar Mazar located near the Mani-Parvat in Ayodhya. I have heard that Sugriv Kot is located near Ramkot and I have also heard that Sugriv Kot is located in the southern side of Ramkot. Laxman Tila is also located at a small distance from Janam Bhoomi in the eastern and southern side. The distance between Janam Bhoomi Tila and Laxman Tila is very small, but what is the actual distance between them is not known to me. I do not know whether any temple or building has been buried under Laxman Tila or not. I do not have any knowledge whether any temple or building has been buried under Hanumangarhi or not. I do not even know whether any temple or building has been buried under Kuber Tila or not.

Question: As you have stated, will it be correct to say that all the existing hillocks (Tilas) of Ayodhya have come up on the rubble of old buildings after they collapsed or were demolished?

Answer: People say that most of the Tilas which exist today have come up on the rubble of buildings which collapsed. Later on new buildings were built there and these places gained height, on this basis I have said this in my statement.

Question: As per your statement, whatever people say, you accept it to be correct?

Answer : I accept it because even Urdu knowing people say "Jaban-ae-Khalk Ko-Nakkar-ae-Khuda Samjho".

The witness was shown Paragraph 11 of his affidavit of main cross examination and was asked whether the facts written by him in his affidavit were based on people's hearsay or he had written them

on the basis of some study. After seeing the above, the witness replied that it is the contention of the people and I have read in a history book also that Ram Janam Shoomi Mandir of Ayodhya was constantly being attacked by Muslims and Hindus fought battle to protect the place. After the period of Lord Rama, a temple was constructed here and when the building of the temple became old and dilapidated new construction was made there from time to time and the height of the place kept on increasing. The book in which I had read about this, I do not know the name of the writer and publisher and I even do not remember the year of its publication. On 6th December, 1992 the building located on the disputed site was demolished, it did not collapse. Many times, Muslims tried to demolish the building built on the disputed site, but they did not succeed. To my knowledge the full built building was demolished this time i.e. 6th December 1992 for the first time. I had neither studied about other Tilas of Ayodhya nor any body told me about them. About this Tila, I chanced upon a history book which I read casually. I got that book by chance. The people whom I met I discussed this matter with them only then I got the information about this Tila. I neither went to ask anyone about it nor anybody came to tell me about this.

Whatever I have stated about Sanatan Dharma, Dwaitvad and Adwaitvad are based on my study are authentic. I have read about it in many books . Among these books include Mahabharat Puran, Harivansh Puran, Pantjali Yog Shastra etc. "Mahabharat" and "Mahabharat Puran" are one and the same book. I do not remember in which chapter of Mahabharata I have read about Sanatan Dharma, Dwaitvad and Adwaitvad. I have read books on philosophy to know what it is all about. But this is not my favourite subject. In these philosophy books I got much material about Dwaitvad and Adwaitvad.

Question: Can you tell about latest books of philosophy that you have read?

Answer: I have read about it in "Khatdarshan" but I do not remember the name of the writer and publisher.

I have also read about Swami Vivekanand in context of of Dwaitvad and Adwaitvad. Whatever I have stated in this regard, it has similarity of view with that of Swami Vivekanand. I have not heard the name of any book titled "Darshan - Digdarshan". I have heard the name of Mahapandit Rahul Sankrityayan. One of his books is "Volga Se Ganga". I do not consider it a philosophy book. He has shown in his book the evolution of our ancient history. Volunteer - he used to see things from two angles - one based on Baudh religion and second based on modern history. In my view the above book is more or less a story book as it is written just like a story book. Pandit measns scholar and therefore, I consider Rahul Sankrityayan a Mahapandit. Apart from "Volga Se Ganga", I have also read his several other books, but I do not remember their names at this time. In my affidavit of main cross examination, mention has been made about the collapse of the disputed building, from it I mean to convey the sense of demolishing. People who go to temples, have darshan of Bhagwan and they offer garlands and flowers to the idol of God, do Parikrama of the temple, but they do not find time for Pooja Archana because of the heavy crowd of devotees all the time. The devotees hand-over Prasad and garlands to Priest and do not offer it themselves. The witness was shown para 18 of his affidavit of main cross examination and was asked that what he had stated in the affidavit about doing PoojaArchana in the Janam Bhoomi Parisar — is correct or not . After seeing the above, the witness said that from Pooja-Archana he means to say to have darshan of Bhagwan and seek his blessings. So far as doing Pooja-Archana in its original form is concerned, or based on the rules given in Shastra for worshipping deities, it was not possible there. The same problem is being faced by other devotees also.

In this court room one person is sitting who is not wearing the uniform prescribed for the lawyers, I do not know him. In my view the

“sord Kishkindha is used for a piece of land or a State. Kand means Karya or Ghatna and the place or Pradesh where these incidents (Ghantrayen) took place on that basis “Ramayana” was divided into Kands. Kishkindha was a Rajya (State). Ayodhya city is not a part of Kishkindha State. In Kishkindha Kand of Ramayana, the boundaries of Kishkindha state have not been defined, but Kishkindha was a prominent State of South India at that time.

Question: As you had stated on 19.08.2003, whether boundary of Avadh has been described in Kishkindha Kand of Ramayana?

Answer: Kishkindha State was under the authority of Avadh State. On that day I had stated that the areas which were governed by the Central Administration of Ayodhya, had separate boundaries and the States which were directly under the control of King of Ayodhya or the States who used to treat the King of Ayodhya as their most esteemed King, were separate States and Kishkindha was one of them.

During the life time of Shri Ram Chander Ji how many States were under his authority, I cannot count them because the entire universe was under his command.

Question: Can you mention the name of any other State or province besides Kishkindha State! Province which was not directly under the control of Shri Rama, but was under his authority like Kishkindha?

Answer: Among such States Dakshin Kaushal, Kaikay, Videh etc are included.

Question: On 19.08.2003, you had stated that boundaries of Ayodhya area under the direct rule of Shri Rama extended from “north Himalaya mountains to east Videh, some part of south central Pradesh, western Sindhu valley”. Whether any mention about this has been found in Kishkindha Kand of Valmiki Ramayana?

Answer: The Slokas in Kishkindha Kand gives an impression that Kishkindha State was under the control of the rule of Shri Rama.

Question: Have you understood the question and is your answer to the question complete?

Answer: Yes, Sir, I consider it is complete.

Being a religious city, Ayodhya has been a prominent place in India. But from the materialistic angle like trade, agriculture and other reasons it might have not gained such a prominence. I am saying this on the basis of my study and intelligence and is not based on hearsay. I do not remember the name of any book where I have studied about it, but the religious books give a progressive and prospective view of Ayodhya. Such a progressive view is not seen during the 11th and 12th century. In 1192 A.D., after Prithavi Raj Chauhan, the period of Sultanate started. I do not remember whether Ayodhya was under the area governed by Prithavi Raj Chauhan. Earlier, the capital of Prithavi Raj was Ajmer, then Delhi became his capital. I have not studied history, so I cannot tell where his provincial capitals were located. I do not know whether central Ayodhya had been capital of Avadh Suba between the period of 1192 A.D. to 1722 A.D. I do not know whether there was a fort in Ayodhya between 1192 AD. and 1722 A.D. or not. I do not know if there was any mint in Ayodhya during this period or not. I wanted to stand witness for only those things which were known to me.

Whatever I have stated, it is being written correctly from my view point I have seriously read and seen my statement. It is correct and I sign it, I had seriously gone through my affidavit of main cross examination and thereafter I had signed it.

Question: Even after going through the affidavit of main cross examination seriously and thereafter singing it, many things in the affidavit are incorrqctly written, and you have admitted to them, what have you to say about this?

Answer: So far as I understand it, the first thing is that there is no mistake, but to err is human and this could happened in may case also. Anything may come in such a long statement and cross examination which does not match with my affidavit .If this is the position, please tell me. After knowing it, I can proceed further.

Question: In the above question you were asked about your affidavit of main cross examination, instead of answering the question you have tried to avert it and mentioned irrelevant things?

Answer: No, Sir, I have not done any such thing.

It would be incorrect to say that the disputed site is not Ram Janam Shoomi, This is also wrong to assume that this contention of mine is based on figment of imagination that the disputed site is Ram Janam Bhoomi. It would be wrong to say that the disputed building built in 1528 was a Mosque. It is wrong to say that from 1528 upto 22 December, 1949 the Muslims have been regularly offering five times Namaz, Jume K Namaz (Friday Prayer), Taravi Namaz in the disputed building. It would be wrong to say that I had not visited the disputed site before 22 December, 1949.

(Cross examination on behalf of O.O.8. No. 4/89 Plaintiff No. 7 and defendant No.5 O.O.8. No. 5/89 by Shri Mushtaq Ahmed Siddiqui, Advocate concludes).

(Shri Sayyed Irfan Ahmed, Advocate accepted the cross examination done by Shri Abdul Mannari, Shri Zaffaryab Jilani and

Shri Mushtaq Ahmed Siddiqui, Advocates on behalf of Defendant No. 26 of O.O.8. No. 5/89)

(Shri Fazle Alam, Advocate accepted the cross examination done by Shri Abdul Mannan, shri Zaffaryab Jilani and Shri Mushtaq Ahmed siddiqui, Advocates on behalf of Defendant No. 6/1 and 6/2 of O.O.S. No. 3/89).

Verified after reading the statement

Sd/-

(S.P. Dubey)

21-08-2003

On my dictation, the Stenographer typed in the Open Court.

Sd/-

(Narendra Prasad)

Commissioner

21-08-2003

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