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HON'BLE HIGH COURT OF JUDICATURE AT
ALLAHABAD
LUCKNOW BENCH LUCKNOW
OTHER ORIGINAL SUIT No. 3 of 1989
(REG SUIT NO. 26 - 59)

Nirmohi Akhara ... Plaintiffs

Versus

Priya Dutt Ram and others ... Defendants

STATEMENT OF DW. 3/18
ACHARYA MAHANT BANSHIDHAR DAS @ URIYA BABA

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EXAMINATION IN CHIEF OF WITNESS NO. DW. 3/18 UNDER ORDER 18 RULE 4 CODE OF CIVIL PROCEDURE

I, Acharya Mahant Banshidhar Das alias Uriya Baba, aged about 99 years, disciple of Balram Das, Singh Darwaza, Chhavni Math Jagannathpuri and resident of Mandir Uriya Baba Ka Sthan (Surya Mandir) Mohalla Ramkot, Ayodhya solemnly affirm on oath as under:

1. I was born in 1905 (Ninteen Hundred and five. I came to Ayodhya in 1930.

2. In 1930, when I came to Ayodhya I stayed at Mandir Badi Chhavni Ayodhya where I got detailed knowledge of Valmiki Ramayana, Manas, Srimad Bhagwat Gita from Ramayani Ram Balak Dasji and Mahanta Kauslal Kishor Das Maharaj. I already had the knowledge of Sanskrit. I also know other languages such as Hindi, Uriya etc.

3. After Badi Chhavni, I stayed at Hanumangarhi Mandir, which is a famous temple of Nirmoni Akhara and have been staying there with Mahanta Sitaram Das

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Gaddinashin Mahood of Hanuman Garhi Ayodhya since 1938.

4. In 1966, I became the Mahanta of Surya Mandir (Uriya Mandir) of Mohalla Ramkot, which is situated in the North side on the Kanak Bhawan Mandir Road and since then I am living in Uriya Mandir i.e. Surya Mandir Ramkot.

5. Since 1930 during my habitation in Ayodhya I have been visiting Shri Ram Janam Bhoomi, Mandir, Hanumangarhi and Kanak Bhawan Mandir regularly for darshan.

6. In 1930 I went for darshan of Shri Ram Janam Bhoomi Mandir about which the suit is subjudice. At that time too Bhagwan Ram Lalla was sitting there, I took darshan and also took prasad, Aarti and charnamrit (sacred water). I had been receiving prasad, Aarti and charnamrit from the Priest and Sadhus of Nirmohi Akhara living in the outer part i.e. in the Sant Niwas and store rooms situated in the north of main eastern gate, called Hanumatha dwar, in the north of Ram Chabutra.

7. Upto December, 1949 I have been taking darshan of Ram Lalla sitting in the inner part. In the last week of December the inner part was attached. I myself had seen it when I went there for darshan 10-12 days before the Makar Sankranti.

8. The attachment of inner part was not correct. God Ram Lalla has already been sitting in the inner part and I am taking his darshan and offering prayers since 1930.

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9. There are Ram Chabutra, Chhattee Pujan Sthal, Shiv Darbar, Store room, Kitchen in the inter part including Sant Niwas where Sadhus and Priest and Panch of Nirmohi Akharas were residing. In this outer part too, I have been taking darshan of Ram Lalla since 1930 and receiving Aarti, Prasad and Charnamrit from the sadhus and Priest of Nirmohi Akharas. Devotees tooks darshan of Chhattee Pujan Sthal, where there were foot prints of all four brothers, Ram, Laxman, Bharat and Satrughan and chulaha Chakia Belan. I also used to took darshan there.

10. I also used to take darshan of Shiv Darbar.

11. I have seen the control, possession of Nirmohi Akhara over the outer part from 1930 to 1982. In February, 1982, the outer part also got attached because of the dispute of Sia Raghav Saran.

12. After February, 1982, outer part has also been brought under the control of Receiver.

13. I know that civil suit was filed during the time of Mahant Raghunath Das. This was told to me by Mahant Raghunath Das in 1960.

14. I know about the arrangements of Akharas in Ramanandiya community. Hanumangarhi is under the Nirvani Akhara. Shri Ram Janam Bhoomi is under Nirmohi Akhara,. I have been seeing the possession of Nirmohi Akhara over Ram Janam Bhoomi since 1930 to upto the date of its attachment. Since than a

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suit is going on, about which I have heard from others.

15. Nirmohi Akhara is a Math of Ramanandiya Sadhus similar to Nirvani Akhara and all all follows the same practice and customs.Akhara being a Math is a religious trust under which so many Mandir are there.

16. Since 1930 I have not seen any Muslim reading Namaj in the inner or outer part.

17. After the riots of 1934, Muslims never visited from the road, which falls in the north of disputed Mandir. Before that they used to pay visit to Suthatti Mohalla and Shringarhaat.

18. In Vedic literature, Valmiki Ramayan, Manas, other publication and literature this disputed site has been described as Shri Ram Janam Bhoomi Mandir and this holy place Ayodhya city is at the southern bank of Saryu.

19. On the basis of historical- facts and from Geographical point of view I believe that the disputed site is the birth place of God Ramchanderji.'

20. After demolition of structure by the crowd in December, 1992, I rearly visited for darshan. But whenever I went there I took the darshan of God Ram Lalla in the tent.

Sd/-
Acharya Mahant Banshidhar Das
@ Uriya Baba

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Verification

I, the above named deponent do solemnly affirm that the statement made by me in my examination in chief affidavit para No. 1 to 17 and 20 , are true and correct to the best of my knowledge and the contents of para 18 and 19 on the basis of literature and in accordance to my faith based on the books is correct to my belief. Nothing is false or nothing has been concealed. May God help me.

Verified today on dated 15.9.2004 at the premise of High Court, Lucknow bench Lucknow.

Deponent
Sd-
Acharya Mahant Banshidhar Das
@ Uriya Baba

Acharya Mahant Banshidhar Das Uriya Baba is known to me and he put his signature before me.

Sd/-
(R.L.Verma)
Advocate

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow.

(Commissioner appointed by Full Bench Lucknow vide order dated 10.9.2004.)

Other original suit No. 3/1989

Original Suit No. 26/1959

Nirmohi Akhara ... Plaintiffs

Versus

Baboo Priya Dutt Ram and others ... Defendants

15.9.2004

D.W. 3/18. Acharya Mahant Banshidhar Das @ Uriya Baba

Examination in chief, affidavit page 1 to 3 of Acharya Mahant Banshidhar Das @ Uriya Baba, aged about 99 years disciple of Bairam Das, resident of Singh Darwaza, Chawani Math Jagannathpuri Mandir, Uriya Baba Ka Sthan (Surya temple) Mohalla Ramkot, Ayodhya, Distt. Faizabad was submitted and taken on record.

(Cross-examination by Shri Veereshwar Diwedi, Advocate, on behalf of Defendant No. 17, Shri Ramesh Chander Tripathi and defendant No. 22, Shri Umesh Chander Pandey, in suit No. 4/89, begans.)

I belong to Orissa state. My native place was Chhawani Math, situated at Singhdwar, Orissa. My father's name was Balkrishna Acharya. I became disciple in 1915. I became the disciple of Sadhu Balram Dasji Maharaj of Chhawani Math and still his disciple. I never opted for another Guru. I studied Shastras from others also. I practiced of Mantra and yoga from others. I left Orissa at

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the age of 13 years. I went to Bombay from Orissa. I stayed there for three years. From Bombay I went to Kashi i.e. Varanasi and stayed there for 12 years. In Ayodhya I studied Valmiki Ramayana, Ramcharitmanas and Bhagwat Geeta in detail. I studied Ramcharitmanas from Balakram Das, who is no more now. I practiced Valmiki Ramayana, Bhagwat Geeta and Mantra from Pandit Sitaram Dasji Maharaj, Chitrakuti. I still study Valmiki Ramayana, Bhagwat Geeta and Ramcharitmanas. I have studied the above mentioned books only from the three persons mentioned above and not from any person. I am a Mahant of ancient Surya Mandir Ureya Baba, Mohalla Ramkot. I belong to Khaki Akhara, which is under Nirvani Anee. Nirvani Anee is called Nirvani Akhara. There is difference between Anee and Akhara. Anne is the owner and Akharas comes under him. There are 9 Akharas under Nirmohi Akhara. 7 under Nirvani and 2 under Digambar. Maha Nirvani is under Nirmohi Akhara. My owner is Nirvani Anee.

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"Mandir" I mean the place where an idol of God is kept. God is called under whom there were 6 opulences, opulences of the whole world. Devatas are the master of temple and Mahants are its representatives. Mahants are the managers and guides of the God/Goddess of the temples. Sometimes committees are formed to manage the temple. Committee manages the whole affairs and Devta is not the owner of the temple.

Nirmohi Akhara belongs to Ramanandiya community. Ramanandiya community was not established by Ramananda. Ramananda was a religious propagator. Ramanandiya community was in existence from the times of Ramchanderji. Ramananda is not an Acharya of Ramanandiya community. Its old Acharya was Janaki ji. This community was founded by Janak ji. Nirmohi Akhara

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came into existence 700 years ago. Ramananda established it. Janaki ji was younger to God Rama. Janaki ji, I mean, the woman who lived in Baikunth Dham Saket. Janaki ji in the form of incarnation was the wife of Rama. She was in Saket before the birth of Ramchanderji. Her name was "Shri". "Shri" I do not mean Laxhmi. "Wife of Vishnu is also called Shri". The word Vishnu is wide.

Question: Whether Rama was an incarnation of Bhagwan Vishnu, as a human?

Answer: Swambhu Manwantar Sakshat Vaikunth Niwasi Bhagwan Ram has taken birth as Rama and Sita was an incarnation of "Shri". Manu and Satroopa Dasrath and Kaushaliya were born

Question: Who was born first, Bhagwan Ram or Sita?

Answer: Ram was born first.

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The place where Ram ji has taken birth is called birth place of Ramchanderji. It is also called Ram Janam Bhoomi. When he became adult he married to Sita. Ram Chanderji was 16 years old at that time and Sita ji was 14 years old. Ram Janam Bhoomi is a holy place for Hindus. Each and every particle of this place is sacred to Hindus. There is a Vashist temple, which is called Ram Janambhoomi Mandir. No other Ram Janambhoomi is there. I cannot say who constructed the Ram Janambhoomi temple. Its repairs was done by Ane Nirmohi Akahra during last 700 years. There was a temple made of Kaushoti black stones, prior to the temple constructed by Nirmohi Akhara. I cannot say who constructed the temple and who fixed the black stone of Kaushoti because it is an ancient temple. It is more than 700 years old. Ramkot is ten lakhs five thousand and fifty years old. Witness again said Ramkot is 14 lakhs five thousand and fifty years old.

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Question: Do you know the difference in between "owner" "Manager"?

(Upon this question, Shri R.L. Verma, Advocate in other original suit No. 3/89, has raised an objection that the word owner has been defined and Mahant is synonym of owner. The word owner has an elaborate definition and the word swami (owner) is used as Maalik (owner). Hence such fallacious question should not be allowed.)

Answer: Mahant of Math is also called owner. Some people say that Mahant is the owner of Math. Any person appointed for making an arrangement in our system is called an officer.

Question: If it is said that God/Goddess installed in temple is the owner, whether it will be correct?

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(Upon this question Learned Advocate Shri R.L. Verma in other original suit No. 3/89, has raised an objection that this question is hypothetical. Besides, this question does not pertain to the party for which Learned cross-examiner advocate is advocating. This being irrelevant question, cannot be asked.)

Answer: Even the documents are prepared in the name of God/Goddess, the Mahant is the owner of temple.

Question: Whether the temple of Sitaji, Ramchanderji, Laxmanji and Hanumanji be treated one or should be treated as separate .

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(Upon this question Learned Advocate Shri R.L. Verma in other original suit No. 3/89, has raised an objection that this question is not relevant and hypothetical and fallacious. Hence such question should not be allowed.)

Answer: If Ram, Laxman, Sitaji and Hanumanji are all together, it will be treated as one temple.

There is no separate temple of Laxman. Laxman always remains with Ram Chanderji. If there is an idol of Laxman in that case, Bhog will be offered to Rama first and thereafter to Laxman and Hanumanji. There is famous Hanuman's temple called Hanumangarhi temple in Ayodhya. It is not called Ram's temple. Full Ram darbar is behind the idol of Hanumanji. In this case, Bhog is offered to Rama first and then to Hanumanji. I have no knowledge about temple of Vamdev in Ayodhya. There is a Devkali in Ayodhya, where there is a temple of Kali.

Question: Whether the temple of Deviji, will be treated temple of Rama?

(Upon this question Learned Advocate in other original suit No. 3/89, Shri R.L. Verma, raised an objection that the worship of Devi is a Saakt upasana. Since the question is not relevant, it cannot be asked.)

Answer; No.

There are Saakt temple and vaishnav temple in Ayodhya. The name of temple is called by the name of God or Goddess whose idol is in it.

I have studied Ramcharitmanas. The word "Mandir" was used in Sunderkand of manas. Besides the word

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"Mandir" is also used in other Kands. Goswami TulsiDas has called the residential Bhawan of Dasanan Ravana, as temple of Dasanan. The various Bhawans of Lanka, were called temple by TulsiDas. Ravana was a devotee of Shiva and every house in Lanka, Shiva was worshipped, so every house was called Mandir. TulsiDas did not call these temples as Shiv temples. But called them as temples of owners of houses.

Para 18, 19 of the examination in chief Affidavit and verification related to these paras were read out to witness and asked.

Question: Among the facts referred in para 18 and para 19, of the examination in chief affidavit, which fact is based on your knowledge and which part is on the belief, which is based on the study of books?

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(Upon this question Learned Advocate in other original suit No. 3189, Shri R.L. Verma raised an objection that this question does not come under the purview of cross- examination and whatever facts are written in the above paras are the subject of argumentation. So separately this cannot be asked what question is based on Juge knowledge and on juge faith.)

Answer: Every History has Geography. If there is no Geography of History, then it become novel.

It is not correct to say I am deliberately not giving the answer.

I referred to riots of 1934 in para 17 of my examination in chief affidavit. I myself have not seen the

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cow-slaughters. I have heard about it. Second reason of riots was that Muslims have been putting a number of dead bodies on the ice and were taking them for burial at Ram Janambhoomi, Hindus objected over this, which resulted in riots. Both the Muslims and Hindus have lost their lives in the riots. There were two stones near Mali Mandir in the rear part of Ram Janambhoomi. These were the stones of Ramkot Geography i.e. God who protect the fort on which names these stones were fixed. One stone was Gawaksh and second stone's name, I was not able to remember. Witness then said second stone was Dadhiwatra. Muslims were taking away the stones, upon which Hindus gathered there and fighting took place in which Hindus and Muslims both have lost their lives. Among the dead, the number of Muslim was higher than Hindus. He said, I have seen both the incident with my eyes; I have not paid any fine in this regard because I was a student. Mahants have paid the fine. In this incident minor damage was caused to temple. During my habitation in Ayodhya I have not seen any Muslim reading Namaj there, neither before the riot nor after the riot. Bara Sthan Mandir was at a distance of two hundred to two hundred fifty feet in the north of Ram Janam Bhoomi. The Surya Mandir, where I live, is at a distance of three to four hundred feet from Ram Janam Bhoomi and is in the north of Kanak Bhawan. I became the Mahant of Math Jagannathpuri Mandir, Uriya Baba Ka Sthan (Surya Mandir), Mohalla Ramkot in 1966. Before me, Ramlikhawan Dasji was the Mahant. Now the ninth generation of Mahant including me, is going on.

I have heard that Nirmohi Akhara has filed a suit. I am giving my statement in it. Mahant Raghunath Dasji and King Pamchanderji Das Shastri (Ramachander Acharyaji) told me that Ram Chabutra and Ram Janambhoomi is.

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theirs and other people raising disputes about it . So the suit was filed. Originally, the Nirmohi Akhara was at Ram Janambhoomi site. Nirmohi Akhara, since its establishment, was the owner of his site. Prior to Nirmohi Akhara, a Mahatma, whose name I am not able recollect, was the owner of this place. He was also from Nirmohi Akhara. That sant was not from the time prior to Nirmohi Akhara, but he belonged to Nirmohi Akhara.

The entire disputed premise was maximum in the length than to width. There was a Singh-Dwar for making entry into temple. That door where a Sita kitchen was there remained closed and was opened on the occasion of fair. Two doors, with junglas were in the east. One door was at the side of kitchen, one at the front, one door was Hanumanth door which comes before the Ramchabutra. Raghnath Dasji had filed a suit in regard to the disputed premises in 1959 and the same suit is still pending. I do not know about any suit filed by Nirmohi Akhara. The entire premises was attached in parts, on two occassion. The inner part of Ram Janamboomi was attached first and the part having Ramchabutra was attached later due to the disputes in between the sadhus. Outer part, perhaps was attached in 1982. Inner part was attached in 1959. It is not correct to say that I am making false statement for the cause of Nirmohi Akhara. Shri Ramchander Acharya is known to me for last 4-5 years. He lives in Gujarat at Dakore. I do not know that Ramchander Acharya ji is taking active part in this regard for two-three years. He is a Naga and Panch of committee. He is a rich man. It is not correct to say that I came to know about this case after 4-5 years of meeting with Ramchander Acharyaji. I am a son of a Lawyer and I have advocated in about 200 suits. Ramchander Acharya has not told me about this case. At present, Mahant Jagannathji of Nirmohi Akhara is a

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Mahant. He is a Mahant appointed by the committee. It is not correct to say that I am giving false statement in this regard. The birth place of Bhagwan Ram is open to all Hindus for darshan but the owner is Nirmohi Akhara. The birth place of Rama, the place where temple was constructed, is a holy place for all Hindus. Ramlalla is the owner of this entire premises. There is a committee constituted for management of this place , for last 700 years and Nirmohi Akhara manages the site.

(Cross-examination by Advocate Shri Beereshwar Diwedi, on behalf of Defendant No. 17 Shri Ramesh Chander Tripathi and Defendant No. 22, Shri Umesh Chander Pandey in other original suit No. 1/89, concluded.)

(Learned. Advocate Shri D.P. Gupta, on behalf of plaintiff in other original suit No. 1/89, said that he has not to cross-examine the witness.)

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(Cross-examination by Learned Advocate Shri Ajay Kumar Pandey on behalf of plaintiff, in other original suit No. 5/89, begans.)

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Hindus believes that God Rama was born at this place, which is below the middle dome of the three dome's disputed Bhawan. This belief and faith is going onfrom generation to generation. People also believe that by taking darshan of Ram Janambhoomi one get salvation. Math is a place from where religion and devotion is propagated "mien" stand for chander (moon) and "tha" also stand for chander (moon). Nectar comes from moon so the Sadhus Sant living in Math, propagate religion. In religious trust, trust have many meaning. "Nyas" Trust mean

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establishment. Second meaning is sacrifice and third meaning is when some religious place is established, that is called religious trust. The aim of Math or Trust is one. Math means a place from where religion is propagated. Trust (Nyas) stand for establishment. Religion propagation centre of Sadhus is called Akhara. The aim of Akhara is that Sadhus propagate the, religion by moving around. They established math at various places for this purpose. The Math at Kashi was established for the first time by Jagatguru Swami Ramanandacharya. Swami Ragavacharya was the Guru of Ramanandacharya. He lived in Kashi Math. But he did not establish the Math. It was established 2500 year ago. Math of Shri community is also at Panchaganga Ghat of Kashi called Shrimath. Swami Bhawanandacharya was the disciple of Ramnandacharya. Ramanandacharyahad 12 disciples. Swami Anubhawanandacharya was one of the disciples of Swami Bhawanandacharya. Swami Shyamanandacharya was the disciple of Anubhawanandacharya. He was a Mahant of Ram Janam Bhoomi. Girjanandacharya was the disciple of Bhawanandacharya. Balanandacharya was a disciple of Girjanandacharya, who imparted military education.

Heavy atrocities were being inflicted on Hindus during the time of Swami Balananandacharya. Hindu were being converted in to Muslims. Balanandachaiyaji has not established the Maths. He expanded its number. He was the general of Army of the King of Jaipur. Later he became Sadhu. He imparted military training to the Sadhus of Ramanandiya community so that Hindu religion could be protected. Swami Balanandacharya has established four Akharas. He already had three Akharas. Four Akharas established by him were. Vishnu, Swami Nirmohi, Maidhari Nirmohi, Jharia Nirmohi, Shyamji Digamber. All these

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Akhara were under the Nirmohi Akharas. Shyamji Digambar Akhara was under Digambar Akhara. The earlier Akharas of Balanandacharya were established by Jagadguru Ramanandacharya for the propagation of religion. Akhara were established for the propagation of religion. Later, when the fightings started taking place, then Annee (owner) came into existence. I do not know the literal meaning of Annee. It may be right, if it stand for military. Annee was established by Balanandaji. There are 3 Annee and 18 Akharas. Among them 9 Akharas are of Nirmohi and 7 Akhara were under Nirvani and two were under Digambar. Under them there was military of three lakhs. Three Annee were established by Balanandacharya. These three Annees are Nirmohi, Nirvani and Digambar.

Question: Do the people of Ramanandiya community follow the teaching ofRamanandacharyaji?

(Upon this question, Learned Advocate Shri R.L. Verma, on behalf of plaintiff in other original suit No. 3/89, said the question "Jo Kuttch Bataaya" is not clear, very vague. It should not be allowed.)

Answer: Yes.

(After Swami Ramanandacharya, this community has established 36 seats. And so there was not only one seat of Ramanandacharya. He was called Ramanandacharya of Kashi is called Ramanandacharya. Others are called Dawacharya. The Acharya of these 36 seats is called Jagadguru. Jagadguru living at Kashi is the main Jagadguru. Ramanandacharya of Kashi seat has the equal importance as Swami Ramanandacharya has. He himself stated that he was also a member of the committee.

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(Cross-examiner Advocate has raised serious objection and it was stated that witness has not stated the things, which he himself stated, in a sequence. It was also stated whatever was stated by the witness are not related to the suit in any way. Hence it should not be recorded.)

(Learned Advocate Shri R.L. Verma of plaintiff in other original suit No. 3/89, replied the objection that most of the question asked by Shri Ajay Kumar Pandey were not relevant. Hence these questions are objected.)

Statement heard and confirmed.

Sd/-

Acharya Mahant Banshidhar Das

15.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for further cross-examination for 16.9.2004.

(Hari Shankar Dubey)

Commissioner

15.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

16.9.2004

D.W. 3/18 Acharya Mahant BanshidharDas @ Uriya Baba

(Commissioner appointed by Full Bench Lucknow vide order dated 10.9.2004.)

(Cross-examination by Learned Advocate Shri Ajay Kumar Pandey, on behalf of plaintiff in other original suit No. 5/89, furtherance to dated 15.9.2004, continues.)

I know Baba Rampadarath Das ii, Mahant of Ram Ballabha Kunj. 1 also know Baba AbhiramDas of Hanumangarhi. I know Paramhans Ramchander Das of Digambar Akhara and Digvijaynath, Mahant of Gorakhnath Mandir in Gorakhpur and Baba Raghav Das. Kirtan used to be chanted at Ramchabutra. I was in Ayodhya since I949. During this year I did not go outside of Ayodhya. I was in Ayodhya in the month of October, November and December, 1949 During these months people in thousands number have read the Ramcharitmanas in Ayodhya. This parayan (reading) happened at inner or outer part, both. Discourses of Sant, Mahatmas were also held during that period. One of the Mahatma was Pandit Hanuman Dutt ji. Besides, Pandit Rajshri Akiesh Das and Ramayani Prem Das were among them. People from outside also used to come, although I had no liaison with them. Baba RaghavDas, leader of Sadhu Samaj, was also there in this programme. I cannot say, whether Swami Karpatri ji was there in the programme or not but all honourable Sadhus were there. I have not seen Mahant Digvijay Nath in the programme. Sadhus and Acharyas are called Swami.

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Swami words indicates respect. Such as word Swami is prefixed before the name of Karpatri. Akhara were meant for propagation of Religion and to protect the temples. List of property of Akharas is made by committees who keep their record. Nirvani Akhara also keeps the list of property but I had no right to see it. I have not recited the Vishnushastra. He himself said that I knew Vishnushastra and I have the knowledge about it. One name of God Vishnu is Rama in Vishnushastra and one name is Garurdhwaja. The Chariot having the flag of Garurji is called Garurdhwajh. Only the Chariot of Vishnu has the Garurdhwajh. Shri Vashvaksh is also the name of Vishnu, which means the Vaksh (chest) having the sign of Srivats. Only Vishnu has he sign of Srivatsa on his chest. I have studied Garur Puran but it is not remembered by me. I have studied Ramcharitmanas in detail. In Ramcharitmanas two Guards were referred in its Bal Kand. It is written in Ramcharitmanas that: "There were two Guards of God, who were loved by God, named Jai and Vijay. These were known to everyone." These lines appear at the bottom at page 104 of Ramcharitmãnas document No. 258 C-1/2. I have studied Valmiki Ramayana. 27th and 28th slok of fourth canto of Sunder Kand at page No. 24 of Ramayana document No. 261 C-1/2 and meaning of these sloks were read out to the witness by cross-examiner advocate. There is reference of a passionate and decorated elephant having four teeth. Upon which witness said I have not seen the elephant having four teeth. These were at the time of Bhagwan Rama but not to-day. So many things of that times do not exist to-day. But Ram Janam Bhoomi, which was there at the time of Shri Rama, also exists to day.

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(Cross-examination by Learned Advocate, Shri Ajay Kumar Pandey on behalf of plaintiff in other original suit No. 5/89, concluded.)

(Shri Ajay Kumar Pandey, Advocate said, that Learned Advocate Shri Madan Mohan Pandey on behalf of defendant No. 2/1 and Learned Advocate Km. Ranjana Agnihotri on behalf of defendant No. 20 in other original suit No. 4/89, have informed him that they are accepting the cross- examination done by advocate Shri Beereshwar Diwedi and Shri Ajay Kumar Pandey.)

(No advocate except the Learned Advocates of defendants in other original suit No. 4/89 and defendants No. 4,5,6 and 26 in other original suit No. 5/89, were present for conducting cross-examination on behalf of any defendant.)

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(Cross-examination by Shri Abdul Mannan, Advocate, on behalf of defendant No. 11, Mohd. Farooq Ahmad of this suit, begans.)

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I was born in Orissa. I was in Orissa upto the age of 12 years. I was born in Distt. Ganjam. My father was a clerk of D.F.O of the forest Department . There are a number of forests under a D.F.O. When I was born, there was the rule of Britishers. My distt. was also under them. Prior it was under the Riyasat. He himself said that there were number of small riyasats. These riyasats were controlled by the Britishers. These riyasats paid taxes to the Britishers. After coming from Orissa, I rearly visited there. But after 12 years of age, I never stayed there on regular basis. My father was in service till the rule of Britishers. After that he remained at home. He did not come here. My father died in Orissa, but in which year he

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died, I do not remember, but perhaps in the year, in which we got Independence I cannot say how old I was at the time of death of my father. I was born in 1905. I can count my age. My father died in 1947. I am not sure whether at the time of death of my father, I was 40-41 years old or not because in my account and counting my memory has become feeble. After the death of my father I lived at the place in Ayodhya for which I am a Mahant to-day. But I was not a Mahant when I came from Orissa. I came to Ayodhya in 1930. When I came to Ayodhya, I used to study Ramayana at Ban Chavani. At that time I studied Ramayan only and started teaching Ramayana to people. I studied Ramayana from RambalakDas of Bare Chavani. I have studied the Ramayana from 1930 to 1933. Rambalak Das used to teach Ramayana to me daily. First he taught me original Ramayana and after that literal meaning and then emotive meaning. Thus it took four years to study Ramayana. I studied Ramayana in Ayodhya. My lodging/fooding was done at Ban Chavani. During the period I studied Ramayana, I stayed in Ban Chavani. At that time there were around one thousand people in Ban Chavani. All these thousand people were Sadhus. The house of Ban Chavani spread over to two acre land approx. The food was earned from the land or from the help rendered by the disciple. Number of disciple in the registers were 12 lakhs. Every year, invitations were used to be sent to the student. These invitation were used to written by 100 people, I am one of them. So I remembered it. These 12 lakhs disciple were from all over the country, particularly from U.P. and Bihar. I did not go for collection, only wrote invitation letters. Invitations were used to be sent to every village in 10, 15 and 20 numbers. Invitations were used to be sent by post at the name of one person listing the name of invitees in a village. Baba Raghunath Das ka Bhandara was conducted once in a year and

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invitation used to sent to the disciple, on that occasion. On that occasin few disciples used to come and some used to send money orders. Persons who came personally , used to offer the presents. At least 10 thousand people used to come there at Bhandara. Bhandara was being conducted on a fix day of every year. Disciple used to bring wheat, dal, rice and vegetables with them. Those who used to come at Bhandara took food at Ban Chavani. They used to stay there for two-three days and took food there and some people stayed there for eight days. People coming from outside did not take away anything from there. Money received through money orders etc. were deposited with the manager and the manager used to give that money to the Mahant. At that time Kaushal Kishore Das ji was a Mahant. I am talking about the period from 1930 to November, 1934 because in December, 1934, I went to Hanumangarhi. The then Mahant of Hanumangarhi was elected from Jaganathpuri. My Guru told me that there was none to serve the Mahant of Hanumangarhi so you go to Hanumangarhi from bari Chavani Mahant Sitaram Das was the then sitting Mahant of Hanumangarhi. I stayed there upto the year 1938, to serve the sitting Mahant of Hanumangarhi. This Mahant was alive even after 1938. By. that time the number of student had increased; So I did not think it appropriate to stay there. At the time, when I went there, there was none to serve the sitting Mahant. I was the only person for his service. I have served him for 5-7 years. Hanumangarhi was at a distance of half km. from Bari Chavani. I used to come back to Bari-Chhavani from hanumangarhi and used to go there occasionally. There were number of disciple of Mahant of Hanumangarhi. I became freed from the service in a year or two but I remained there, upto 1938. After 1938, I came to Surya Mandir of Ayodhya, where I am the Mahant at present. It is situated in Mohalla Ramkot. I went

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to Surya Mandir with the sole purpose of study because the then Mahant of Surya Mandir Hanuman Das was a good physician. So I went there to study Ayurveda.

I studied Ayurveda their upto 1949. I sometime used to go out side. I have not got a degree in Ayurveda. I studied Madhav Nidant, Susurth and Balbhatt. I learned Ayurveda education from Mahant Hanuman Dasji. I still practice Ayurveda. I am not a professional physician. I have opened an Ayurvedic clinic in the temple but closed it later because of heavy rush. I ran the clinic for three years. I did not charge the fee. I treated the people free of cost. The medicine, which was not available with me, I used to write it and asked the people to buy it from the market. Two-three-four hundred people comes there daily. I have no degree of Ayurvedacharya etc. I used to treat the person who held Degree. For some ailment there is no treatment in Allopathy and physician knowing Ayurvedic cannot treat it properly. I used to give medicine for those ailments as well. Such as rheumatism, trembling of head and hands etc.

I am a Brahman by caste. There are Brahmans, Chhatriya, Vaishya and Sudra in Hindus. Brahman is upper caste. As per practice Brahman do not marry in other caste. The child born after inter caste marriages is called Brahmshankar. In U.P. and all over India Brahmans are married to Brahmans only. There are four classes in Hindus but castes are in numbers. Brahmans are the best among the four caste's.I do not understand the meaning of the best . This greatness of Brahmans is known since times immeuorial times. All the inventions in India relating to knowledge and science were are invented by Brahmans only. Veda is the oldest first book in the world. There were written by Brahmans. Brahmans, Chatriya and Vaisya have

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the sight to study Veda. Sudras had no right to study Veda in accordance with the practice.

I have been with Gandhiji for three years. All old Congressmen were Contemporary to me. I was with Gandhiji in vardha, in Orissa and Bihar. I went to Vardha via Madhya Pradesh and stayed there for one and half to two years. Training was imparted there in spinning. There were 50-60 people with me, who were getting training in spinning. People used to come there and went away. I used to sit and eat with Gandhiji, when we were in Orissa and Bihar. Gandhiji kept visiting in Orissa. I was with Gandhiji in Bihar, Gaya, Patna and Ranchi etc. I went with Gandhiji to Bihar but I do not remember in which year it happened. I was in Ayodhya at the time when Gandhi died. I was not with him. I have not been with him from a some time. I do not know, how old I was at the time when he died. I was born in 1905. 1 was in Karachi at Panchmukhi Hanuman Mandir when we got Independence. I do not remember the place where Panchmukhi Hanurnan Mandir in Karachi was. It was a Sidh Mandir. Peoples came there in huge number more than the Hanumangarhi in Ayodhya. The temple is still there in Karachi. From Karachi, I went to Sindh - Hyderabad. How far Hyderabad is from Karachi, I do not know. From Hyderabad I went to Lahore and from Lahore to Delhi and went to Gandhiji. When I came to Delhi from Lahore, India was divided in two parts. India-Pakistan. I have little knowledge of English. I have studied English but now have forgotten it. When I came from Karachi to Lahore and than to Delhi, atmosphere of uncertainty was prevailing everywhere. People were crying Jao-Jao. I met Gandhiji upon reaching Delhi and I fought with .him. I told about the happening in Pakistan to Gandhiji, Ballabh Bhai Patel and Jawahar Lal Nehru and to other congressmen. I stayed in Delhi at Chandni Chowk for eight days, after coming from Lahore. I stayed at a

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Math of famous Mahatma, Saran Das in Chandni Chowk. Prem Dasji was a Mahant therein. During my stay in Delhi for eight days I used to take food etc in the Math itself and thereafter I used to meet the leaders and remain with Gandhiji. I do not remember the name of place where Gandhiji was residing at. Gandhiji used to stay at two-three places besides Birla Bhawan near Parliament house. I was in Ahmedabad at the time of death of Gandhiji. I do not know on which date Gandhi died. I came to know about the death of Gandhiji from newspapers and from the people. When I heard about the death of Gandhiji, I do not remember whether market was closed or not. At the time when I got the information about the death of Gandhiji, I was studing Geeta. I got the information about the death of Gandhiji at about 5.00 PM and at that time Geeta's Anushatan was continuing . I used to read eleven lessons of Geeta daily. At the time when I got the information about the death of Gandhiji, thousand to thousand five hundred Sadhus were there in the Math. All the people were discussing the death of Gandhiji. In Jamalpur, the number of Muslims inhabitation was more. At that time all Muslims, Hindus were Congressman. I do not know for how many days I stayed there. Later after five to seven days I went to Ayodhya. I made Ayodhya as my residence in 1920. Wherever I used to go from Ayodhya I used to come back to Ayodhya.

People of Chhattriya and Vaish community had no right to perform Karamkand but can read Vedas. Sudras had no right to study Vedas. Besides above four c1asse in Hindus, there was no other class in Hindus. Every class have a number of castes. I had the right to read vedas. I enjoy this right to day too. He himself stated that Yazurveda was memorized to him but now forgotten. Seven days after the death of Gandhiji I came back to

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Ayodhya and I went to Surya Mandir. I was in Jamalpur Darwaja Jagannath Mandir Ahmedabad at the time of death of Gandhiji. It took me two days to reach Ayodhya from Jamalpur. There was peace in Ayodhya and after some days the peace was not disturbed.. I have heard the name of Babri Masjid. Hindus call it Ram Janam Bhoomi. I have studied history. Phirojshah Tuglak, Mohd. Tuglak and Aurangjeb had attacked at a number of times but Hindus prevented the construction of Babri Masjid. First attack was attempted by Phirojshah Tuglak. During his attack how long fight continued, I do not know. I only remember the main-main happening as mentioned in the History. Phirojshah ruled over Bihar. From Bihar he came to Delhi and from Delhi to Bengal. He had also come to Ayodhya. Phirojshah caused destruction in Ayodhya. I do not know for how long he stayed in Ayodhya. His aim was to convert Hindus into Muslims and to cause destruction and then proceed further. From Delhi he went to Bihar. From Bihar he went to Bengal and then to Jaganathpuri. I do not know whether he again came back to Ayodhya or not. I used to note the main happening of history in my diary, but in short. I have noted in my diary about Shershah Sun. But I do not remember. This diary is at my residence. I could not bring it to-day. I can bring it here. I have noted all the important happenings from the destruction of Somnath Temple upto the time of Aurangjeb, about who was the King and who was the Nawab. I have also noted in my diary about the battles fought in brief No riots took place in Ayodhya in connection to the murder of Gandhiji. I permanently reside in Ayodhya. I have studied Hindi. Document No. 115 F.I.R. under section 145 Cr.P.C. was shown to witness upon which witness said there is a reference about the F.I.R. lodged on 23.12.1949.

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Question: Whether the report was lodged by Hindu S.H.O. on 23.12.1949?

(Upon this question, Learned Advocate Shri Tarunjeet Verma on behalf of plaintiff in other original suit No. 3/89, raised an objection that the question about the contents of document, cannot be asked for from witness. Because neither the witness was an accused nor witness. Hence permission for asking such question cannot be allowed.)

Answer: Hindu S.H.O. had lodged incorrect report on the basis of which attachment was ordered.

"A part of F.I.R." Five-six thousand people together... desecrated the Masjid by installing idol. The person on duty and many people has seen it" was readout to witness. Witness said that the report lodged was incorrect. Idol was already present there. So the question of installation of idols in between period does not arise. In the last portion of , the report referred about the desecration of Masjid. This report was lodged because the S.H.O. was with the opposition. S.H.O. was a Hindu and I have seen him. I have asked from the S.H.O. of police post, which was at Hanumanthdwar of Ram Janambhoomi, who lodged the report that idols were already there then why you have lodged false report. Why you have not stopped them, if the idols were put in before you. It is not correct to say that 5-6 thousand Hindus have kept the idols there on the night of 22/23.12.49, by making forceful entry into. It is also not correct to say these people have desecrated the Masjid. It is also not correct to say that idols were kept there in the night because idols have already been there. The point reported in the F.I.R. that idols were kept on the night of 22.12.1949, was incorrect. Thereafter no clash took place

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only the suit is going on. I was born in 1905. I was born on Assadh poormina. I have been in Bombay for three years. I studied there in Bandra Mission High School. I have passed 9th class examination from there. Thereafter I went to Banaras. He himself stated that he was not interested in studying English so he went to Banaras for studying Sanskrit. I stayed there for twelve years. I have not given any examination during these twelve years. I kept studying. There was a Sanskrit college. I used to learn from a Pandit. Both math and college were there. After studying in Banaras for 12 years I went back to Ayodhya. When I visited Ayodhya for the first time, no Masjid was there. He himself said that when Thakurji is there, the question of Masjid being there does not arise. Since there was no Masjid, the question of going into Masjid by me, does not arise. Minars were never there in Masjid. I have not seen Minars ever there. The key always remained with Nirmohi Akhara. Masjid does not contains Singhdwar, Hanumathdwar. This is reason why I do not treat it a Masjid. So for I know, Minars are there in a Masjid. It may be that in the countries where climate is cold, minars are not there in Masjid. But I have not seen any Masjid without Minars. I have seen the Minars in the Masjid at Guwahati, Bengal, Mithila. These are cold places and near to Nepal. Besides I have also seen the Masjids in Kashmir. I know the countries were Minars are not in the Masjid I had asked certain persons as to why Minars were constructed in Masjids. I have been told that Minars are must on the Masjid otherwise they will fall and I was not aware of this fact.

I have heard the name of Meerbaki. He was a Military General of Babar. I have read about it in the book and also heard from historians. I do not know the names of historians. I have read the history upto B.A., M.A.

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Whenever I thought it proper, I get it noted. On 23rd December, 1949, Muslims gathered around the disputed place and the S.H.O., who had written the report, himself dispersed the crowds. That S.H.O. dispersed the crowd by beating Muslims. There were 12-14 Muslims. They were from nearly the houses situated in between Tedhi Bazaar and Ram Janambhoomi. They came but S.H.O. drive them off. I had seen it from a distance that Muslim in 20 numbers had gathered there: There was no noise at 1.00 A.M. in the night. I can say this because my house was nearby. Muslim in 15.20 number gathered there in the day. S.H.O. had fixed a tent there and he beat them in the tent. I have no knowledge whether higher officer reached there on next day or not because I do not know them. I know only S.H.O. and recognize him S.H.O. had taken twenty thousands from a Muslim of Distt. Basti. Soldiers deployed there with the S.H.O. had an altercation with S.H.O. That S.H.O. was a Hindu. I have seen the persons there in the tent with my own eyes. It is not correct to say that disputed Bhawan was a Babri Masjid upto its demolition. It is also not correct to say that namaj was being read there from the date of construction of Babri Masjid. It is also not correct to say that it is Babri Masjid and will remain Babri Masjid in future.

(Cross-examination by Shri Abdul Mannan on Behalf of defendant No. 11, Mohd. Farooq Ahmad concluded.)

(Cross-examination by Shri Zaffaryab Zilani, Advocate on behalf of defendant No. 9, Sunni Central Board of Wakf begin.)

I came to Ayodhya at the age of 28 years. Before that I have studied in Varanasi. I have not obtained any

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Degree or certificate for education. I have started my education at the age of 16 years in Kashi.

Statement read and confirmed.

Sd/-

Acharya Mahant Banshidhar Das

16.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for further cross-examination for 17.9.2004.

(Hari Shankar Dubey)

Commissioner

16.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

17.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to dated 16.9.2004 cross-examination by Shri Zaffaryab Zilani, Advocate on behalf of defendant No. 9 Sunni Central Board of Wakf, U.P., on affidavit, begins.

Para 18 of the examination in chief affidavit was readout to witness. Witness said, I have read the Geography of Ayodhya in the Vedic literature, Valmiki Ramayana, Manas, other publication and literature referred in that para. I have read in the book that Ayodhya is situated on the south of the bank of Saryu. The books referred at para 18 of the examination in chief affidavit, contained no reference that disputed site is a Ram Janambhoomi, but it was written therein that Ram Janambhoomi is within Ramkot of Ayodhya. In the books referred at para 18 of the examination in chief affidavit, there is a reference about Ramdurg. Ram Janam Bhoomi said to be under the Ramdurg. Ramdurg is also called Ramkot. There is no reference about Ramkot in these books. Rigved comes under Vedic literature.

Question: Which books you have read under the "Vedic literature", which you have referred at para 18 .of your examination in chief affidavit?

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Answer: I have read Rigved, Rudrayamal, Valmiki Ramayana. Tulsi Ramayana under the Vedic literature. I have not read other book under Vedic literature.

Question: Whether Ramcharitmanas comes under Vedic literature?

Answer: Vedic principle is described in Ramcharitmanas. So it comes under Vedic literature.

It is not correct to say that Ramcharitmanas does not come under Vedic literature. Tulsi Dasji himself said , that Ved Shastra is written in Ramcharitmanas in accordance with shashtras and Purana. The above slok is from the Balkand of Tulsi Mana I have studied only Rigveda Under The Vedic literature referred at para 18 of the examination in chief affidavit. I have not studied others three Veda under it. I have read other Vedas also but not as in the required form. There are four Vedas. And each veds have a number of branches. But they do exist only for name sake. Besides Rigveda, in other three Veda, I have read about Ram Janambhoomi and Ayodhya but I could not understand it. You cannot understand the meaning of Veda without Guru and no such Guru met me. Purana also comes under Vedic literature. I have studied Purana but not properly. I have read the Purana as History or story. I have studied Rudrayamal in detail because the Geography of Ayodhya is well defined in it. He himself said that even in history he values Geography .He himself said that without Geography history has no meaning. When the Rigveda was compiled. I cannot say. But experts all over the world treat it a first ever granth. It is honoured by Hindus, Muslims, Sikh and Christens. According to my faith and research Rigveda is lakhs of years old. It was well before the birth of Ramchanderji. Vawaswat Manu

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was the first King of Ayodhya. Riguveda was there before Vawaswat Manu. Vawaswat Manu was the seventh Manu. Sixth Manu were there before. First Manu was self styled Manu. The time of Manu runs into many crores years but I do not remembered properly. Although I have read about it. One kalp was for one thousand years during the time of Manu. One thousand Chturyuga is for one kalp. There is only one kalp in one Manu time, which is equal to hundred Chaturyuga. Vawaswat Manu time is running even at present. Veds had their own status during the time of 1st self style Manu . Rigveda is from the time of first Manu times. The Rigveda, which I studied, is in old Sanskrit. The Sanskrit, which is in accordance with Parini Grammer, is easy than to the old Sanskrit and Prakrit Sanskrit is corrupt form of Sanskrit and is a language of interaction. In my view, Prakrit language is not an independent language. In the present Sanskrit language the Rigveda is available to-day, the same Sanskrit language was at the time of Manu. Besides Rigveda, there are three other Vedas, Atharveda, Yazurveda and Samveda. These three Vedas are also from the time of first Manu. Vedas were not before Manu. At the time of first Manu, Veda emerged from the mouth of Brahma, which were compiled by Rishies. At that time Vedas were written on Bhojpatras in ink and on Tadleaves by Kante, called Lekhani. The original Veda is not available. As the per practice it is continued by scribing. There are four yug (times) - Satyug, Tretayug, Dwaparyug and Kalyug in a chaturyug. I do not know how many years are there in Satyug. Kalyug is of four laths thirty- two thousand years. Dwaparyug is just double of Kalyug i.e. Eight laths sixty four thousand years. Tretayug is more lengthy than Dwaparyug. Satyug is more lengthy than Dwaparyug. Chaturyug is equal to Satyuga, Tretayuga, Dwapuuyug and Kalyuga. The time of one Chaturyuga is for 45 lakhs year approx. I cannot say

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whether one kalp contains four thousand million, thirty-two crores years or not. I knew it but now I have forgotten it. The age of a man during the time of Satyug of first kalp was one lakhs year. The shape and size of the then human being were greatly different from the human of to day. I do not what was the normal height of the then human but definitely it was much higher as compared to present human. I have been at the site of Hastinapur exacavation 5-6 months ago, there was a 32 feet long skeleton. The height and age has been reduced with the passage of time and intelligence also. In the first Satyug of Vawasat Manu Yug the height of man was 100 feet or more less, I cannot say. 28th Chaturyug of Vawasat Manu times is running. Ramehandeiji was born in Tretayug's 9 lakhs years ago. What was the length of man at that time I cannot say? I cannot say whether the height of those men was equal to to-day's men or not.

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Document No. 261 C-1/1/5 was shown to the witness. Witness said the picture was of the time of marriage of Ramchanderji and his three brothers. The human body appearing in this picture proves that it was a picture of last incarnation of Ramchanderji. He himself said that height and width of a man could differ. The height of a man cannot be decided on the basis of this picture. The picture shows Ramchanderji and his three brothers with their wives but the glossiness from hid body is missing. The physique was shown same. The face of Ramchanderji and his three brothers in this picture is imaginary and not authenticated as that glossiness is not there.. Document No. 200 C-1/1/4 was shown to witness. Witness said Ramchanderji with bow/arch is appearing in the picture. He himself said that this picture is not correct because except bow/arch, none is with Ramchanderji. The other people were at distance from him. It is not in accordance

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with Ramayana. In document No. 26 1/1/2 Kaushaliya with Ram in her lap is appearing. This picture is imaginary and not mythological. Although in accordance with the mythology this picture is correct. In document No. 261 C/1/1/1 Valmiki is not shown, as he was described in Shastras and he has not been shown accordingly in the picture. The picture of a hunter is similar to, described by Valmiki. Mythologically the picture appears to be true. Picture document No. 261 C/1/1/3 is true in accordance with the mythological belief. This picture is not imaginary. But Janakji have been shown sitting below, which is not correct.

In picture document No. 261 C-1/1/6, Ramchanderji, with Sita and Laxman and boatman, were shown, but another person shown with boatman, which is not correct. According to mythological belief it does not appear to be true. Kevatraj was alone at that time. The picture appearing in document No. 261 C-1/1/6, is of the time of second stop over when he was crossing the Ganga at Srigawerpur. This picture pertains of the time when Ramchanderji was going to forest from Ayodhya. Picture in document No. 261 C/1/1/7, was true in accordance with the mythological belief but colour of Bharatji has not been shown therein properly. Bharàt's complexion was dark-blue like Ramchanderji. The physique of the persons who have been shown in the picture have been shown properly.

Panchang is a subject of Jyotish. I do not have much knowledge of the subject. I do read panchang to know about dates. Panchang is required to know about days, Nakshtra and festivals. Witness after seeing the document No. 9/52/1 filed with affidavit of Mahant Ram Das dated 30.1.2004 in other original suit No. 3/89, said that I can read after putting optical, if it is written in Bold letters. I

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cannot read small letters. I have not heard about Ganesh Apa Panchang. A part of above document "In accordance with Surya principles, the whole world …… 100 years of age." was read out to witness. Witness said that being an old, his mind is not working. So I will not be able to say whether these things are correct or not. The subject given in this is a subject matter of Purana. I have read the Bhavisaya Purana. Part of Bhavishya Puran document No. 9/1 to 9/12 vide list No. 1 alongwith the affidavit of Mahant Ramji Das Puran was filed. Upon which witness said I cannot read this Bhavishya Puran which was written by Ved Vyas. Ved Vyas had written the Bhavishya Puran at the end of Dwapar Yug. Wherein past, present and future was described. Bhavisya Puran referred the Rajvansha. This also refers generation of Satyug, Surya and Chander Vansh of Treta Yug, Chandervanshiya King of Dwapar time and King after that time. The reference of Rajvanshas in Bhavisaya Purans, according to me, is correct. King Harish Chander was referred in Rajvansha of Satyug. Rohit was his son. He was a King well before Ramchanderji. Ramchanderji was from 65th generation of Vawasat Manu. I do not remember which generation King Harish Chander Vaswat belongs to. In accordance with the Treta Yug, whether there was a King Mahasaya Sudershan or not, I cannot say. Dilip was the second son of Maharaja Sudershan. Thereafter, Maharaja Raghu was. Thereafter Aej and Maharaja Dasrath was a son of Aej. He was Maharaja Dasrath second. There was a Dasrath before that also. Shri Rama was the son of Dasrath. Rama was an incarnation of Vishnu. He ruled for 11 thousand years. Kush son of Shri Ramchanderji ruled for 10 thousands years. Attithi was a son of Kush. According to Bhavishya Puran, Prasanjeet was told to be the last King of Ramchandra family. He was contemporary to Bhagwan

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Budh. He was born in Kalyug. Because Bhagwan Budha was also from Kalyug. Budh Bhagwan propagated religion through King Prasanjeet. Prasanjeet and Parikshit were not one and the same person. King Parikshit was born in very early times in Dwapar Chandervansh. There is a reference of King Vikramaditya in Bhavishya Puran. King Vikramaditya was there two thousand years ago from today. There was a referenceof King Vikramaditya in Bhavishya Puran written before five-six thousand years before the time of King Vikramaditya. A part of document No. 9/11 of the above affidavit of Ramji Das, "Sut ji said Brahaman at present I am in Yog nindra ..... ruled for the year equal to his father" was readout to witness. Witness said that the matter written in Bhavisaya Puran is correct. The Mahamad (Mohd.) referred in, was the same Mohamad Sahib, who was the Paigamber of Muslim or some one other Mohamad, I cannot say about it. Similarly "On the completion of three thousand years ..... became famous as Vikramaditya" was read out to witness. Witness told that this is true. He was the same Vikramaditya, on whose name Vikrami Samvat was started. Because I have been in Ujjain for so many days. Ujjain was said to be a capital of Vikramaditya as people used to say. I have seen the ruins there. By going to Ujjain I came to know that Ujjain was the capital f Vikramaditya. He (Vikramaditya) was there 2 thousand 56 years ago. I cannot say whether Chandergupta was earlier to him or not. Chandergupta was the first emperor of Maurya family, contemporary to Chankya. Budh religion was there before Chandergupta. Budh religion was spread during the Chandergupta times. I cannot say whether Chandergupta was married to the daughter of King Cellucas or not. The writing in Bhavisaya Puran was correct. Bindusar was the son of Chandergupta. Ashoka was the son of B indusar. I

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cannot say whether Ashoka was before Vikramaditya or not. Magadh was the capital of Ashoka. Magadh was also the capital of Chandergupta Maurya. Ujjain and Magadh are still there as was during the early times. Patliputra was the then name of Magadh. People says that Vikramaditya came to Ayodhya from Ujjain. In my view whatever is written in history is wrong. Historian have written whatever they were told by Britishers. History says that Ayodhya was a forest while the fact is this that Ayodhya was dwelling place. It has been the capitals of the emperors. At the time of Vikramaditya, Prasanjeet the King of Ayodhya was from Suiyavanshi. I knew who was the King of Ayodhyas ancestors were at the time of Vikramaditya but I have forgettent who was. Vikramaditya never attacked Ayodhya. Vikramaditya came to Ayodhya for darshan. Ram Janam Bhoomi was there at that time too. Ram Janam Bhoomi was made of black stone and was at the same place where the disputed site is situated today. Pillars of Kaushoti in black colour were there in the temple. But I do not know their number. I have seen fourteen pillars at Ram Janam Bhoomi. I have seen the same pillars there, which were found in the excavation carried out there last year.

I have been there during the excavation with many people. Excavation site was prohibited but I have seen it from a distance. I have seen the excavation site from the corridors meant for darshan for devotees. I also used to see the excavation site from parikarma marg. It is not correct to say that one cannot go to at excavation site from parikarma marg. I used to see the excavation site from the point, where police used to frisk the people for going to parikarma marg. He himself stated that going at the excavation site was not allowed. I used to see the excavation site from a distance. I never went near to

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excavation site so I did not require a pass to go there. Devotees were not required any passes.

A part of the statement given by the witness to-day itself "Pillars of Kaushoti in black colour were there in the temple..... and I also seen its foundations," was read out to witness. Witness said that he has seen the foundation of pillars but not the pillars. Than said I have seen pillars and foundation, both. I have seen the pillars at outside. I have seen the pillars at the side of corridors. I cannot say about the numbers of pillars. Some pillars were complete and some were fragmented. I cannot guess about the number of complete pillars. Because police personnel used to insist that place urgently. I have seen the foundation of black pillars. There were heavy ditches. I do not know the number of ditches. It is not correct to say that during excavation I have not seen the foundation of pillars at pillars at the exacavation site and I am making false statement.

The temple, constructed of black stones at the disputed site, which I referred above at the disputed site said to be made during the time of Vikrainaditya was constructed by the King of Kannuz and not by the King of Ayodhya. I have not read in the history but heard from the people. I have tried to see the rock inscription in order to see that yhe king of Kannuz had constructed which temple, but I did not find it. I was told that the rock inscription has been deposited in the museum. I did not try to go to museum. The pillars of the temple said to be made by Vikramaditya were found but not the temple. Because the temple constructed later was of bricks. It was constructed by Nirmohi Akhara. It was constructed by Govind Dasji, the disciple of Shyamananda at about 600 years before. This temple made by Govind Dasji was demolished on 6th

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December, 1992. In the said temple constructed by Govind Dasji there were 14 pillars of Kaushoti, two at the Hanumanth gate and 12 inside. I have not read about this temple said to be made during the time of Vikarmaditya in any book of history but I have heard about it. There is a reference about the temple made by Govind Dasji, in the book "Prasang Parijaat". This book is in Kankari language and not in Urdu, Sanskrit and Hindi. This book is of my community. Its Hindi version was published by Ram Das of Gokul Bhawan, Ayodhya. "Prasang Parijaat" was published 30-40 years before the Gokul Bhawan. I had the book but is not available at present with me. The book contains 1000 pages and the script is Devnagari. Vasihst Kund was there at the time when Vikramaditya visited to Ayodhya. This Kund was very ancient. Hindus worships all their Gods by water in this Kund. Kanak Bhawan Temple was also there at that time. It was small in size. Present Kanak Bhawan Temple is 100 years old. KaikaiBhawan was also old one and existed at the time when Vikramaditya came to Ayodhya. "Rudrayamal" contains all details in this regard. Some portion, which I got published through Baghirath Bramahachari, is with me. I have published this book 8-10 years before. It is a part of Rudryamal. I have published the part of that book only which appeared useful to me. I have brought this book with me. The name of book is "Ayodhya Darpan". This book contains the information about all the Kunds and holy places, which were there at the time of Vikramaditya. The book also contains the reference of holy places near Ramkot. This book contains the reference about the Ram Janam Bhoomi in Ramkot area. Ram Janambhoomi was referred at page No. 144 of this book. There is a reference about Ram Janambhoomi temple in Ramkot, in this book.

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The "Ayodhya Darpan" book, which I referred above, is the document No. 45 C-1/4 in other original suit No. 3/89. The only difference is that document No. 45 C- 1/4 is fourth edition, whereas the book, which is with me is third edition. If it is said that there is no reference of Ram Janam Bhoomi at page 144 of the book, than I will be able to say anything in this regard only tomorrow, after seeing the book.

Statement read and confirmed.

Sd/-

Acharya Mahant Banshidhar Das

17.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for further cross-examination for 18.9.2004.

(Hari Shankar Dubey)

Commissioner

17.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

18.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to dated 17.9.2004 cross-examination by Advocate Shri Zaffaryab Zilani on behalf of defendant No. 9, Sunni Central Board of Wakf, U.P., on affidavit begins.)

(In the book named "Ayodhya Darpan" at document No. 43 C-1/4, there is a reference of Ram Janam Bhoomi at page No. 36. This reference is appearing in the fourth line, of the shlok (couplet) next to the word Ram Janam Bhoomi, as under:

Ram Janam Bhoomi Mandir was at a distance of five hundred bows from the place of lomas. He himself stated that Ramjanam Bhoomi and lomas Ashram were opposite to each another. How long is a bow, I do not know.

Question: If you do not know the length of a bow, than how you can say that how far the Ramjanam Bhoomi Mandir is, from lomas?

Answer: It can be measured how far the Ramjanam Bhoomi is from lomas in accordance with the length of bow.

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Question: "Bow" was an instrument of measurement and was measured equal to a yard or feet. Hence it cannot be measured to-day. Whether this is proved on the basis of books that how many feets and yards were there in bow?

Answer: In the ancient times the length of a bow could have been measured by measuring it on the earth.

By measuring the distance from Ramjanam Bhoomi to Lomas, the distance in between can be measured. Lomas Ashram was in the east of disputed site. Lomas Ashram is the place called Ramghulella Mandir near to Sugreev Kila in the east of Manas Bhawan, which is situated in the east of disputed site. I cannot guess the distance from Lomas Ashram to the disputed site, because I am an old man and my intellect does not work properly for long.

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Question: Whether a bow was equal to five yards or 10 yards or equal to five feet?

Answer: I have no knowledge whether a bow is equal to 5 yards or 10 yards or was equal to five feets. So I cannot answer this question on presumption.

This book (Ayodhya Darpan) refers only to Janambhoomi and not to Janambhoomi temple because this book is related to Rudryamal. So the temple was not referred in the book. Temple was constructed later. Ram Durg was there before. The top three line of the couplet (slok) from the Ayodhys Darpan which I referred to above described that birth place of Ramchanderji, was in the north of Vashist Kund which is in the east of Bighneshwar. This is absolutely correct because there are stones at the

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both places, at Bighneswar and Vashist Kund. On the basis of stones fixed, reference in books and on perceiving myself, I am stating it as correct.

Question: In accordance with the book, what is the distance in between the Bighneswar and Vashist Kund?

Answer: The distance from Lomas Ashram to Janamsthan according to book was 500 bows. Ram Janamsthan is at a distance of one thousand eight bows from Bighneswara. The distance from Vashist Kund to birth place was not given on the book. Only it was stated therein that Vashist Kund is in the north of birth place.

Bighneswar is in the north of birth place. But in the book it was stated that the birth place is in the east of Bighneswar. Hence I am saying that Bighneswar was on the north of birth place.

Document No. 289 C/I/202 attached to exhibit O.O.S. No. 5/89 (document No. 289-C 1) was shown to witness, upon which he said he cannot read the document even after putting optical as this was in very small letters.

Question: My contention is that you are deliberately not, answering about this map. Although you can read the letters very well.

Answer: It is not correct to say that I am, deliberately not reading the letters written in the map. In reality, I am totally unable to read the letters.

The Bighneswar it shown on the east-north of Janam Bhoomi, may be correct. If Vashist Kund is shown in the south of Ramjanam Bhoomi, it may be correct. He himself

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said that it is out of Ramkot. If Lomas is shown in the east near to Sumitra Bhawan, that may be correct, because I am saying the same thing. Sumitra Bhawan is in the east and Lomas is in the south of Ram Janambhoomi. Lomas and Sumitra Bhawan are not nearby. These two are at a distance. Lomas is near to Sugreevs Tila (hillock). This place is in between the Hanumangarhi and Sugreev hillock. Sugreeva hillock is at the side of old bus stand. It is at a distance from Railway station. Sugreeva Kund and Sugreeva hillock are separate places. Durg of Ramkot is called hillock. The word "bow", was never used in Ramcharitmanas for measurement. About Valmiki Ramayana, I cannot say whether the word "bow" was used in or not. Rudryarnal is ancient to Skand Purana. During Dwapar yug, Ved Vyas has written Skand Purana. A part of Skand Purana is called "Ayodhya Mahatamya". Ayodhya Mahatamya, originally was in Skand Purana. I have not read Skand Purana thoroughly. I have read the chapter Ayodhya Mahatyamaya of Skand Purana as a story. At present I do not remember it. Only the part, which I memorized, is remembered by me. Geography in much is not included in Skand Purana.

Question: Whether there was any reference about birth place under Ayodhya Mahatamaya in Skand Puran?

Answer: I do not remember.

I have not measured the distance of Janamsthan (birth place) from Lomas, Bighneswar and Vashist Kund. He himself said that if I have been informed about it before giving the statement, I would have measured it.

Eight miles is equal to a Yojan. I do not remembered what was the length and width of Ayodhya, in Yojan, in

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accordance with Valmiki Ramayana. Although I have read in this connection, to-day morning itself. I cannot say in which Kand and canto of Valmiki Ramayana the length and width of Ayodhya was referred. Description of Ayodhyapuri comes in Ayodhya Kand of Balmiki Ramayana.

Question: Whether it is correct to say that the reference of Ayodhyapuri comes in Pancham Sarga (fifth canto) of Balkand in Valmiki Ramayana.

Answer: Description of Ayodhyapuri comes under both Bal Kand and Ayodhya Kand .

I cannot say, even by seeing the book, that in which Sarga of Ayodhya Kand, Ayodhyapuri was to referred because I cannot see. There may be less or special description about Ayodhyapuri in Ayodhya Kand, but description was there. The description of Ayodhyapuri as given in Ayodhya Kand is also given in the same form in every kand of Valmiki Ramayana. There is a special description of Ayodhyapuri in fifth canto of Ba! Kand of Valmiki Ramayana, but the geography of Ayodhya was not given in it. It was only characterized.

Question: I am to say that there is detailed description of Geography of Ayodhyapuri in the fifth can to of Ba! Kand of Valmiki Ramayana. What you have to say in this regard?

Answer: It is correct that the description was in the form of character. But the geography of Ayodhya is not as well defined, as it was defined in Rudryamal.

Question: I am to say that there is no description of character in fifth canto of Balkand of Valmiki Ramayana and the geography of Ayodhyapuri

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was described in much detail in Rudryamal than you have described about Ayodhya?

Answer: It is not correct.

Question: Whether the destrict male famous by Kaushal inhabited at the bank of Saryu, reference about which comes in fifth slok (couplet) of fifth canto, does not describe the Geography of Ayodhya?

Answer: It described about the geography but through a medium of a character.

Question: Whose Character was defined in the above slok?

Answer: Character of Kaushal.was described in the said slok

Similarly the description of Ayodhya in sixth slok of fifth canto of Balkand of Valmiki Ramayana is in the form of Character. Kaushal, Awadhpuri and Ayodhya are a name of one and same place.

Question: It becomes clear from fifth and sixth slok that Kaushal was referred as district and Ayodhya was referred as a city of that district. This Kaushal and Ayodhya appeared in two different names. What you have to say in this regard?

Answer: Kaushal is the name of a country and Ayodhya is its capital.

The writing in sixth slok of fifth canto of Valmiki Ramayana that Ayodhya city was constructed by Maharaja Manu himself is not correct.

I believe Devtas had asked to Vishwakarma to construct Ayodhya city. Then came Manu. Later on

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Vawasatu Manu came. Ayodhya was inhabited during satyug of first chaturyug of present Kalpa. At present 28th chaturyug of this Kalpa is going on. In seventh slok of fifth canto, Ayodhya was described 12 Yojan in length and 3 Yojan in width, which is correct. According to me Ayodhya is spread over 96 miles in length and 24 miles in width. Parikarma is performed of this area. At present the city, which is known as Ayodhya and which is under Faizabad district is two and two half mile in length and approx. two miles in width. He himself said that Faizabad and Ayodhya is one. Faizabad district was not established by Nawabs instead but they changed its name. It is not correct to say Faizabad was not there before the rule of Nawabs and it was established during the time of Nawabs. The fact is that Faizabad was known as Saket and Ayodhya was known as Ayodhya. He himself said that Saket Deg College was established on its name. Guptar Ghat is in Faizabad distt. In the seventh slok of fifth canto, the highways is referred for going to other districts, does not exist at present. He himself said that the entire luxury of Baikuntha comes with the arrival of Ramchanderji.

The manner in which highways of Ayodhya's were described in slok No.7, that cannot be called the description of Geographical situation of Ayodhya. It may be the description of the size of Ayodhya. There was reference of big phataks, doors, yantra shastra and residence of craftsman's in tenth slok of this canto. It is not a geographical description of Ayodhya but it is a description of glory and beauty of Ayodhya. In the 12th slok of this, canto there was reference of gardens, mangoes gardens and sakhu forest all around the Ayodhya. There is also a description of its glory and beauty and not the description of geography of Ayodhya. It was mentioned in 13th slok that there was deep excavation around the

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Ayodhya, for which reason, getting entry into Ayodhya was almost impossible and this city was not accessible to outsiders. The Ayodhya city was very difficult and impgenable for other to enter .This was also not a description of the geography of Ayodhya. In 15th slok of this canto, there was a reference of huge palaces built by various metals and high rising buildings, which is not geographical description of Ayodhya. In 16th slok there is a reference of high rising buildings having Gold plates and its being constructed in dhootpalakh size, is also not a description of geography of Ayodhya but the description of the artistic creation of Ayodhya. In 17th slok, it was referred that Ayodhya was densely populated by the houses of Purawasees and it is situated in a plain land where Jarhan rice, as sweet as sugarcane, was produced in heavy quantity, but its Geography was not described in. Instead there is mention of eating and drinking habits in Ayodhya.

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Question: I say, in the above slok (couplets) of the Balmiki Ramayana, there is wide description of the geography of Ayodhya, much more than the book named Rudryamal. What you have to say in this regard?

Answer: In the above sloks, geography of Ayodhya was described alongwith the character but the Geography was not described independently. He himself stated that place specific is called Geography.

Rudryamal referred in "Ayodhya Darpan" book was written in Treta Yug. It is not correct to say that Ayodhya Darpan, 43 C 1/4, was written much later. There is no evidence that the book was written later. The places, and holy places referred in "Ayodhya Darpan" these were in

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Treta Yug. TulsiDas was in the Treta Yug. He was there, five hundred years ago. The fact mentioned in the book Ayodhya Darpan that Sumitra Bhawan was at a distance of thirty Dhanus from Ram Janambhoomi is correct .He himself said that it is still there. Sumitra Bhawan collapsed but it was newly reconstructed four-five years ago and is called Sumitra Bhawan. It is not correct to say that there is no Sumitra Bhawan near to disputed site. I do not know that Sumitra Bhawan was demolished during leveling the land in 1991. I have seen the Sumitra Bhawan in its old shape and himself said is seeing also the new one. Sumitra Bhawan was the residence of Queen Sumitra. The mention at page No. 67 in "Ayodhya Darpan" is correct that Sumitra Bhawan is at the distance of thirty Dhanus from Ram Janambhoomi, where Laxman and Satrughan were born. Keikei Bhawan referred at page 68 of this book is situated in the of Ram Janambhoomi at the distance of 24 Dhanus, where Bharat was born. This fact is correct as is written in the book. It is also correct as written in page No. 70 of the book that Tulsi Ghat is at a distance of two furlong in the east of Saryu from Laxman Ghat. He himself said that it might have been written in Hindi. In Rudryamal there is no slok about it. I have not seen any reference of Tulsighat in Rudiyamal. Bharat Kund and Vilvahari Ghat are mentioned in Rudryamal.He himself said that all these description is called geography. I have not seen any place called Ashok Vat in Ayodhya. I have not came across the mention of Ashok Vatika referred in Rudryamal at page 91. There was a reference of Ramdurg in Rudryamal. Rarndurg is called Ramkot. "Durg" in Sanskrit is called kot in Hindi. I have not seen the place Ram Sabha as referred at page 52 of the book "Ayodhya Darpan". Nageshwarnath and Hanumangarhi were referred in the book and so in Rudryamal.

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Kaushaliyaji's Bhawan is located adjacent to the side of Keikei Bhawan. Kaushaliya Bhawan is at a place, after a street, which leads from the disputed Bhawan's north. It falls on the way leading to Keikei Bhawan. Kaushaliya Bhawan might be at a distance of two hundred feet from disputed Bhawan. It is in between the Keikei Bhawan and Janamsthan. Mohd. Tuglauq had demolished all the buildings of Ayodhya except the residenes of Boatmen. Hence all the Bhawan were reconstructed after these were demolished by Mohd. Tuglauq, within seven hundred years.

All Mandirs and Bhawan in Ayodhya including Nageshwarnath Mandir and Hanumangarhi Mandir were demolished during the time of Mohd. Tuglauq. Not a single temple or Bhawan was spared from demolition. Beer Singh was the King of Ayodhya at that time. The Mandir at the disputed place was first demolished during the time of Mohd Tuglauq. The regime of Mohd. Tuglauq began from 1320 era and the Mandir at the disputed Bhawan were demolished in 1325 era. (This was told by the witness after reading his diary, which was with him.) Mandir at the disputed site was reconstructed by Ananthanand, disciple of Ramanand Swami during the time of Firozshah Tuglauq. Firozshah Tuglauq was the son of Mohd. Shah Tuglauq. He himself stated that Mandir remain ruined for quite long. It was reconstructed after 30-40 years. The then King, of Ayodhya Beer Singh, during the time of Mohd. Tuglauq, alongwith twenty thousand Hindus converted themselves into Muslim. Swami Ramananda had re-converted those twenty thousand Hindus into Hindu religion after imparting diksha but Hindus did not accept them. Then they were given a new caste named Sanyogi by Swami Ramananda. The ancestors of these twenty thousand Hindus are still Sanyogees. He himself said that Sanyogi caste is in every

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state. Mohd. Gauri and Mohd. Gaznavi came to India before Mohd. Tuglauq but they went back after looting and plunder and did not stay in Ayodhya. In my view no King except Mohd. Tuglaq stayed in Ayodhya before Swami Ananathananda was the disciple of Ramananda and perceptional brother of Kabir Das Mohd Tuglaug had arrested Kabir Das and kept him in prison for two years.. Kabir Das came to Ayodhya so many times. He was a Bhajranandi Sadhu. Mohd.Tuglaq released him after seeing his miracle. Firozshah Tuglaq had again destroyed the temple reconstructed by Ananthananda at the disputed site. Thereafter Swami Anubhawananda constructed the temple again. Shyamananda stayed in the temple constructed by Anubhavanand. During the time of Shyamananda, Meerbaki, Military General of King Babar, demolished this temple. He himself stated that King Babar had not given any specific instruction to Meerbaki in this regard. Meerbaki of his own demolished the temple. He did not construct the Masjid after demolishing the temple . He left the place open. Govind Das, disciple of Shyamananda constructed the temple again, during the regime of Babar. On 6th December, 1992, the same temple was demolished, which was constructed by Govind Dasji. Govind Dasji was a Mahant of Nirmohi Akhara. The temple was constructed with the help of Queen of Haissar. There were three doors in the disputed Bhawan, all were having grills and curtain. The grills were there from the year 1930, since when I started visiting there, which were taken out by the Nirmohi Akhara, before it was attached with the intention to built-up new temple there. But Nirmohi Akhara could not built-up the temple because Muslim invaded Ayodhya time and again. Muslims invaded the disputed site five years after 1930. The first invasion by Muslim took place during my time in 1934 and last attackat the disputed site was launched during the time

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when Ramdev Dubey was a S.H.O. He is the same S.H.O., who lodged a complaint on 23rd December, 1949, about the incident of 22/23rd December, 1949. Shri Ramdev Dubey was well known to me. It was attached after this incident and thereafter Muslim have not attacked disputed site.

This Bhawan was constructed by Govind Dasji. He constructed the Bhawan on the disputed site as a temple. Govind Das has constructed the temple at that site during the time of Humanu. Govind Dasji constructed the building with three domes. He himself stated that brass pitchers were fixed thereon. Among the brass pitchers fixed thereon, two pitchers were stolen by the Muslims and one remained intact upto 6th December, 1992. Govind Dasji, at the time of construction of temple, had also fixed the grill of iron thereon. The part of Ramchabutra, at the outer part of the building with three pitchers, was also constructed during the time of Govind Dasji. An idol of Ramchanderji at two places, one at Ramchabutra and other beneath the part of a dome, were there since the time of Govind Dasji. An idol of Ram, Laxman, made of eight metals was in the inner part and an idol of Hanumanji made of stone and an idol of Ramlalla made of black stone was in the outer part. Bharat Laxman and Shatrugan's idols were also made of eight metals. There were three doors in the part of Ramchabutra and three doors in the part of dome.

Statement read and confirmed.
Sd/-
Acharya Mahant Banshidhar Das
18.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for further cross-examination for 20.9.2004.

(Hari Shankar Dubey)
Commissioner
18.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

20.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to dated 1 8.9.2004Cross-exarnination by Advocate Shri Zaffaryab Zilani on behalf of defendant No. 9, Sunni Central Board of Wakf, U.P., continues.)

I have not read about the length and width of Ramchabutra constructed by Govind Dasji. I can only say about the Ramchabutra, which I have seen. Ramchabutra is also called "Bedi." The word Bedi is appropriate word Chabutra . Bedi is a word of Hindi language. The word Bedi can be used for the small or large chabutra. Chhattee Pujan Sthal was there since the time of Govind Dasji. I have seen the Chhattee Pujan Sthal in the year 1930 and have been seeing it upto the year 1992. Chhatee Pujan Sthal is not called Kaushaliya kitchen but is called Sita Kitchen. Chauka, Chulaha and Belan were there. He himself said charan padukas (foot prints) of all the four brothers were there on the top of the chabutra and Chulha-Chhakee was also there. All these items were on a single 'Bedi'. This Chabutra was at a height of one feet from the ground level and 10 feet in height and 5 feet in width. No item other than Chulaha-Chakla, Belan and Charan Paduka were kept there. No throne was kept there. After its demolition I have seen the Chabutra for the last

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time in 1992. This Chabutra was also demolished by Kar-sewaks on 6th December, 1992.

Witness was shown picture No. 69 of the document No. 200 C-1 of the colour album. Witness said it appears a picture of a part of disputed premises but I cannot say which part is there. From the tree appearing in picture No. 70 of the coloured album, it seemed that a place nearby to the kitchen is appearing in this picture. It seems that northern Singh Darwaza is appearing in the picture No. 71 of the colour album. Picture No. 72 is also picture northen Singh Darwaza of that place, wherein staircase for going down is appearing. The four pictures shown to me were not of Chhattee Pujan Sthal.

Witness was shown the picture No. 36 of the document No. 201 C/1 of the black and white album. Witness said picture of Hanuman door and outer wall is appearing in it, which is in the eastern side of disputed premises. It is not correct to say that the doors of wall of inner Katghara is appearing in picture No. 36. Wall with grill is appearing in the picture No. 35. It appears that grills have been fixed in the surrounding wall. Wall with grills is appearing in picture No.37. A closed door is also appearing in the picture. The door is in the side of the tree and kitchen of Nirmohi Akhara and Saint Niwas is on the other side. A door, by the side of a tree is appearing in picture No. 38. This door is at the wall with grill aside kitchen. Singh door is appearing in the picture No.' 39 of the album, where staircase is there to go down. Hanumath door with two Kaushi pillars is appearing in picture No. 42. It is not correct to say that the door appearing in picture No. 42 is the picture of Singh door and not of Hanumath door. A part of door in three dome's part is appearing in the picture No. 7 of the album. Then said that the picture

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appearing in the picture No. 7 is of the Hanumanth door. Singh door is appearing in the picture No. 23 of the album. No picture of Chhattee Pujan Sthal was there, among the picture shown to me. Chhattee Pujan Sthal was part of the palace of Ramchanderji. This palace was palace of King of Ayodhya and was called Ramkot or Durg. It was a part of palace of Queen Kaushaliyaji. Sita kitchen was also there. I have seen the palace of Queen Kaushaliya. Celebration were held there on the occasion of Chhattee. I have heard in this connection because it was of the time during Tretayug. Chhattee Pujan Sthal was a part of Kaushaliya palace because Ramchanderji was born there hence it was a delivery room. The present Kaushaliya Bhawan is at a some distance from the disputed site. In the land pertaining to Kaushaliya Bhawan,two-three Maths have been constructed. Chhattee Pujan Sthal is at a distance from Kaushaliya Bhawan. This place is under Ram Janambhoomi Sthal. Disputed site was a delivery room. I am saying this on the basis of earlier saying. Chhattee Pujan is celebration. According to my belief and faith a function of Chhattee Pujan of Ramchanderji was held at Chhattee Pujan Sthal. Chulaha and Chakla were there since the time of Ramchanderji. There is no evidence in support that there were kept later. There were eight number of foot prints of all the four brothers. I cannot say whether Chakia, Chulaha and foot prints were there at the Chhattee Pujan site since the time of Ramchanderji but I have seen the items there from the very beginning. This Chulaha is made of the stone, which appeared there during the excavation. I cannot say at what time these things were kept there, because I have never given thought on it. I never thought that when these things were kept there in the beginning. A part of his statement at page No. 65, which he made today that "Chhattee Pujan

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Sthal was a part of palace of Ramchanderji ..... I have seen the palace of Kaushaliyaji" was readout to the witness. Witness said the palace of Kaushaliya referred in my statement was the present Kaushaliya Bhawan. It was not about the Kaushaliya Bhawan of Tretayug. A part of my statement given by me today, at page No. 66 that "Chulaha and Chakia kept at this place was from the time of Ramchanderji. There is no evidence in support that these things were kept there later" It is continuing because of the tradition. We are listening it from the very beginning.

A part of my statement given by me to-day at page No. 66, that "Chakia, Chulaha and foot prints at Chhattee Pujan Sthal were from the time of Ramchanderji" is correct or not, because without seeing, I am not able to recollect. Whether I have read in this connection in any book, I cannot say. There is no reference of Chhattee Pujan Sthal in Ramcharitmanas and Valmiki Ramayana. TulsiDasji has written in all 12 books on the subject of Ramcharitmanas. I have studied all of them. There was no reference of sthal except chhattee pujan. Whatever celebrations, which are held at the time of birth of a child, were described in it.

The entire book "Geetawali" written by TulsiDas is about Ramchanderji. The third sub-verse of verse No. 5 at page 28 and 29 of Geetawali at document No. 46 C 1/1 was readout to witness. Witness said that there was reference of chhattee pujan in the verse "Manjul" Bhawan. In this verse the palace of Maharaja Dasrath was described as a beautiful palace. There was a reference of Shankarji's visit as old Brahaman and who was called by Kaushaliya in hcr Bhawan, in second sub- verse of 17th verse at page 45 of Geetawali. There was a reference of "Bhupati Bhawan" in second sub-verse of 20th verse at

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page 49 of Geetawali, wherein Bhawan of Maharaja Dasrath was described. There is a reference of "Nrip Bhawan dwar" in 39th verse at page No. 72 of this book. In this verse, the term used as "Nrip Bhawan dwar" means the door of the Bhawan used by King Dasratha for his residence. There was a separate Bhawan for Maharaja Dasratha in this huge Bhawan and separate Bhawans for the three Queens - Kaushaliya, Keikei and Sumitra. All these Bhawans were adjacent to each others. The present "Bara sthan" in Ayodhya is also called Dasrath Mahal. Bara sthan or Dasrath Mahal is at a distance of 100 feet from Kaushaliya Bhawan and there is a w in between. The present "Bara sthan" or Dasrath Mahal was the palace of King Dasratha. The stones at the historical monuments in Ayodhya were fixed during the time of Britishers. He said that these were fixed in accordance with the geography of Rudryamal.

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The mention of "Dhanus" in the statement given on 18.9.2004, by me, I cannot say what is the length of it in feet and yard or meter. He said that he measured the distance by his stick.

The part "In this map Lomas was shown in the east of. and near, Sumitra Bhawan" of my statement at page 52 dated 18.9.2004, was correct because I am saying the same thing. The statement given immediate after of the above statement that "Sumitra Bhawan is in the east of Ramjanam Bhoomi and Lomas is in the south" is not correct because Lomas is in the east and Sumitra Bhawan is in the south.

There was a Lomas chabutra called "Lomas Chaura" in front of Lomas Ashram. I do not have the knowledge about it. I have not seen any Lomas Chaura at any other

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place in Ayodhya. The other original suit No. 3/89, in which I am giving statement, Sumitra Bhawan has been shown in the south of the disputed Bhawan in the attached picture of the suit document. This picture is at the document No. 3/9-A-I. Lomas Chaura shown in between the disputed Bhawan and Sumitra Bhawan, in the picture is not correct.

In document No. 289 C 1/202 of O.O.S. 5/3 - Book exhibit, if Lomas was shown in the north of Sumitra Bhawan and in between the disputed Bhawan and Sumitra Bhawan, it is not correct. He himself said that Lomas is in the north of Sugreev Teela. Vashist Kund at present is at the south-west corner of disputed site, but is in the outer part of Ramkot. Ramkot Mohalla is in the east of the road but the things which are on the other side of the road are out of the Ramkot. Vashist Kund is in the west of the road to Dorahi Kuan. Gokul Bhawan is in the east of the road from Vashist Kund to Dorahi Kuan and opposite to Vashist Kund. Dorahi Kuan road is in between the Gokul Bhawan and Vashist Kund. Bighneshwar was shown in the east of the disputed site in document No. 289 C-1/202, which is not correct. He himself stated that there are two Bighneswara - one near to Brahmkund which is in the west of Ramkot, which now has been submerged in Saryu and the second Bighneswar is located in the north of Ramkot. And the same has been shown in this map. I do not know whether this Biglmeshwar is in between the Kanak Bhawan and Keikei Bhawan or not. I also cannot say whether this I is in between the Kanak Bhawan and a throne made of Gems or not. I will be not able to tell also whether that Bighneshwar is in between Keikei Bhawan or Hanumangarhi. The Bighneshwar I am talking about is near to Matgajendra. Matgajendra is in the north of the disputed site. Matgajendra was a son of Vibhisana, on

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whose name the Matgajendra temple is. In document No. 289 C-I/2003 Lomas Rishi Ashram is shown in the south of disputed site, which is not correct. Lomas Rishi Ashram is in the east of the disputed site. He said, it is called Ramgulella Mandir. It is not correct to say that I am not giving the correct direction of Lomas Rishi Ashram. It is not correct to that the direction shown in document exhibit O.O.S. 5/3 and in the map attached to the suit is correct.

A part of the statement given by him on 18.9.2004, that "Govind Das constructed the Mandir during the regime of Babar" and the same Mandir was constructed by :Govind Dasji was demolished on 6th December, 1992" was readout to witness. Witness said that this statement was correct. A part of statement at page 61, dated 18.9.2004 that "Govind Das has constructed the Mandir after the regime of Babar during the time of Humanu" was readout to witness. Witness said his statement was correct. Some part the Mandir constructed was during the regime of Babar, which was destroyed during the regime of Humanu, during the invasion, was reconstructed by Govind Dasji during the time of Humanu. The disputed Bhawan demolished on 6th December, 1992 was the Bhawan repaired during the time of Humanu. After Humanu, Aurangzeb etc. never destroyed the disputed Bhawan. I do not know when the idol, which I have been seeing since 1930, were kept in disputed Bhawan. It is not correct to say that the disputed Bhawan demolished on 6th December, 1992 was a Masjid. Whatever I stated in my statement, from Tuglauq to Humanu, I have read these in the books of Ramanandiya sect. I have read all the three books, Vaishnav Kabir, Parsang Parijaat and the third one Kashi Murthand. All these three books were written by Chaitanya Das, disciple of Ramananda Swami. He himself said that these books were written by Chaitanya Das,

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disciple of Ramananda Swami. He himself said that these books were in the form of manuscript, which were published later by other sadhus. Among the above books, Parsang Parijaat was published by the Guru of Mahant RamDasji. Vaishnav Kabir was published by Mahatma GururDas of Haridwar. Kashi Marthand was published from Rishikesh, by a Mahatma, the name is not known to me. Besides the books of Ramanandiya sect. I have also read the books written by other historians but I do not remember the name of any author. I have not studied any authentic book of Geography. I have read the books. "Geography of India" and "Geography of State" I do not remembered their authors. I have been reading the books of Geography, Philosophy, History and Yoga, daily. The books I reads, are in the size of Geetawali at the document No. 46 C-1/1 but these books are thick as compared to Geetawali. I have written in para 2 of my examination in chief affidavit that I have studied Valmiki Ramayana, Manas and Srimad Geeta in detail, when I came to Ayodhya in the year 1930. I have also read these books earlier but in detail I could study after coming to Ayodhya. People from Ayodhya used to go to Kashi for making discourses. From them I came to know that people in Ayodhya had better knowledge and hence I came to Ayodhya for studies. I have stated in my statement that I went to Kashi at the age of 16 years. I have been there for 12 years in two phases. Once I came back from Kashi and then I again went there and in total I have stayed there for 12 years. First time I stayed in Kashi for 8 years and second I stayed time for 4 years. I went to Kashi for the first time in the year 1930. I was 28 years old when I came to Ayodhya. I was born in 1905. The mention at page 34 of the statement that I came to Ayodhya at the age of 28 years is not correct because I came to Ayodhya at the age of 25 years. I went to Kashi at the age of 16 years and

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came back to Ayodhya at the age of 25 years. I stayed at Kashi for 9 years. During this period of 9 years, I have not studied Valmiki Ramayana, Manas and Srimad Bhagwat in detail from my Guru. Although I memorized Manas, Geeta during my stay in Kashi. But my study was not proper. I had to go to Kashi again for studying yoga and to construct a math, called Gulelalla Ramjanki Mandir. I stayed there for three-four years when I went to Kashi again. I have studied yoga and sea science in Kashi. After that I came to Ayodhya in 1984 for forever. I again went to Kashi in the year 1980. Para 6 of the his examination in chief affidavit was readout to witness, on listening he said that Ramlalla was sitting on a chabutra in the mid of inner part, where sometimes priest used to keep a swing type aeroplane made of wood, on which Ramlalla used to sit. He himself stated that idol of Laxman always remained with Ram idol. And himself said that Hanumanji also used to sit there. The size of chabutra was about three-four feet, three feet in width and at one and half feet high from the ground level. This chabutra was just below the mid dome and is made of cement and bricks. This chabutra was at a distance of two feet from western wall and was in the east. A staircase was there on the chabutra. An idol of Laxman was at seQond step. An idol of Ramlalla was 6 inch in height and that of Laxman was little small, approx. 4-5 inch in height. An idol of Hanumanji was 12 inch in height. Idol of Hanumanji was at the bottom and was made of stone. Shri Gopal Singh Visarad versus Jahoor Ahmad, picture document No. 154/13 was shown to witness. Witness said that similar staircase was there, as shown in the picture. Marble stone were not there at the staircase, it might have been fixed later, chabutra was just below the staircase. I am talking about the then prevailing situation in 1930. I cannot say when the stones were fixed on the steps, might be later on. It is not correct to say that

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chabutra was never there under the staircase as shown in this picture. It is not correct to say that the idol on the steps were kept on the night of 22/23rd December, 1949. It is not correct to say that stones on the steps were already fixed there and were not fixed later on. There used to be curtain at the western wall. Hence I could not ee what was there behind the wall. He himself stated that curtain was there at the front and at the rear side. Northern door of the disputed premises was shown in the picture document No. 154/5 of this suit. Grave is not appearing in the south side. There were sant Niwas and a kitchen of Nirmohi Akhara in the south. There was tin over the kitchen and a molshre tree at the gate of kitchen. It pillars were made of bricks. Eastern and western wall was permanent and bricks pillars were in the north-south side. But inner portion was closed. The doors were in the north-south side, but I do not know what these were made of I cannot say whether the picture of any wall is appearing in picture document No. 154/14 and 15 of this suit. The witness upon seeing the picture No. 81 and 82 at document No. 201 C-1 of the black and white album said I saw the aeroplane in the disputed Bhawan appearing in these pictures. I have seen such type of scene in the the disputed Bhawan in portion below the mid dome. The scene, which look like an aeroplane was seen there for some time but not quite regularly. I have seen the same scene at a number of times before it was attached and sometime even after attachment. Ramlalla is appearing in these pictures below the aeroplane. Photo of Ramlalla, framed in, is visible. Then said frame is not visible to him. Only one picture of Ramlalla is appearing in picture No. 82 of the document No. 20 C-1 of black and white album. He himself said it is the picture of throne and temple. I cannot say whether the floor of the disputed Bhawan was similar

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to that which is appearing in picture No. 83 and 84 of this album or not.

Picture No. 152, 153, 154 and 155 of the document No. 200 C-1 of the colour album was shown to the witness, upon which the witness said the part beneath the dome of the disputed Bhawan is appearing in these pictures. Ramlalla with make-up is appearing in picture No. 152. Ramlalla is appearing in picture No. 155. The aeroplane appearing in the picture is like a throne type airplane made of wood, which I saw there some time but not daily. I do not know about the floor appearing in picture No. 156, I used to pay visits there but I never looked upon it.

Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

20.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for further cross-examination for 21.9.2004.

(Hari Shankar Dubey)

Commissioner

20.9.2004

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Before: Commissioner, Shri- Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

21.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to dated 20.9.2004, Cross-examination, on affidavit by Advocate Shri Zaffaryab Zilani, on behalf of defendant No. 9, Sunni Central Board of Wakf U.P. continues.)

In 1930, when I came to Ayodhya, there were one-two shops of pede and Batasa (sweets) at the side of Hanumathdwar. Shopkeepers used to sell the items over the takts (wooden structure of planks). These shops continued to remain there in a similar manner upto 1992. There was no shop in the north at the site, where staircase was. Car etc. could not come to the eastern side door of the disputed site People used to visit there only on foot. Vehicles used to come up only upto the door. No car, rickshaws from northern side used to come upto the eastern gate. Northern road, leads\ from Hanumangarhi to Doraha Kuan. All type of vehicles used to ply on the road leading to Hanumangarhi from Dorahi Kuan.

Picture No. 24 of the document No. 201 C-i of the black and white album was shown to witness. Witness said that eastern part of the disputed premises, which was on the northern side of Ram Chabutra, is appearing in this picture. Sant Niwas and kitchen is there at this site. Tin shade appearing in picture No. 24, is a scene of storeroom.

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I cannot recognize the scene in picture No. 25 because it is not a complete picture. Shankar Chabutra, where idol of Shankar, Parvati and Ganesha are there, is appearing in picture No. 32. This chabutra was under a tree. I do not remember that the stones on which the writing in black is visible were there before it was attached or not. The white stones on which writing in black is written appearing in picture No. 33, were there before the attachment or not, I cannot say. About the scenes appearing in picture No. 45 and 48 I cannot say whose pictures are these. I cannot say about the scene appearing on picture No. 46, because this picture is not full and if the picture had been full , then I could understand it. I cannot say about the scene appearing in picture No. 53 and 54. It appears to be a scene of some part of the disputed Bhawan. There may be stones on the both side of door, if it had been a scene of eastern part of the disputed Bhawan and similarly if the picture No. 53 had been a scene of northern side, than staircase must be there. Pillars are appearing in the picture No. 55, 56, 57 and 58. These pillars were at the Hanumanth Dwar of the disputed Bhawan. Dwar (door) is not appearing in these pictures only pillars are visible. The pillars appearing at picture No. 59 and 60, are of the some parts of the disputed Bhawan. Since these pillars are not coloured with Sindur, therefore I cannot say that whether there were fixed at the Hanumantha dwar or not. The pillars appearing in picture No. 61 and 62, were of the some part of the disputed Bhawan but of which part, I cannot say. The picture appearing in picture No. 63, 64, 65 and 66 of this album are the pictures of the pillars of the disputed Bhawan, but of which part, I cannot say. If wall be there alongwith the pillars, I would have recognized it. The pillars appearing in picture No. 67 was fixed below the northern dome of three domes part, which I have seen two-three times but I cannot say what part is

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appearing in this picture. Neither I have asked anyone nor I have the knowledge. This picture was displayed at the part of western wall of the disputed Bhawan. The pillars appearing at picture No. 71, 72, 73, 74, 75 and 76 of this album, were in the disputed Bhawan but at which part of the disputed Bhawan, I cannot say because no wall is appearing alongwith these pillars. Picture No. 71, lagayat 76, were the picture of different pillars. Pictures No. 87, 88, 89, 90 and 91 are of the parts of disputed Bhawan, but which part, I cannot say. There appears to be pitcher and idol of Ganga and Yamuna. No wall is visible in these pictures. Therefore, I cannot say which parts of the disputed Bhawan are in picture. A pitcher, below and picture of Ganga-Yamuna above in picture No. 91 is visible. Ganga-Yamuna has been shown in the picture in the form of human or Goddess. Picture of pitcher is in the form of a pot. Pitcher is treated as Varun God. He himself stated that while constructing the temple, pot and idol of Ganga-Yamuna are placed in the foundation. I have studied the crafts technology. Where in I have studied that an idol of pitcher and Ganga-Yamuna are placed on the door of temple. The pillar appearing in picture No. 91, was at the middle door below the disputed Bhawan. This pillar was at the front side. Pitcher is appearing in picture No. 87 but idol of Ganga-Yamuna is not. Picture No. 88 is not clear. Pitcher and idol of Ganga-Yamuna is not visible in picture No. 89. Picture No. 89 is also not clear The pillar appearing in picture No. 95 was at the rear of disputed Bhawan. Pitcher and Ganga-Yamuna is appearing in 'the picture. Pillar in picture No. 96 is thick but pitcher and idol of. Ganga-Yamuna is not there in the picture. The pillar appearing in picture No. 96 was fixed at the three door's part, in the front and in the rear part. No pitcher or idol is appearing in picture No. 96. There is a pitcher over the pillar appearing in picture No. 97. There was no idol of

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Ganga Yamuna over it. I cannot say whether the pillar appearing in picture No. 97, was at the front or rear part. Pillar appearing in picture No. 98 is thick one and was at the rear part. No idol is appearing in this pillar. Pitcher and idol of Ganga-Yamuna are not appearing at the pillar in picture No. 99. The pillar is appearing in picture No. 100, pitcher is there but Ganga Yamuna idol is not clear. Pitcher. is below and idol of Ganga Yamuna is at the top. The pillar appearing in picture No. 99 was fixed at the middle door in the front side. Pillar appearing in picture No. 100, was at the middle part in the front side. Pillar appearing in picture No. 100, is a thick one and was at the rear part of the disputed Bhawan. Pitcher and idol are not visible in this picture. Pillar appearing in picture No. 102 was at the middle part of the disputed Bhawan. Pitcher and idol are not visible in this picture. He himself stated that pitcher and idol were there at the middle part of the first door. Pillar appearing in picture No. 103, is not a pillar which was fixed in the front of middle part but is a pillar at side. Picture of Ganga-Yamuna is not appearing in the picture. Pitcher is visible in this picture. Pillar appearing in picture No. 104 was at the rear part. No idol is visible at this pillar. Pillar appearing in picture No. 105, no idol is there in it, this was fixed at the side gate. This pillar was at the northern and southern door, in the front portion, of the three doors of the disputed Bhawan. There was a pitcher in the pillar appearing in picture No. 106. This pillar was in the front side. No idol is visible at this pillar. Front side I mean, the front portion of the door. The pillars painted with Sindoor were at the Hanumanth dwar. He further said that two pillars, painted with sindur were at the Hanumanth dwar. Witness on seeing the picture No. 104, 105 of the document No. 200 C-1 of the album said that the pillars painted with Sindur are appearing in these pictures. The pillar appearing in picture No. 108, is thick

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and short, which was at Hanumanthdwar. The pillars appearing in picture No. 104 and 105, were in the inner part. No idol is appearing on these pillars. Pillar appearing in picture No. 109 is thick and short among all the pillars. This is painted with Sindoor, which was at the Hanumanthdwar. It is not correct to say that pillars appearing in picture No. 108 and 109, were not at the Hanumanthdwar but were at the part of dome of the disputed Bhawan. The pillar appearing in picture No. 114, among the picture No. 110 lagayat 114 was at the Hanumanthdwar because it was thick and short and the rest of the pillars were in the inner part. Pitcher and idol of Ganga-Yamuna is visible in picture No. 109, lagayat 114 and no idol in any other picture. Idol of Ganga-Yamuna is appearing at the place in the pillar in picture No. 109, where sindoor is painted. Pitcher with sindoor is appearing in picture No. 115 lagayat 120, at picture No. 120, but it is not clear and pitcher and idol are not appearing in rest of the picture. Pillar appearing in these picture were in the inner part. The pillars appearing in picture No. 121, Lagayat 126 were in the inner parts. Pitcher and idol of Ganga-Yamuna are not appearing in any other picture. No idol is appearing in these pictures. The paintings similar to the paintings on pillars are appearing in these pictures. There was a pitcher but no idol of Ganga-Yamuna is appearing on the pillars in picture No. 127 of the album. This pillar was at the inner part of the disputed Bhawan. The pillars appearing in picture No. 136 Lagayat 147 of this album were in the inner part of the disputed Bhawan. A pitcher is appearing in the picture No. 141. Rest of the picture does not contain the idol. Two of the pillars appearing in picture No. 136, Lagayat 147, were at the Hanumanthdwar. But I am not able to recognize recognizing. the two pillars which were at Hanumanthdwar. It is not correct to say that none of these were at the

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Hanumanthdwar. He himself said that pillars fixed at Hanumanthdwar were thick and short and painted with sindoor and were at least by one feet less in height from others.

Among the pillars appearing in picture No. 157, Lagayat 167, thin pillars were in the rear part of the disputed Bhawan and thick pillars on the. three door's part. Pillar appearing in picture No. 157 was a thick one. Pillars appearing in picture No. 158 Lagayat 161, were thick in size. Pillars appearing in picture No. 162, 163 are thin. Pillars appearing in picture No. 164, 165, 166 and 167 are thick. No idol is visible to me on these pictures. My sight is poor.

Question: If your sight is so poor, how you have said that this pillar is thick, this pillar is thin and on which idol of Ganga-Yamuna is, on which the pitcher is?

Answer: I cannot see the subtle things. An idol of Ganga and Yamuna and pitcher is large in size, so I can see these.

Among the pillars appearing in picture No. 176 to 2OO, the pillars appearing in picture No. 176, 177, 182, 183, 188, 189, 190, 195, 196 are thin, rest are thick. Thin pillars were in the inner part of the disputed Bhawan and thick pillars were at the three doors. Pitchers are appearing in picture No. 181 and 186, but no idol is visible in these two pictures. In picture No. 167, pitcher is at a less height and idol is in the middle. These idols are of Gangas and Yamuna. Pitcher is appearing in picture No. 185 and pitcher and idol were not seen in any other picture. When it is not visible then it is not proper to say anything on the presumption. He said that pitcher is

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appearing in picture No. 199. First door of the disputed premises is appearing in picture No. 201.

The picture of pillars, which were in the inner part i.e. in the part of dome, are appearing on the picture No. 47 and 48 of the album. Sant Niwas and storeroom are appearing in the picture No. 43. He himself said that a tree is also appearing in the side. This may be the picture of the outer portion of the disputed premises. He himself said that police personal were deployed there.

Question: My contention is that there is no scene of Sant Niwas and store room in the picture No. 43. What you have to say in this regard?

Answer: I cannot guess whether the Sant Niwas 4 Storeroom were similar to picture, which is appearing in this picture.

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Last incarnation of Ramchanderji happened in 28th Tretayug and the first was in the first Tretayug of Manuwantar. Thus the said birth happened in first Tretayug of first Kalpa. There is a description of his taking birth for four times since then to the last Tretayug. This reference is in Anand Ramayana and Ramcharit Manas. Anand Ramayana is written in Sanskrit. Who wrote this, I do not remember. There is a reference in Ramcharitmanas of Rachanderji taking birth for four times. The first incarnation was as Ramchanderji. Vishnu has not taken birth as Rama. In which Kalpa Rama incarnated, there is no description about this but he has taken birth in every Kalpa. Second incarnation of Rama was of Maha Vishnu, the third one of Vasudev Bhagwan and fourth Avtar was of Narayana. These all were of Vishnu. The first statement given by me that fourth incarnation of Rama was of Vishnu, is correct. His birth place remained same as in the last one. During his first three incarnations his mother was

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Kaushaliya and father was Dasratha. I believe that King Dasratha had been from first Tretayug. He himself said that Dasrath was a Manu in first Kalpa and his wife was Kaushaliya. In second Kalpa, Kashyap was born as Dasratha and his wife Aditi was born as Kaushaliya. In third Kalpa King Sheelnidhi and his wife was Padma Kaushaliya. There was no reference, whether temple were constructed at the places were he born in first three Kalpa. All the four incarnation were described in the Balkand of Ramcharitmanas. The first incarnation of Rama was described in verse No. 141 to verse No. 146 of Balkand, at document No. 258 C-1/1, of Ramcharitmanas. He himself stated that this was described upto verse No. 148.

Question: There is no mention of his taking birth more than once in the verse from 141 to 148 of Balkand, you have described above. What you have to say in this regard?

Answer: Only one character has been described at a time. Second character is given in the further verses.

Question: There is no such description in any verse of Ramcharitmanas as you have described above that Ramchanderji was born in first Kalpa, Second Kalpa and Third K What you have to say in this regard?

Answer: There is a mention in Ramcharitmanas that "God takes place at time and again in different form." In which verse this was mentioned, I will let you know after, seeing it.

I cannot trace the said verse at this time. I will let you know tomorrow.

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Second incarnation of Ramchanderji was described in the verse No. 122 of Balkand of Ramcharitmanas.

Question: There is no mention in verse No. 122 of Balkand, about the second birth of Ramachanderji.

Answer: It was described after verse No. 122 of the Balkand of Ramcharitmanas that "Kashyap Aditi Kaha Pitu mata, Dasrath Kaushaliya Yikhayata, Ak Kaip yah Bidhi Avtara, Chant Pavitra Kiye Sansara" and further stated that - "Ek Kaip Sur Dekhi Dukhare, Samar Jalandhar San Sab Hare".

After verse No. 123, in the second line it was described that:- "Mahajalandhar Ravana Bhayaum, Ranhate Ram Param Pad Payhun" Ek Janam Kar Karan Eha, Jehiagi Ram Dhari Nardeha."

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This story belongs to second incarnation. The story of third incarnation was in the verse given below this verse. Where in it was written that "Narad Shap Deen Ek Bara, Kalpa Ek Tehi Lagi Avtara". Shankarji is saying it to Parvati who was listening it .

The detail in this connection was described from 124th verse to 128th verse of Balkand. Arrogance of Narada was described in the next verses. Narada has given curse to Rudra that he will born as demon. This reference also figures in verse No. 135. The third incarnation was described in verse No. 139 as under.

"Ek Kalpa Ehi Hatu Prabhu leen Manuj Avtara
Sur Ranjan Sajjan Sukhad Han Bhajan Bhu-Bhara"

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At verse No. 121 of Balkand in Ramcharitmanas, it was stated: Asur Man Thapahien Surehi Rakhain Nij Suruti Setu Jag Vishtarahein Vishad Jas Ramjanam Kar Hetu.

Verse No. 121 and 122 of Balkand is also a subject in this regard.

I do not know for how long Govind Dasji disciple of Ramananda lives. There were 36 persons after Ramanandaji, who held the seat. For how long these persons remained alive, I do not know. But there is literature in this regard. He himself said that one who follows yoga and Mantra lives long. Ramananda was there in 1912. Ramananda was born in the year 1912. At present 2004 is running. He again said that Ramananda was born 1212 and he lived for 200 years. He died in 1400. He had 12 disciples. These were 12 main disciples. Each of his disciple lived for 100 years. His disciple, Ravi Das and Saint Kabir Das lived for 100 years. Ramananda has established, Nirmohi, Nirvana and Digambar Akharas. AnuBhawananda was the Guru of Balananda. Bhawananda was a disciple of Ramananda. I have no knowledge about for how many years he remained alive. Balananda and Shyamananda, both were the disciple of Anubhwananda. Govind Das was a disciple of Shyamananda. Ramananda died 600 years ago, not 700 years. Anantananda, disciple of Ramanand on the order of his Guru. He reconstructed the temple at the disputed site during the time of his Guru reconstructed the temple. I, on 17.9.2004, give a statement that I cannot say who constructed the Ram Janambhoomi temple but it is being constructed , maintained etc by Nirmohi Akhara for last 700 years. This is correct. This temple was constructed by Anantanand Dasji during the time of Ramananda Das. I, on 17.9.2004 made a statement that this temple was constructed by

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Govind Dasji, disciple of Shyamananda, about 600 years ago. It might have been constructed later but all the other facts mentioned in my statement were correct. Govind Dasji constructed the temple, after two generations from the death of Ramanandaji.

After Humanu, no King has demolished the disputed Bhawan. Document 44 C-1/1, 44 C-1/8 of other original suit No. 3/89, were shown to witness. It was written in document No. 44 C-1/24 that "Hindu became careless because there was no attack for the continued four years and taking the advantage of this, Aurangzeb has attacked the Janam Bhoomi in 1664" is not correct. Aurangzeb has constructed two Maths for us. One is in Moradabad and second one is at some place in south, but name of the place is not known to me. Aurangzeb has not destroyed any temple. Except Mohd. Tuglauq none other destroyed the temple. He again said that the name of other Math, in the south, is Sikakolam. 14 pillars of Kaushoti, which were in the temple of the disputed Bhawan were brought from SriLanka. This is purely a legend. Without any proof I cannot accept this. I believe the mention in document No. 44 C-1/3 that King Vikramaditya construct a grand palace over the 84 Kauthoti pillars, is not correct. It is not justified. How can Vikarmaditya constructed the palace when the King of Ayodhya was there and the then King of Ayodhya was not poor. The mention in the book that Hindus for renovation of Janambhoomi, launched an attack, during the regime of Nawab Vajid Ali Shah is not correct. The reference in document No. 44 C-1/6 is not correct where in it has been written that an attack was launched by Hindus in 1912 and also in 1934 during the rule of Britishers. It is also not correct that Hindus have attacked again in the year 1934. It is a false and based on saying that the point mentioned in document No. 44 C-1/6 that no

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harm was caused to Masjid in the first attack but it was destroyed completely during the second attack and commissioner of Faizabad Shri J.P. Nicolson again reconstructed the Masjid in 1934. The fact is this that Hindu Sadhus collected the donation amounting to Rs. 35 thousand and repaired the Masjid in 1934. The reference in document No. 44 C-1/7 is not correct, wherein it was written that Bhagwan Rama said that he will take birth again on 22.12.1949, the site was locked. The reference in document No. 44 C-1/5 is also not correct where in it was mentioned that the permission for constructing Ramchabutra by Hindus has been managed for by King Man Singh of Ayodhya, through Vazid Ali Shah and a temple of Khas, three feet in height was constructed and idols were installed in it. He said there was no king by the name of Man Singh after the regime of Mohd. Tugláqu. Han Singh was the last King of Ayodhya. He was contemporary to Mohd. Tuglauq. Thereafter there was no King in Ayodhya. The predecessors of the present King of Ayodhya, were throne by last Nawab of Lucknow,. on the request made by Sadhus: The King was Sakaidweepi. I know the author of book Pt. Ramgopal Pandey "Sarad", from where references were cited. He mentioned the said point in the basis of saying. Saradji is no more but when he died, I do not know. There was King Shrawasti in 12th generation of Vaiswat Manu, who inhabited the Shrawasti. After Rama, Ayodhya was being ruled from Shrawasti. Bhagwan Budh came to Ayodhya after meeting with King Parsanajeet.

After departing to paramdham by Ramchanderji Ayodhya remained as it was but its glory was reduced. The point "After departing to paramdham by Ramchanderji, Ayodhya remain deserted for long", mentioned in 111th

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canto 10th Sholak of Uttarakand in Valmiki Ramayana is correct.

Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

21.9.2004

I have dictated to stenographer who typed it in the open court. Suit may be listed for cross-examination for 22.9.2004. Witness to present.

(Hari Shankar Dubey)

Commissioner

21.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

22.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to 21.9.2004, cross-examination on affidavit by Shri Zaffaryab Zilani, Advocate, on behalf of Defendant No. 9, Sunni Central Board of Wakf, U.P. continues.)

I used to visit the disputed site daily after 1930. Some day I may not have gone there. I went at the disputed site for thousand of times. Whenever I went there, I used to have darshan and came back. It took 10-20 minutes for darshan. During these 10-20 minutes I used to take darshan of all the four places of the disputed premises. An idols of Shankar-Parveti, white in colour, were kept on Shankar Chabutra under the tree of Pipal. First of all, I have darshan of Ramchabutra, then Ramlalla, Sita Kitchen and to Shankar Chabutra and from there I used to come back. Sometime I used to offer prasada while having darshan to Pujari (Priest) for offering in the inner side. I do not remember the name of Priest. Priest kept on changing. He himself said that Mahant of Hanumangarhi Faizabad remained the Priest for long time. I do not remembered his name at present. On being reminded by learned cross- examiner advocate, he said priest name was Bhaskar Das. Before attachment, Bhaskar Dasji used to meet me there. There were three doors in Sant Niwas and storeroom, in the north, south and west direction. Sant Niwas and store room were

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combined together from the inner side. There was a grill in between.

I have mentioned at para 11 of my examination in chief affidavit that outer part was got attached in 1982, due to internal dispute of Siyaraghav Saran. After this attachment, the person from outside, who were from Nirmohi Akhara, were used to stay there. They had nothing to do with the management because receiver has been appointed for its management. The new priests used to perform puja and bhog but under the control of receiver. I said at para 16 of my examination in chief affidavit that I have not seen any Muslim reading Namaj in the disputed site since 1930. This, I am referring about the time, when I started visiting there. I have not visited there before 1930. Whether Namaj was being read there before 1930, I have no knowledge. I have also no Knowledge whether Namaj was read there in between 1930 to 1949, during my absence. The bus station and Railway station were in the direction of Hanumangarhi. The main Bazaar of Ayodhya is in the opposite direction of Hanumangarhi. The people residing at the back side of the disputed site used to pay visit to Hanumangarhi through the road leading to Hanumangarhi from Doraha Kuan. He himself stated that Muslims have stopped going to and, from this road since 1934. There were three reasons for 1934 riots. First, cow-slaughter, second was, Muslims tried to bury a number of dead bodies near the disputed site. They were stopped at Dorahi Kuan. The third reason was that there were two holy stones in the rear part of Ram Janambhoomi, one was Gawaksh and second was Dadhiwatra. Muslims tried to take them away. He said this reason was also responsible were for riots and clashes. He further said about the incident of cow-slaughter that he heard it from others but he himself saw the other two incidents. I am not

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aware of, how many houses of Muslims were. there. I used to go there for taking labour and nasons. I had no social interaction with the local Muslims of the area. I used to interact with Molavi, who was a friend of Ram Dev, S.H.O. I do not remember his name. His house was at the side of the house of Shri R.L. Verma, Advocate. The house of said Molavi was in the north and not in the west of the disputed site. Only the said Molavi was known to me in Ayodhya and little acquaintance with the labours and mason, whom I used to call for work. During the period of my stay in Ayodhya for 74 years I had acquaintance and interaction with the above mentioned Molavi only. No Muslims came to me in the temples of the Ayodhya wherever I stayed. Only the above mentioned Molavi used to visit to me. After 1934, the Muslims living in the west side of the disputed site, used to pay visit from Katra Mohalla through Hanumangarhi to Gokul Bhawan, through a lane. The situation remained unchanged even after 1949. No Muslim passes through the northern side of the disputed site upto 1992. The apprehension arisen in the mind of Muslims in 1934 and remained in their mind upto 1992. In between a few stray incidents took place. It is not correct to say that I am submitting false statement in this regard. My statement that Muslims never abandoned the route leading to Hanumangarhi from Dorahi Kuan is not correct. They used to go by this route only. It is not correct to say that three dome's disputed Bhawan was constructed by Babar as a Masjid. It was also not correct to say that Namaj was being read there five times a day on regular basis, from the date of its construction to the night of 22nd December, 1992. It is also not correct to say that idols were kept therein on the night of 22/23rd December,1949 and this was the reason for its attachment. It is also not correct to say that there was no idol inside the disputed Bhawan before 22nd December, 1949. It is

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not correct to say that disputed site was not the birth place of Ramchanderji nor Ram Mandir was there ever. It is not correct to say that I am giving false statement at the behest of Mahant of Nirmohi Akhara and for giving benefit to him.

(Cross-examination by Shri Zaffaryab Zilani, Advocate on behalf of defendant No. 9, Sunni Central Board of Wakf, U.P. concluded.)

(Cross-examination by Mustaque Ahmad Siddiqui, Advocate on behalf of defendant No. 7 in other original suit No. 4/89 and defendant No. .5 in other original suit No. 5/89 begin.)

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I have studied Sanskrit in Kashi before 1930. I have been in Kashi for eight years before 1930. In December, 1980, I again went to Kashi and stayed there for four years. During the period from 1930 to 1980, I stayed in Ayodhya and some time, at regular intervals, went to other places also.

According to my horoscope, I was born in the year 1905. I immersed the said horoscope in Saryu in 1982. The said horoscope of mine was prepared by Shankracharya of Puri Shri Bharti Ram Krishna at the time of my birth in 1905. At present I have no written proof to support that I was born in 1905. He himself stated that his date of birth was remembered by him. There were a number of court cases of my grand Guru. I advocated those cases. These cases were tried in the court of Judges, High Courts and Supreme Court. The case personal to me was tried in Distt. Level Court in Faizabad and Varanasi. I used to advocate the case of my

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Grand Guru but when my Guru became the Mahant, I did not advocate the cases. But I used to go to Supreme Court for advocation of the case. I appeared before the Supreme Court in 1942 for the last time. Then said, the year 1942 have wrongly been mentioned and actually the year should be 1948. My cases, which were filed in Varanasi sand Faizabad, ultimately went tried upto High Court. Among them two cases each are still subjudice at the Allahabad and Cuttack High Court respectively. My affidavit and the affidavit of my Grand Guru, were filed in accordance with the prescribed procedure. I have also been tried orally and date of birth is written in the oral statement and also in the affidavit. I have filed an affidavit in 1963 in the Cuttack High Court. After 1963, I have been tried regularly in the courts of Banaras. He himself stated that case filed in the Varanasi was after the date of 1980 In the High Court of Allahabad some of cases are sub-judice. In the High Court of Allahabad I had filed an affidavit after 1980 but the date and year is not known to me I used to write my date of birth in affidavits, which was written in my horoscope. It is not that I have written different date of birth by mistake. In the year 1930, when I visited the disputed site, I met Mahant Raghunath Das of Nirmohi Akhara there. I do not remember the name of then priest. But he was a good Sadhu. After 1930, Raghunath Dasji was the Mahant for the whole life. I do not remember the date when he died. In the year 1949, Mahant Ram Kewal Das of Nirmohi Akhara was a Mahant. The predecessor of Mahant Ram Kewal was a Mahant for two years only. His name is not remember by me. Raghunath Das, Ram Kewal Das and Jagannath Das were also known to me. Besides the above three, there were two other Mahant also. I do not know them. The name of Guru of Ram Kewal Das is not known to me. Ram Kewal Das remained Mahant for 10-20 years. After Ram Kewal Das, Jagannath Das became

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the Mahant Jagannathji He is still a Mahant. Bhaskar Dasji remained the priest of the disputed site for years but he was not a Mahant of Nirmohi Akhara ever. He was a priest of Hanumangarhi, Faizabäd. At present he is neither a Mahant of Nirmohi Akhara nor a priest. He is a member of the committee. I do not know how many members are there in a committee. One Ramcharan Dasji was also a Mahant of Nirmohi Akhara, I have heard about him, but I have not seen him. Whether some mishappening happened with him, I do not know. I also do not know in which period he was a Mahant. In 1930, when I went for darshan, I was given charnamrit (holy water) at both the places, at the inner part and outer part. During the period from 1930 to 1949, among the priest, from whom I received charnamrit, only the name of Bhaskar Dasji is know to me. He then said that besides him, he also received charnamrit from Siyaraghubar Saran Das and Raghunandan Das. Bhaskar Das had also given him chamamrit before 1949. He said, Bhaskar Dasji was a priest for a number of times. When I received Charnamrit from him for the first time, I do not remember. I only say the things which are based on facts because statement given on presumption often proves incorrect. Telling a lie have been described as a sin in the dharmshastras. But if by telling a lie, proves a saviour then there is no harm in telling a lie. Similarly there is no harm in telling a lie by a person who is dying from hunger. If there is a religious place and if somebody is acquiring it through wring means or forcibly occupying them , there is no harm in telling a lie. If the religious place is taken away forcibly by others by telling a lie then it is correct. But it should be investigated first that to whom the place basically belongs to. The ratio of Muslim population in Ayodhya, which was in 1930 still exist or not, I cannot say. There are some Masjids in Ayodhya. I have the knowledge about the

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Masjid which is towards Swargdwar and other small Masjid behind the Janambhoomi. The Masjid towards the Swargdwar is at the side of Baba Ibrahim tomb or not, I do not know. Whether urs is organised every year at the tomb of Baba Ibrahim, I do not know. Whether there is a Masjid behind the police station or not I do not know but graves are there. The entire courtyard is surrounded by a wall. Grave known as Naugji grave is also there. I have not conducted any research about Naugji grave. I have heard that this was an old Hindu Samadhi, occupied by Muslims, It is nine feet in length. I have not measured it. The man's height must be 9 feet, whose grave is it. There are other graves also but I do not remember. I went to see only the grave of Naugji and there graves were of Hindus, which were occupied by Muslims. But I have no knowledge about this. I have no knowledge about the place named Bijli Saheed Roja of Ayodhya nor I know a that fair was organized there. There is tomb of sheesh Paigambar in Ayodhya. I have heard about it but I have not seen it. I do not know in which Mohalla the tomb of Paigambar in Ayodhya is situated. I have been to Mani Pravat in Ayodhya at a number of times. There was a grave on the side of road behind Mani Pravat. But I have not asked anybody about the grave. I do not know whether the courtyard is surrounded by a wall or not. Had it been surrounded, it must have been visible from the road and a door would have been there. It may be possible that it would not have been visible due to less height. I have not heard from anybody that Ayodhya is very important place for Muslim. I have not heard nor believe that they wanted it to be a Khurd Macca but could not. Mohd. Tuglak had tried in this direction but could not. Mohd. Tuglak named the Ayodhya as Fakirabad but it could no continue. And Ramkot was renamed as Begampur. Begampur Mohalla was there in Ayodhya. Old documents contain only the

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name of Begampur Mohalla. For writing, Ramkot and Begampur Mohalla mention both the names are necessary. Ramkot Mohalla is called Begampur. Mohd. Tuglak was the King of Delhi in the year 1325. His real name was Juna Khan. He, after killing his father, kept his name Mohd. Tuglak. His dynasty vanished. His cousin was Phirozshah Tuglak. Mohd. Tuglak ruled for about 20-25 years. The way present states are called Province similarly I have heard that they were earlier called Suba at that time. In 1325 Ayodhya city was under Avadh province. Ayodhya was not the capital then. It was only Ayodhya. Capital was Shrawasti then, which was under Basti. Ayodhya was in fact the capital of Avadh. I am not aware whether Ayodhya was the capital of Avadh province from 1194 to 1700. Lucknow and Faizabad respectively were the capital of Avadh province from 1194 to 1700. During which period Lucknow was the capital of Avadh province, I do not know and similarly during which period Faizabad was the capital of Avadh province, I am not aware of. Gulbari was a King palace. During the time of Sultanat Ayodhya was the capital of Avadh only for name sake because it was mentioned onlt on paper. However no work has been conducted from there. The head of Capital, King was residing at Surawasti. The King was Hari Singh. Hari Singh was the King during the time of Mohd. Tuglak. After Han Singh, no Hindu became the head of the capital Avadh and Muslim became its ruler because the rule was run from Delhi. Delhi came under Gulam Vansh but in which year, I do not know. Muslim became the Head or Governor of Ayodhya from the time of Muslim rule in India. About the King Hari Singh and Shrawasti as a capital, I have read in the book titled "Prasang Parijaat" Kashi Bhartand and Vaishnav Kabir". This fact was also mentioned by a Faquir in a book written by him.

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I have seen Bhaskar Dasji as a priest of Ramchabutra and Ramjanam Bhoomi and not a priest of other temple. I am not aware whether Bhaskar Dasji was a priest of temple called Gudartar. I have heard about this temple but I have not seen it. There are four Tar in Ayodhya. Among them, Gudartar was one and second Tar at Bara Sthan. I have no knowledge about the other two Tar. The owners of Tar used to be invited at the time of appointment of Mahant. I could not be a Taradhis of a temple, for whom I was a Mahant. I am not aware that Gudartar temple is situated in the north of road, which is in the north of disputed Bhawan. I never went to that temple, but I have heard its name. I do not know whether idol of Ramachanderji was there or not. He himself said that there were an idol of Ramchanderji and Narayana in every Math. I have a reverence in the temple where there is an idol of Ramchanderji. I have not seen all the temples of Ayodhya. I have seen the disputed premises thoroughly. The items, which were around it in 1930 and thereafter, I know about them. Manas Bhawan is in the east of the disputed site at present and Faquir Ramji ka Mandir in the north. In 1930, there was a ground in the east of the disputed Bhawan. There was a courtyard. I do not know at what time 75 Muslims were killed and buried in that courtyard, due to dispute. I do not know that this site is called Ganj Saheedan. I have heard in this regard to-day itself. According to my knowledge, Ayodhya was known as a city of Bhagwan Ram. Besides, this Budh people were also associated with the Ayodhya city. He himself said Budh religion began from Ayodhya. Except Budh religion or Sanatan religion, no other religion is related to Ayodhya. It is not correct to say that I am giving false statement on this point. It is not correct to say that Ayodhya from the very beginning was an important place of Muslims and Jams, except Hindus and Budhs. Acharya Rishabhdev was

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the first Acharya of Jams, who was a son of King but he never propagated Jam religion from Ayodhya. I never heard that Sheesh Paigambar was a son of Hazrat Adam, who originated the earth. There are two-three temple of Jams in Ayodhya. There are separate temples of Sewatamber and Digamber in Jams. The large naked idol belong to Digamber Jams. I have been in that temple. In addition to this, I also visited other temples. Gurudwara of Shikh is at Brahmkund in Ayodhya. Guru Govind Singh came to Ayodhya during the fight for Ramjanam Bhoomi. He constructed Gurudwara at Brahmkund. In which battle, Guru Govind Singh came to Ayodhya I do not remembered. But he came before the battle of 1934. This battle was fought between Hindus and Muslims. Guru Govind Singh came for the help of Hindus. There is a temple of Faquir in the north of the road in the north of the disputed Bhawan and still exist. This temple is in the north of the disputed Bhawan. I do not know whether Faquir Mandir is within the acquired premises or not. I do not know, which other temples were acquired, besides Manas Bhawan. Faquir Ram Ka Mandir is about four hundred years old. This is one of the oldest temple of Ayodhya. In my knowledge two oldest temple in Ayodhya were, Ramgulella temple and Surya Mandir, owned by me. I do not know the meaning of Gulella. He himself said that there are a number of Math called Ramgulella, of Ramanandiya sect. There is only one Ramgulella temple in Ayodhya. I have no knowledge whether Ramchanderji played there at Ramgulella Mandir or not. There is a Dantadhawan Kund in Ayodhya. I do not have the knowledge that Ramchanderji used to brush (Datun) his teeth at this place or not. If the follower of Ramchanderji says that Ramchanderji used to brush (Datun) at this place, I do not it authentic. There is a reference of Dantkund in the books but it is not written anywhere that Ramchanderji used to brush his teeth here.

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Ramgulella temple is not referred in Books but Lomas is referred. There is a board of Lomas Ashram Have been installed in front of Gulella Mandir. History must have the Geography and vice-versa because both are related to each other.

Disputed Bhawan was demolished by kar-sewaks on 6th December, 1992. On that day nothing special festival wa in Ayodhya. A meeting of Vishwa Hindu Parishad had been convened on that day in connection with the construction of temple. Kar-sewaks had come to attend the meeting. These were the follower of Hindu religion. They had come there motivated with religious feelings. Kar-sewaks demolished the disputed Bhawan because they were asked to wash disputed Bhawan with Saiyu water and sand, upon this the kar-sewaks got angry and almost one lakh kar-sewaks returned back. The rest of Kar-sewaks demolished the disputed Bhawan in anger. Kar-sewak were hoping that construction of new Bhawan would began from that day. For construction of new Bhawan it was necessary to remove old Bhawan. Every kar-sewak had brought five bricks with him to began the construction. Bricks were also brought by trucks from some places. Kar-sewaks had began the first phase towards the construction of temple. I have not seen the tomb of Kwaja Hattee at Kuber Tila in the south of the disputed Bhawan. It is not correct to say that its real name was Kwaja Hattee, not Kuber Tila. He himself said there is one Ramkot and twenty four Tilas in Ayodhya. There are twenty- four tower of Ramkot. I know the name of these Tilas. Ramdurg is over covered by these tila I am saying this on the basis of Rudryamal. I have also seen these tilas. The six tilas in the north are known by the name of Vibhisan and his wife Sharma Devi. Third one is Bhignesh Tila, fourth one is Pinderaa Tila. Fifth one is Matgajendera Tila in the name

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of son of Vibhisan. Sixth one is Gayendra. All these tilas were on the north side. In the south are Nal Tila, Neel Tila, Sushen Tila, Kuber Tila, Gawaxh Tila and Dadhiwakra Tila. In the west are Durgeshwar Tila, Satbali Tila, Rishabh Tila, Vanas- Tila, Gavey Tila. The name of one tila is not remembered by me. In the east are: Mayand Tila, Jamwant Tila, Kesari Tila, Hanuman Tila i.e. Hanumangarhi Tila, Sugreev Tila and Angad lila. All the tilas are in a row. The road leading towards south from Dorahi Kuan is called bye- pass road. The tilas on the west side are in the east of this road. Kot, Kila, Durg and Fort are synonymous. The hillock kind of mountain at a height is called Tila. Disputed Bhawan was not on Tila but was on the plain land. Some Tilas are at much height. Some Tilas have became plain. Excluding Kuber Tilas, Sugreev Tila, Angad Tila, Hanuman Tila, Mayand Tila and Gayand Tila still exists. Rest Tilas have became plain. I am saying all this on the basis of books. Rudryamal, original one, is safe in Saswati library, Varanasi. Its one edition was published. One edition is with me, I have published it but it has not been binded yet. The name of this book is "Ramtarak Pursharan Anusthan Vidhi" and "Ram Raksha Stroth". I have written its publication and printing year, as 2004. The above two books are separate. One is Ramraksha and other is Purshaian. Ramraksha contains twenty to twenty five pages and Ramtarak Anusthan Purscharan contains 50 pages. I got these books yesterday evening after publication. My name is written on the book as a "compiled by". It was published by my disciple, Ram Prakash Das. I have the manuscript on the basis of which Rudryamal was published. Manuscript contains much more than just double pages. What I have stated above, Shiv-parveti was cited as it author. I cannot say who reduced it into black and white. Swami Raghuvaracharya and Swami Bhagwalacharya are its scriber. I do not know whether the

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year of scribe was written in the original manuscript or not. Its language is Sanskrit and letters are of Hindi. The persons, who scribed the original manuscript, one from Gujarat and second one is from Kashi. He said both are Jagadguru. The above person prepared the manuscript in 1921. The manuscript, which is in Sarswati library, Varanasi is very old and is written on the tar- leaves. The above two person has made the duplicate copy of the manuscript kept in Saraswati library and the manuscript I have, in my presence. I have read only a small portion of the manuscript kept in Saraswati Library. The portion, which I reed, is also in Ayodhya Darpan. It is also included in the book written by me. This manuscript is from the tretayuga which is continuing traditionally but I have not seen, who scribed it and in which year. Manuscript is in Sanskrit language and its words are in Hindi, devnagari. Some call it Devnagari and some call it Hindi. Devnagari used in the above manuscript is some what different from today's Devnagari. It is in a designed form, similar to Pali. I recognize the Pali, to a little extent. Pali in India is from the time of Bhagwar Budha. I do not know when the new script was introduced. Its language is similar to that of Sanskrit of to-day. But that Sanskrit was quite difficult but script is the same. I cannot say whether Sanskrit is also called Chayest or not because I am not acquainted with this word. The language used in "Ayodhya Darpan" and the language used in manuscript is one and the same.

Statement read and confirmed.
Sd/-
Mahant Acharya Banshidhar Das
22.9.2004

I have dictated to stenographer who typed it in the open court. Suit may be listed for cross-examination for 23.9.2004. Witness to present.

(Hari Shankar Dubey)
Commissioner
22.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

23.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to dated 22.9.2004 Cross-examination on affidavit by Shri Mustaq Ahmad Siddiqui, Advocate on behalf of defendant No. 7 in other original suit No. 4/89 and defendant No. 5 in other original suit No. 5/89 continues.)

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The manuscript of the book, which is safely placed in Sarswati library, Varanasi and referred above in the statement given by me, is of the time of Tretayug of the present Kalpa. I cannot say how old it is. This book is in three parts, first history, second Geography and third - Ram Mantras and sources. He himself said that I have studied all the three parts but a few ingredients. I have studied the whole part of Mantras. Once this book was brought to Ayodhya. Queens College, Varanasi is the present Samparnanda Sanskrit University. Queens College was established by the Britishers. Sarswati library earlier was under the Queens College but now it is under the Sampurnanand Sanskrit University. The writing on the leavesof Tar is written from Lakheni (an instrument made of the wood for writing.) The writing is engraved or not, but it is not written in ink. The leaves of Tar were light yellow in colour and writing was in white yellow colour. The writing was not written by Kalam of Sarkanda or Pen.

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The writing appears to be on tar patras but the colour is not clearly visible. There are three part of the book; each part is nine-ten inches in thickness. I am not sure whether pages were numbered or not. Writings are on both the side of leaves. Leaves of Tar were cut to size to form a book and the book is binded by wood. The leaves of Tar are similar to present one but the colour is different. The Sadhus of Ayodhya who studied in Queens College Varanasi, knows about the book. Raniraksha Tripathi of Ayodhya is well known to me. I have studied Hindi from him. I have studied Hindi from him at the time when he was residing in Raiganj Mohalla of Ban Chavani. He was elder to me and now is no more. Ramraksha was scholar of History and Hindi. He himself has not seen the book written on the leaves of Tar but he had the knowledge of the book. I have no knowledge whether foreigners used to visit him or not.

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The cause of 1934 riots in Ayodhya was the act, in which Muslims reportedly brought the dead bodies to Ayodhya to be buried. About hundred Muslims were taking ten-fifteen dead bodies to Ayodhya but they could not succeed. I have no knowledge, what happened to these dead bodies. In the riot of 1934, Hindu and Muslims, both, were killed, but Muslims were killed in large number. An officer Prithvi Pal Singh was also killed in the riot. The Muslims became apprehensible after the riot. Hindus were normal because they were in majority. He himself said that people from Hanumangarhi and Nirmohi Akhara were always ready to resist. Hindus collected the donation for repair of damaged part of disputed Bhawan during the riot of 1934. I have no knowledge whether the repair carried out wasthrough the contractor or not. I have no knowledge whether the Bhawan was repaired by contractor Tahwoor Khan, on the order issued by the Collector, Faizabad. I do

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not know whether the penalty was imposed on Hindus after the 1934 riot or not. In my knowledge, Mahants of Ayodhyas repaired the damaged part of the disputed Bhawan by raising donation. Muslims were also involved in the damage caused to disputed Bhawan in 1934, because they have taken away the two pitchers from the rear part of the disputed Bhawan. They caused digging to take the pitcher away. After that only one pitcher, the middle one remained there. Muslims caused damaged to the dome in order to take out the pitchers. I am making this statement on the basis of my knowledge. He said that after the restoration of normalacy, he himself saw the site. I have not seen anybody taking out the pitchers or causing damage to the domes. I met Molavi through Ramdev Dubey, S.H.O. Ramdev Dubey came into my contact because whenever his family visited Ayodhya. They used to stay at my Math, alongwith Ramdev Dubey. He himself stated that Mahant Hanuman Das was related to Ramdev Dubey. I met Molavi Sahib at the time when Ramdev Dubey was posted as S.H.O. at Katra Police post in Ayodhya. I was not having good relation with my father. I was residing with my maternal uncle. My father tried to teach English to me. He used to send all his sons to England to study. This was the main reason for my having not good relation with my father. I resided with my maternal uncle since childhood. I never went to my father. I was born at my mother's paternal home. My mother remained there for most of the times. My father was a clerk of D.F.O. My father had passed the law. That is why I have said that he was a lawyer. My statement that I am a soil of lawyer and had advocated in about two hundred cases is correct. I do not remember the year in which my father died. He had died before our country attained independence. The facts given by me in the statement made on 18.9.2004, at page No. 21, that till the time my

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father was on service, there was a rule of Britishers. After that my father remained at home." is correct. I do not remember whether the British Rule came to an end on 14th August, 1947 or not because I was at Karanchi at that time. But the date, which the Learned Advocate is stating may be correct.

Siyaraghav Saran was the last priest of Nirmohi Akhara. He was a disciple of Mahant Janaki Jeevan Saran of Lal Sahib Mandir situated at Kanak Bhawan. He remained priest up to the year 1982, when it was attached. I have no knowledge whether he had filed any case regarding disputed Bhawan in the court of Munsif Faizabad or not. Learned cross-examiner advocate has readout the name of parties and decree asked for and details of property in original suit No. 57/78, Bhagwan Ramlalla versus Government, court of Munsif Sadar, Faizabad to the witness and asked - whether this suit relates to the disputed site. Witness replied that it appears from the details readout to him that this suit related to the disputed site, Ramlalla and Hanumanji. He himself said that he had no knowledge of this suit. Witness was shown the document No. 285 C-1/2 of the other original suit No. 5/89, upon which the witness said, he cannot say whether the paper relate to the donation raised for the repair of disputed Bhawan, by the Mahants of Ayodhya, or not. Witness said that it appears that this paper is about the penalty imposed on Hindus in 1934. He himself said that Muslims had taken out two pitchers and the pit caused by their action, was levelled by Hindu Sadhus and Hindu families. It is also mentioned in the paper that the tax recovered thus will be paid to Muslims as a compensation. Witness was shown the page next to page No. A-34 of the documents under section 145 of Cr.P.C. The witness said

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he cannot read it because it is photocopy. This notice was than, readout to witness and was asked.

Question: Whether this is the same notice which was issued after attachment by the court of Additional City Magistrate, Faizabad?

Answer: I do not know in this regard but it appears after listening that the said notice was issued after the attachment.

Question: Whether the Hindus of Ayodhya, who held any claim in connection with disputed Bhawan, were asked, through this notice, to file their claims by being present on 17th January, 1950.

(Upon this, Learned Advocate Shri R.L. Verma in other original suit No. 3/89, raised an objection that questions pertaining to the contents of any document cannot be asked for as was asked by Learned cross-examiner. And moreover, question from witness cannot be asked for by referring the real facts mentioned in the notice. So the permission should not be granted to ask such type of question.)

Answer: I do not know.

It appears from listening the content of notice that it was issued by the court, but I do not know anything in this regard. I have heard that disputed Bhawan was attached. But I have not seen the action of attachment. He himself said he has heard about this from Shri Ramdev Dubey. I do not know whether the criminal case after attachment under section 145 Cr.P.C. was filed or not. I also do not know whether any party has filed a case after its attachment or not. The earlier priest, who was removed after attachment, has not got the possession back yet.

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The suit in which I am giving statement is about to the disputed Bhawan. He said, that the suit was filed during the time of Mahant Raghunath Dasji. I know this. Mahant Raghunath Das has filed the suit for his rights. I cannot say against whom the suit was filed, because I have not seen the documents. I am giving statement in favour of Nirmohi Akhara. I have no knowledge whether special celebration of chanting (Kirtan) has began in and around the disputed site in the year 1949 around Dusshera or not. He himself said that chanting were being performed there. I do not know for whose sake the chanting were being performed of. The Phaquir Mandir, which I referred in my statement, is situated, at the road in the north of the disputed Bhawan. This road leads to Dorahi Kuan from Hanumangarhi. This Fhaquir Mandir is not called Janamsthan Mandir. To my knowledge Janamsthan Mandir is a disputed Mandir. Janambhoomi and Janamsthan is synonym and both holds the same meaning. The road in the, northern side of the disputed Bhawan is 6-7 feet below the level of the Bhawan. I have no knowledge, whether there is an embankment in the south of Faquir Mandir or not. It is not correct to say that Ramkot and Begampur are not one but two seperate Mohallas. He said both are referred in the documents. Ramkot Mohalla is written in notices. It is correct to say that Ramkot is referred as a village in old as well as new state revenue documents. Once the name of Ramkot was deleted from the official documents but it was again included. It is not correct to say that there is no revenue village by the name of Begampura and I am giving false statement in this regard. Ramkot alongwith the Begampura are mentioned in the papers. First Begampur is written then Ramkot. I cannot refer a paper where only village Begampura was written. Everywhere it is referred as Mohalla Begampur.

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The word Mauza is referred to a village. There was no tomb of Faquir in the south of the disputed Bhawan. People say that there is a tomb of a Faquir at Ramkot towards Dorahi Kuan, where black stones were fixed. Their number is not known to me. I have heard about this from a number of Hindus and Muslims. This tomb was of a Faquir who invited Meerbaki. He used to learn yoga from Shyamananda by becoming his disciple. He got the temple destroyed through Meerbaki. Meerbaki was a military General of Babar.

There was no reference about the demolition of Ram janambhoomi by Babar nor he had given any order to demolish the temple. I made a statement on 2l.9.2OO4 at page 89 that no Emperor other than. Mohd. Tuglak has demolished the temples. My statement is correct. Meerbaki was not a King. Meerbaki had demolished the temple on the instance of Faquir. Meerbaki had not demolished the temple, situated at the disputed Bhawan on the direction of Babar. He has demolished it on the request of Faquir. Meerbaki had destroyed the entire temple. Disciple of Ramananda has done away with all the thaumaturgy of Faquir, from which Meer was impressed. New building at the site was built during the time of Govind Das. It was demolished during the time of Shyamanand and constructed during the time of Govind Dasji. I cannot say about the interval in between the time of its construction and demolition. I do not remembered that the interval was for 20-25 years or not. Shyamananda started living at Guptar Ghat and Govind Das at the same place. So far I remember, building was constructed by Govind Dasji during the regime of Emperor Babar.

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I do not remember the period of rule of Babar in India. I myself have not seen the black stone said to be at the tomb near Dorahi Kuan.

The Municipal Committee of Ayodhya and Faizabad were separate at that time. Before that there was a single Municipality for both Municipalites. Municipality is elected for. The Muslim of Ayodhya also used to take part in that election.. I do not know if any Muslim has ever contested, elected or was defeated in the election held for municipality.Because I do not involve myself in this kind of hassles. I have not heard the name of Hazi Fayam. 95% of Muslims are converted one and only 5% Muslims are original one. These are foreigners. These foreign nationals came from Iran, Arab and other countries. Now they stopped coming. He himself said, that the Kings used to fight with each other's. Jains also used to fight with each other's and similarly the followers of other religion. I do not know whether Muslims from foreign countries came to Ayodhya after 1930 or not. The Muslims of Ayodhya and Faizabad are converted ones from Hindus. The original Muslims went back to Delhi. He himself said that Ramanandiya sect had reconverted a large number of Muslims into Hindus after making their disciples..

I have studied Skand Puran but not in detail. The total number of Puranas are 18. In my view, all the Puranas were written during the time of Vyasji. Ved Vyasji has written the Purans, 5000 years before. The Purans in my library are published from Gorakhpur. I have no idea that in my collection of Puran, the oldest one is how many year old . It must have been written in the book. No. such puran is available with me which was published before the 20th century .Because all the Purans which are available with me were published from Gorakhpur. Purans

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written by Ved Vyasji were available during the period of Britishers. Prior to this, Puranas were available in manuscript and were written on the leave of Tar. I have seen the manuscript written on the leaves of Tar in Sarswati Library, Varanasi. The contents of Purana, which are with me, are the same, as are in the manuscript written on the leaves of Tar, available in Sarswati Library. The language, script and method is one. He said, such type of libraries are first at Varanasi, second at Jaipur,third at Shrirangapattanam and fourth somewhere in Andhra Pradesh. Manuscript of Purana are available in the same library where original Manu script of Rudryamal have been kept. He further said the fourth library is at Tanjore in Andhra Pradesh. Library at Tanjore is the largest among the libraries, which I referred above. The language used in Manuscript of Rudryamal available in Sarswati Library, varanasi differs from the languages used in other Puranas available in the library referred to above. Script of both is same . Both are in Sanskrit language but differ in term of Grammar. I do not know the differences with a view of Grammar. Grammar used in Rudryamal is the same as was the Vedas. Grammar used in Purans is the same, which was used in Sanskrit literature.

Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

23.9.2004

I have dictated to stenographer who typed it in the open court. Suit may be listed for cross-examination for 24.9.2004. Witness to present.

(Hari Shankar Dubey)

Commissioner

23.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

24.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das (Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated. 10.9.2004.)

(Furtherance to 23.9.2004, cross-examination on an affidavit, by Shni Mustaq Alunad Siddiqui, Advocate on behalf of defendant No. 7 in other original suit No. 4/89 and defendant No. 5 Mohd. Hassim in other original suit No. 5/89, continue.)

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In Ayodhya, conflicts took place between Hindus and Muslims only. The followers of other religion did not fight with each other. There was no unity among the followers of any religions in Northern India and they always remained in conflict with each other. Followers of Shev sect and Vaishnav sect were in conflicts and sometime they physically fought with each other. These people fought with each other during Kumbh Mela in Haridwar and Nasik. These incidents happened before 1600. There was a time when the followers of Shev sect were afraid from the followers of Vaishnav sect. At that time the followers of Vaishnav sect were in less numbers.

I referred about a building with 24 towers in the statement given by me yesterday. This fort was made during the time of Kush. Now it does not exist. Only remains of 8-10 towers are there. About this fact that this fort was constructed at the time of Kush, I read it in the

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part of history of Rudryamal. In the building constructed by Kush there were six numbers. of towers on all the four direction and all the towers were in a row. I have read about it in Rudryamal. I do not know whether there is reference about it in Ayodhya Mahatamya Khand of Skand Puran or not. Balmiki Ramayana refers about it but not in very clear terms. There is no reference in Ramcharitmanas about it. The fact in this regard is this that no book other than Rudryamal have clarified about the tower in the fort constructed by Kush. There is a reference of Kuber Tila in Rudryamal book. Kuber Tila has a tower in the corner. Kuber Tila has a tower in its west and south corner. It is not correct to say that the point relating to the building of 24 towers about which I am talking is imaginary. It is also not correct to say that the towers, which are there at present, are not in a row. There is no reference about the towers in any book other than Rudryamal, because I have read about it in Rudryamal only. Manuscript of Rudryamal is the same which I have told is kept in safe custody in Saraswati Library. Rudryamal in full is not published yet. Its History and Geography part was published by Bhagirathi Brahmchari. I have published the chapter Ramtarak Anusthan method and Raksha Strout as a book.

In 1921, Swami Bhagwatocharya and Raghubaracharya, who are known to me, have seen the manuscript of above books. The manuscript written by the above mentioned two persons, know to me, on the basis of which I have published my book, they were the co-writer of the book. Swami Bhagwatacharya was expert in writing and Swami Raghubaracharya was expert in grasping and making other to understand. In the same manner, Bhagwatacharya has written the book on dictating by Raghubaracharya. There is only one person who have written this book. He himself said that the book contains the photo of the both.

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Dussehra falls on the tenth date of Shukla Paksha. So far English month is concerned, sometimes Dussehra falls in the month of October and sometime before or after that. How much, sooner or later it falls in the English month I cannot say. I cannot say that every year it falls at the variation of 10 days or one month in every three years. The fort constructed at that time remained intact upto the time of Mohd. Tuglak and in between it was repaired time and again during this period. This fort was used for the purpose it was made for. He himself stated that the wells in the fort were 60 feet in depth. I cannot say the number of wells. The well at my residence is 60 feet deep. I have seen a number of forts in India. In fort there is an arrangement for Raj-Darbar, residence for military and police and a place for religious gathering. I have no information if there was printing house in the fort or not. Police is kept therein for the purpose of safe-keeping. I have no knowledge if persons holding gun used to sit over the tower from the security point. I know only that there were idols of Gods on the towers. In all the towers referred above, there were idols of Gods. An idol of Hanumanji in Hanuman fort, an idol of Sugreevji in Sugreev fort, an idol of Jamwant in the fort of Jamwant and an idol of Mat-Gajendra in Gajendra fort, Mat Gajendra is not an independent fort, but a tower. I never heard that Gold is produced in Ayodhya. I have no knowledge about the printing house, where coins were produced, in Ayodhya. It is not correct to say that the fort I am referring about was constructed in 13th century during the rule of Muslims. I have no knowledge about the Madarshah Tila of Ayodhya. I also do not have the knowledge of Jurawanshah Tila. He himself stated that he does not have the knowledge of any Tila of Muslims. Once upon a time, Ayodhya was a centre for marketing. During the time of Satyug and Tretayug, Ayodhya was a centre of

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business for the whole world because it was a capital at that time. Ayodhya was a capital of the world at that time. Ramchanderji and Dasrathji were treated as the King of entire world. With the passage of time its recognition was reduced. Today, its political recognition in India itself has been lost but religious recognition is effective even today. It is not correct to say that there was no recognition of Ramchanderji before 16th era, in Ayodhya. It is also not correct to say that Ayodhya gets recognition only after the Ramcharitmanas was written by Tulsi Das. Valmiki Ramayana, initially was written during Tretayug. Rudiyamal book was written after it. Purana were written after Valmiki Raniayana, these were written by Vyasji in Dwaper Yug. On the basis, what Shankar said to Parvatji, I say that Geography of Ayodhya was described in details. Valmiki has written the things about past, present and future because he was a poet, who knew everything about three yugas. Puranas basically are continuing in the same form, as these were at the time of their publication No. change have taken place in them.

Witness was shown the document No. 254 C-1/11 of the other original suit no. 5/89; upon which witness said, the word used in Rudryamal are not similar to the words shown in the documents. But some letters like Pa, Fa, Ma, Sa are similar to the word shown in the document. I cannot say whether all the letters shown in the document were similar to Pali script or not because I have not read the Pali. Upon seeing the document No. 254 C-1/12, witness said he cannot say whether the words therein were from Pali script or not. Devnagari script has also the same letters. The word 'Sa' and 'Ta' are similar to the word used in Rudryamal. There is partial difference in the formation of word 'Ta' and 'Sa' shown in the document No. 254 C-1/11 and document No. 254 C-1/12 or not, I cannot

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say. I cannot say whether there is a little difference or not but this much is sure that these differ in formation. I do not remember that the word 'Sa' and 'Ta' in the original manuscript of Rudrayamal were similar to or differs from the word 'Sa' and 'Ta' shown in document No. 254 C-1/11 and document No. 254 C-12. The script of the original manuscript kept in Sarswati Library, Varanasi is not in pali but in Devnagari. But the script used, is somewhat similar to Pali. Witness was shown the statement given by him on 22.9.2004 at page 108, witness said that his statement "The script used is in, are similar in design to Pali script" is correct. I made this statement on the basis that the turn of letters used in the manuscript are similar to the letters of Devnagari script. The turn of letters 'Sa' and 'Ta' in document No. 25A C-1/11 and 12 are similar to the letters, which I referred in my statement dated 22.9.2004. There is slight difference about the writings of 'Sa' and 'Ta' at both the pages. I cannot say whether Hindi script, called Devnagari script, is from the time of Treta Yug or not. But this script was used in all the ancient books like Ved Purans. This shows that this script was from the above-mentioned time. The letters in document No. 254 C-1/13 are similar to Devnagari script. There is 'Ti' in the fourth line, which matches to Devnagari script but the 'Yum' letter in 12th line does not matched with Devnagari script. It is not correct to say that I do not have the knowledge of Devnagari script and that's why I am not recognizing the letters or I am feeling difficulty in recognizing the letters. In document No. 254 C-1/13, the letters 'Da' 'Pa' 'Ma' are similar to the letters of Devnagari script. There is little difference in letter 'Ya'. The letter 'Ra' 'La' and 'Sha' are similar to the letters of Devnagari script but letter 'Va' differ slightly. The letter 'Sha' and 'Ha' are not similar to the letters of Devnagari script. The vowel mark on the letters are correct but method slightly differs. The vowel

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mark being used in the letters of Devnagari script and the vowel mark shown in the document No. 254 C-1/13, are slightly differs. I do not know in which year, such vowel mark in Devnagari script was being used. I do not remember what type of vowel marks were used in Rudryamal. I have not read the book thoroughly. The above mentioned two persons, who are known to me, have specifically seen the book. There are 12 types of 'Ka' word in document No. 254 C-1/14. The word 'Ka' which is used at present in Devnagari script, is shown in line eight. The word 'Ka' was also used at various places in Rudryamal and was of same type. The word 'Ga' in ninth line of this document is very much similar to the word 'Ga' in Devnagari script. The line drawn above this word is similar to the line being used at present. What type of word 'Ga' was used in Rudryamal, I do not know. I know only that Devnagari script was used in Rudryamal. I cannot say much about the other words used in Rudryamal were from Devnagari script or not.

The place where Nirmohi Akhara is situated at present is new one. I have been there. It is towards Ramghat. He himself said that, he visited there for twice. The building of Nirmohi Akhara was constructed before 1930, when I visited. He himself said that Nirmohi Akhara was earlier at Guptarghat and Ramjanambhoomi. I do not know whether Guptarghat is with Nirmohi Akhara or not. At what time the place of Nirmohi Akhara was shifted from Ramjanambhoomi to Ramghat, I do not know. The earlier location of Nirmohi Akhara was at Ramjanam Bhoomi, this information I came to know from the history Sadhus. He himself said that history of Sadhus says that lakhs of Sadhus have laid their life. These Sadhus died during the time of Mohd. Tuglak.After the time of Govind Dasji, Nirmohi Akhara has changed its place from there to

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Ramghat. Since then Nirmohi Akhara is there. I have no knowledge whether there was any bloody encounter during the time of shifting. None was killed during the time of shifting. Nirmohi Akhara has constructed their main place at Ramghat after purchasing land from the landlord of Dantdhawan. I do not remember that Ramkot is 10 lakhs five thousand five hundred years old or fourteen lakhs five thousand five hundred year old. But it was constructed by Kush of Treta Yug. It was constructed during the last Treta Yug. Kush was also born in all the three Treta Yugs prior to last Treta Yug. The fun and frolics of Ramchanderji were described in detail in Valmiki Ramayana but his deeds in other three Treta Yug were briefly summarized. It was not described in detail. Tretayug of earlier, was described in Puranas, Ramcharitmanas and in other books. Sitaharan and Lanka-dahan happened during Ramchandra's last incarnation. There was no reference about the attack launched on his birth place by others. I do not know whether the two stone Dadhiwakra and Gawaksh, I referred in the statement made by me are still there or not. I have seen these stones earlier. At that time these stones were in degraded position. Names have been written on these stones. The names were written in the same manner as it were written on other stones. These stones were fixed in accordance with the geography given in Rudryamal and name was written on it. The resident of Ayodhya had made a representation to the British Collector and Commissioner to the effect that the place referred in Rudryamal and places described in the copy of Rudrayamal, which is kept in Varanasi Sanskrit University, are disappearing hence stones were fixed on at these places. After original manuscript was brought to Ayodhya the stones were refixed in accordance with the book. Stones were fixed before 1930. This happened much earlier than I read the book in 1921. This incident

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happened during the time of Queen Victoria. Britishers had established the Queens College in the beginning. There was a stone at the side of disputed Bhawan. The stones were there at Hanumangarhi and Janamsthan Mandir. I cannot say, whether the stones were fixed in 1903 or not during the time when Maharaja Bahadur Singh was a Nazool Naib Tahsildar, Faizabad.

After last Tretayug, Ayodhya was never destroyed. Saryu River which was in the north side slowly moved towards the south side and during Treta Yug it further moved to the present side, approx three miles away from its earlier position. Places of Vishnu, which were in the south of Saryu, consequently shifted to north of Saryu. There are two streams of Saryu River, one stream coming from the direction of Barabanki and second one from Bahraich. These two streams meet at Varaha, in Bahraich and from here it is called Saryu. He himself stated that Saryu comes from Bahraich and Ghagra from Barabanki and merge with each other at Bahraich. Whether it is again called Ghagra from the Vilvaharighat at Gosainganj or not, I cannot say. This place is a crematorium of Ayodhya, because King Dasratha was also cremated here. I also know about sculptor and craftsmanship. The book written on these subjects are yet to be published. This book is useful to the masons, who construct the temple, I have studied the book. It is also written on the leaves of Tar. This book contains the information about the construction of Ganga-Yamuna idol. This idol is prepared on the doors. This book does not contain the reference about an idol of a River. I cannot say that Ganga and Yamuna being holy rivers, were mentioned in the book or not. I have not seen an idol of Saryu anywhere. There is a no reference about the book in crafts science. Except the book craft science, in no other book reference of any river

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except Ganga-Yamuna have been mentioned. Crafts science refers only Ganga and Yamuna and no other river i.e. Saryu river is mentioned therein.

Rudryamal is formed by two words. Rudra stand for Shankarji and yamal stone for "said'. In my opinion second book written on the verbal saying by Shankarji, is "Garuri Granth". This book is also in the Sarswati Library, not published yet. I am going to publish it. The book "Garuri" is in Sanskrit. The book contains the mantra and the saying of Shankarji to Gurura. In my opinion Rudryamal Granth has very useful knowledge about Ayodhya because the babas of Ayodhya had not much knowledge about Ayodhya. If the stones had not been kept at the places mentioned in Rudryamal Granth, the knowledge in respect of the places concerning to Ramchanderji could not have been obtained. It is not correct to say that the same situation there before the publication of Ramcharitmanas and people obtained the information after reading Ramcharitmanas in regard to places mentioned in it.

Muslims were living in Ayodhya since the time of Meerbaki. Meerbaki was invited by Faquirs from Bahraich. Prior to this there were no Muslims in Ayodhya. The population of Hindus was also not much. Most of the people were Mallaha and Pandas. Mallaha were Hindus but they earned their livelihood by doing business through boats.

The standard of living of Mallhahas was similar to the standard of living of present Mallhahas. Followers of Vaishnav sect were there in Ayodhya before 2700 years. Purshotamacharya Bodhayan also belongs to this period. He was the first Acharya in Kalyug of our community. The people of Vaishnav sect used to pay visit to Ayodhya but

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they did not established any math. Only my math and Ramgulella Mandir are ancient places of Ayodhya. Sadhus came to Ayodhya during the period of Ramnanda. All the maths in Ayodhya are within the 700-800 years. 14 stones fixed in the disputed Bhawan were not the stones of Kaushoti but were ordinary black stones. The brother of King Parsanajeet, Adityabhanj had brought these stones from the mines of Mayurbhanj in Orissa for the reconstruction of Ramjanam Bhoomi and fixed these stones at the disputed site two and half thousand years ago. These stones were fixed hundred years before Bhagwan Budh. I have enquired about the paintings carved on these stones from the King of Mayurbhanj. I have also enquired about his family tree. I have also enquired about the meaning of Bhanj from him. His gotra was 'Vashist', one which was also of Ramchanderji. The black stone, which were fixed at the disputed Bhawan, are still available in Mayurbhanj. The paintings, which were carved on the black stones, fixed at the disputed Bhawan are still in use there. I called for the skilled men from Mayurbhanj asnd got prepared a throne for Mandir. I have enquired from this man about the painting carved on the stones. These paintings have a specific standard and name. How many stones, the brother of Prasanjeet brought from Mayurbhanj, I do not know. The name of brother of Prasanjeet was Adityabhanj. There is stone at Khijlikot in Mayurbhanj, wherein there is a reference of reconstruction of temple at the disputed site in Ayodhya. This stone contain the detail of Bhanj Kingdom and about Mayurbhanj. The writing on the stone is in Sanskrit and script is Pali. Black stones were also fixed at Sarnath in Banaras, but these stones, compared to stones fixed at the disputed Bhawan are not so glossy. The stones fixed at Sarnath are rough I have not seen the painting similar to painting on the stones fixed at the disputed Bhawan,

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elsewhere. I have seen ordinary painting at many places. I have seen the paintings carved upon the Jain's Mandir, but it is not similar to, painting on stones fixed at the disputed Bhawan. Similar painting can be seen in Khajuraho in Madhya Pradesh. I had the chance to visit to Red Fort. Paintings on stones are also there but it also differs in standard from the paintings carved on the stones of disputed Bhawan. Every kind of painting has its own name lineaments and science. He himself stated that small Mandir contains five lineaments whereas large temples contain seven lineaments, these are straight but the lineament of each side has got a specific name. The size of lineaments is dependent on the length and breadth and size of the stone. The length of lineament differs in size depending upon the size of stone. Lineament differs in length and design. The black stone at the disputed Bhawan contains 5 lineaments, which is used in middle sized temple. Small temples also contain five lineaments. In large temple too, seven lineaments are used only and small temple contain only five lineaments. There are five lineaments on each of the 14 stones fixed at the disputed Bhawan. The picture of Ganga Yamuna and pitchers are must at the first door of the Mandir. Ganga and Yamuna are shown as a Goddess. Picture of Ganga and Yamuna is must on the way to kitchen. Wherever the picture of river is necessary, it is picturised in combination of Ganga and Yamuna. Idol of Ganga and Yamuna can be recognised by a person who has some knowledge about it, as for the ordinary layman, it is merely nothing more than a stone. The stones obtained during the excavation, were of the time of treat yug. These stones were not similar to one used in the pillars of disputed Bhawan. He himself said there was a place for keeping the pillar. The places from where the pillars were obtained during the excavation were marked. He himself said that pillars in pieces were

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obtained from there. Stones in large size were obtained from western and eastern side. These are almost equal to the size of tables kept in the court. The stones of Tretayug, obtained during the excavation, are lying at the site of excavation. These are so big in size, that these cannot be carried out without cranes. Site of excavation is covered by tent but I was able to see the stone, by raising the tent, on Sunday, with the help of two sepoys from Barabanki. There are 10 to 12 feet deep pits at the excavation site. All the three side, except the side where Ramlalla is sitting, have been digged. There were three pits and earth has been removed from it but stone were left therein. The pits I have referred about are red in colour. The stones found in the pits, are not available in Ayodhya or in its surrounding areas upto hundred miles. Stone are of dense red colour similar to the colour of tables kept in court i.e. yellow. I have by mistake stated the colour of stones, therein in the three pits. Black stone are kept aside; I could not see these stones. There were deep pits, where the pillars were erected. The pits are in round shape. The depth is not known to me, because of earth-heaps. The place, pits, for erecting the pillars are similar to the size of 14 black colour Kaushoti pillars. The 14 pillars fixed at the disputed Bhawan are round in shape. But the saying of learned cross-examiner may be correct that pillars were square in shape, because paintings were there on the pillars. There was no painting on the stones, lying in the pits. These were from the Tretayug. In the absence of truck-tractor, it was not possible for an ordinary man to remove the stone. On the basis of this I am saying that these stones belong to the time of Tretayug; The human of Tretayug were strong. The human of Dwaparyug were less strong to the human of Tretayug and so on the people of Kalyug were. There is no evidence to suggest that these stones were from the time of Satyug or Dwaparyug. I mean

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there is no written evidence. There is a written proof about these stones in the History chapter of Rudryamal Granth. The stones recovered during the excavation are similar to the stones available in district Mirzapur. It is not correct to say that no stones were recovered in the pits, which I have stated above in the statement given by me.

Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

24.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, suit may be listed for advance cross-examination before the Hon'ble Full Bench on 27.9.2004. Witness to be present.

(Hari Shankar Dubey)

Commissioner

24.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

11.10.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 8.10.2004.)

(Furtherance to 24.9.2004, cross-examination on an affidavit by Sun Mustaq Ahmad Siddiqui, Advocate on behalf of defendant No. 7 in other original suit No. 4/89 and defendant No. 5 in other original suit No. 5/89, continues.)

The book called Rudryamal, which I referred in the statement given by me, has since been fully published. History and Geography are part of Rudryamal in the book called "Ayodhya Darpan" which has been published and Mantra part in two volume has also been got published. Both the volume cost Rs. 750/-. The mantra part of this book has also been published titled Rudryamal. The book was published long ago but was made available in the market only recently. Mantra part of the book does not contain the chapter of History and Geography. But Ayodhya Darpan does contain these parts. "Ayodhya Darpan" book was published much before. The book named Rudryamal, which is in the Sarswati Library, Varanasi, contains History, Geography and Mantra part. This book does not contain the part of any other subject. The full Rudryamal book is in three books, namely Ayodhya Darpan and two parts of mantras and has been published. Ayodhya Darpan named book does not contain any other subject other than History and Geography

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described in Rudryamal. The language, script and writing used in Rudryamal are similar to the language, script and dictation used in Ayodhya Darpan and in the two volume of Mantra part. Only the preface is in Hindi language. The writings in the book Rudryamal are in the form of conversation in between Shiv-Parvati. He stated that he experienced the Mantra part by practicing the Mantra part. The contents about History and Geography are similar in nature in Balmiki Ramayana and Rudryamal, in case of difference between the two books, I will treat the contents of Rudryamal as more authentic. There is reference in the book called Rudryamal that contents of the book are in the form of Shiv Parvati conversation. But there is no other reference about "Word Authenticity" to the effect that the contents of Rudryamal are in the form of Shiv-Parvati conversation. The Muslims used to burn the religious books of Hindus and destroy them. Besides this, they used to have destroyed the temples of Hindus, that's why Hindus used to hide their religious book. During the time of Britishers, the Britishers after collecting these books had kept them in Sarswati Library of then Queen College. The book Rudryamal was kept hidden at Sidhpur in Gujrat. Britishers got the book from that place and kept it Queens College. The Math of Ramanandiya sect at Kashi Panchganga Ghat was destroyed during the time of Mohd. Tuglak and the books kept therein were also destroyed. I remember the names of some of the books, which were destroyed. These were Vaishnavmataviya Bhaskar, Vaishnav Digvijay, Yogdarshan and History of Shri Sect. The math of Raninandiya Sect, which was destroyed, was called Gurudwara by Ramanandiya Sect. Its name was Srimath. A Masjid is also there. I remembered the name of Masjid, but at present, I am not able to recollect it. This Masjid is situated at Panchganga Ghat of Kashi. I have read about the demolition of Srimath in the book called

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History of Ramanandiya Sect and not in the ordinary books of History. History of Ramanandiya Sect is published in the books, namely Vaishnav Kavi, Kashi Markand and Prasang Parijat from where I studied the history of Ramanandiya Sect. History of Ramanandiya Sect was published in these three books. I do not know whether any part of Ramanandiya history is still unpublished. He himself said that there is some unpublished part of history of Ramanandiya Sect, kept in Saraswati Library.

Ramcharitmanas, written by Tulsi Das is a reliable and authenticated book of my Sect. There is a belief that the conversation between Shiv-Parvati was reproduced there in, as it was. Rudryamal and Ramcharitmanas, both are recognized books. In Ramcharitmanas, Tulsi Das has said that he has reproduced the thoughts of various Purans, Vedas and other scriptures in his language in the form of poem. It. was mentioned in Ramcharitmanas, that the utterance described in the books was in the form of Shiv-Parvati conversation. It is written in Ramcharitmanas that "Ek bar Tretayug mahin, Shambu gaye, kumbhoj rishi pahin, Sang satti jag janani Bhawani, Puja rishi Akhleshwar Jaani Ramkatha Muni barj Bakhani, Suni Mahesh Param Sukh Khani." It was also mentioned in Ramcharitmanas that "Rachi Mahesh Nij Manas Rakha Pai Susamaya Shiva San Bhakha." From reading Ramcharitmanas, it appears if Ramchandra was a Param Brahrna. The thoughts in manas were also honoured by the people prior to Ramcharitmanas. Tulsi Das has written the same thoughts in Hindi. In Balmiki Ramayana Ramchanderji was portrayed as a strongman, Maryada Purshotam human as public character and Param Brahma as a Glory. It is not correct to say that in Balmiki Ramayana, Ramchanderji was portrayed as Maryada

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Purshotam strongman and his halo was developed as Parambrahma in Ramcharitmanas. The fact is this that Ramchander was portrayed as Parambrahma.

Before attachment, Siya Raghav Saran was a priest of disputed Bhawan; I am talking about the attachment of Ramehabutra in 1982. The name of Ramkot was removed from the official record during the time of Sirajudolla. In its place Begampura was used. During the period of Sirajudolla, both Begampura and Ramkot were being used. Before his period Ramkot only was being used. Nawab of Jaunpur has attacked yodhya and Muslims of that time left for Ayodhya to Lucknow, not to Delhi. I stated in the statement given by me on 23.9.2004 that the Muslims of Ayodhya and Faizabad are the converted ones from Hindus to Muslims. The original Muslims shifted to Delhi. This statement of mine is correct. Muslims shifted to Delhi at the time when Nawab of Jaunpur attacked Ayodhya. This happened before the rule of Sirajudolla i.e. around about his rule. King and his rulers used to live inside of the fort and their headquarter was also located inside the fort. Forts at that time were constructed from the security point of view and it was a practice. Ramkila situated at Ayodhya was demolished during the time of Tuglak.

The book, named Rudryamal, I referred above has been published in three parts. Besides there is no Rudryamal book. Valmiki Ramayana in not in the form of Shiv-Parvati conversation and it was written by Valmiki himself. Valmiki Ramayana is a human's creation. Ramcharitmanas contains the conversation of Shiv-Parvati. Ramcharitmanas is more popular to Valmiki Ramayana because it is in Hindi language. Ramkila has 24 towers, 6 towers on each side, Hanumangarhi is one of the towers, it was not a fort. I have seen all the 24 towers. In these 24

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towers, an idol of Hanumanji in Hanuman tower, an idol of Sugreevji in Sugreev Tila, an idol of Keshariji in Keshri Tila, an idol of Jamwantji in Jamwant Fort, an idol of Mayand-Gayand in Mayand-Gayand Tila were kept. Mayand-Gayand was a tower. There was an idol of Mat Gajendra in Mat Gajendra tower. Sugreev tower is one of the towers. Beside there are Kuber and Nal-Neel tilas. There was no idol of mother of Mat Gajendra in Gajendra tower of Sharmaji. Similarly there is no idol in Vighn Vinashak tower. Prior to this, there was an idol of Ganeshji, which was installed in Mat Gajendra tower, later. He himself stated that there is an idol in Vibhisan tila. Tower and Tila is one and the same. In modern hinguage tila is called tower. Kuber tila, Hanuman Tila, Mat Gajendra tila and Vibhisan Tila are the highest tilas of Ramfort. These highest tilas are equal in length. The stones of the fort, which was there during the time of Ramchanderji, were taken away by Akbar and he constructed the fort from these stones at the bank of Prayagraj. The entire building was constructed from stones. The buildings were demolished during the time of Akbar. The stones of the demolished building were taken by Akbar and he fixed the stones at a fort in Allahabad. The fort at Triveni bank is called Akshvat fort. After taking the stones from there people have constructed houses there. The earth at Sugreev Tila and Hanumangarhi is very old but the houses made there are 500 years old. New temple was constructed there, approx. 50 years ago. Sugreev Tila at present has the same idol which was installed at Ram Kila and an idols which were there on the towers, have been buried by the then priests. Idol of Ganeshji was shifted to Mat Gajendra. The stones at the tower of Ganeshji, still are there. He himself stated that every tower have stones. According to religious book, the place of an idol can be changed. He himself said that the

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procedure in this regard has been given in Narad Panchratra Granth.

Ramfort still exists even after removing stones from Ramfort during the time of Akbar. Its Geography still exists. Ramfort remained ruined during the time from Tuglak to Akbar. No use was being made of it. Only three Maths i.e. Ramjanam Bhoomi, Ramgulella Mandir, Hanumangarhi and mine Surya Mandir were at their places. Ramgulella Mandir was not a fort of Ramfort. Surya Mandir falls within the area of Ramfort, which is situated in between Mat Gajendra and Kanak Bhawan. Surya Mandir was also demolished during the period of Tuglak. It was reconstructed during the period of Akbar. I do not remember whether that was a period of Aurangzeb or not. He himself said Aurangzeb happened after Akbar. On 24.9.2004, at page No. 124, I gave a statement that "with the passage of time its popularity came down." I mean that after Rain, his family lost the recognition of being the ruler of the world. Loss of popularity began from the time of Lav-Kush. But during their time, loss of popularity was not much. Thereafter, it went down. During last 50 years, the popularity again went up and the cycle of popularity going down, was stopped and started increasing during the time of Bhagwan Budha. There were a number of references in Valmiki Ramayana, right from Balkand of Rama being the Param Brahma. Besides, references are there in Kiskindha Kand and Lanka Kand. The reference about Rama being the Param Brahma was in Valmiki Ramayana at a number of places. In addition to this, there is a reference about it in Kiskindha Kand and Lanka Kand. It was referred in Valmiki Ramayana that the arrow, which Rama uses multiplied to ten times, after coming in his hand and its number goes upto 100, after coming on the bow and upto 1000 at the time of releasing and goes upto 100000 when it hits. This shows the opulence of Rama. Valmiki

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Ramayana is the oldest book among the Rudiyamal and Ramcharitmanas. It was written during the time of Kush and preserved since then. Kush period was the last phase of Tretayug. It was 28th Treta. This book is about four and half lakhs years old. Duration of Dwapar is four lakhs thirty-two thousands years. Witness himself said that the duration of Dwapar is eight lakhs sixty-four thousands years. Thus the book is about nine lakhs year old. I do not know the name of person who wrote its manuscript and when it was written. I have mentioned in my statement above, Dadhiwatra and Gawaksh, the two stones. I have seen these two stones in the year 1934. These two stones were lying in the bye-lane near Mali Mandir. These were kept separately. These were not in the shape of an idol but were in the shape of Board. These stones were fixed during the time of Britishers. The name, Dadhiwatra and Gawaksh were written on them in English and Hindi, in both. The witness was shown the document "Rudryamal" written by Shri Parinee Pandey, filed in other original suit No. 3/89, through application No. 35-O/2004. Witness said, it is not a part of Rudryamal. Its some part has been taken from Rudryamal book. Besides it was compiled by taking references from number of Puranas. Ayodhya Mahatamya is described in it. "Shri Sitaramji" Thirty chapter - Rudrayamal-Shiv-Parvati conversation with Hindi version is written in the book. This book contains the extracts from Rigved, Atharved, Vashist Sanitha and Rigved Ramasthavraj. These thirty chapters did not contain the History and Geography of Ayodhya, rather only Ayodhya Mahatamya is described in. One chapter of Skand, Purana, is by the name of Ayodhya Mahatamya. He himself said that character of Ramchanderji was described in this book. I read this book daily. Ayodhya Mahatamya also contains the character of Ramchanderji. He himself said that this book contains the act/deed of Rama as Dhamroop. The

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Geography and history of Ayodhya was not described in Ayodhya Mahatamya. There is no book, other than Rudryamal, in which the Geography of Ayodhya was described in detail. The Rudrayamal is the same Granth which has been kept in Sarswati Library, Varanasi. Ayodhya Mahatamya does not contain the detailed Geography of Ayodhya. Almost every Puranas have it in little information about it . It is only the Rudryamal in which it was described in detail. Whether the part produced vide document No. 35- 0/2004 in others original suit No. 3/89, is taken from the book Rudryamal kept in Sarswati Library, or not, I cannot say. I never seen before, the so called book written by Parinee Pandey, Ved Vakaranacharya, though I know him. I cannot say, whether others have also published the book in the same way or not as Parinee Pandey published it. But the book, priced for Rupees seven hundred and fifty, was published by the Principal of Queens College. This book is authentic one. The said Principal, was known as Kaviraj. The second para at page No. 4 of the book is taken from Atharved. Slok No. 47- 48 are from Vashist. Sanhita. Material appearing after slok No.48 in Sanskrit was also taken from Vashist Sanhita. I have not found any part of Rudrayamal in the book written by Parinee Pandey. Although my vision is poor. But I have seen the part taken from Vashist Sanhita, Atharved and Righved only. I am not aware of the fact that the name of the books in Hindi Literature are kept after the popular books, so that the books gets popularity. The four sloks at page No. 66 of the book were read out to witness. Witness said, these four sloks were taken from the book Rudryamal. It was mentioned in slok No. 1 at page No. 66 of the book, that Shankarji was telling to the Parveti, for the first time. Slok No. 38 and 39, at page No. 76 of the book was also readout to the witness. After listening, witness said that these sloks were taken from

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the book Rudiyamal. Upon, listening the slok No. 40-4 1 at page No. 77, witness said that these two sloks were also taken from the book Rudryamal. Witness after listening the slok No. 42, said I am not recollecting the meaning of this slok. On rendering the translation, witness said this was taken from Rudryamal Granth.The sloks, which were readout to me, were taken from Ayodhya Mahatamya,these portion there were from the Geography, Histoiy and Mantra part. These were from the starting part of Mantra part of Rudryamal. The part below the part Nageshwar Nath Mahatamya at page No. 80 of the said book was shown to witness. Witness said that these were also taken from the book Rudryamal. After listening the slok No. 2,3,4 at page No. 81, witness said all these three sloks are from kudryamal. The family tree of Parinee Pandey, the writer of the book, was described in slok No.2. In these two sloks Parinee Pandey has introduced himself. Slok No. 28, 29 at page No. 109 and the slok No. 30, next to "Shri Hanumanji, Surgreevji", which was numbered 3, by mistake, was readout to witness. Witness said that these three sloks were taken from Rudryamal. Slok No. 31, 32, 33 at the page No. 110 of the book were readout to witness, upon which the witness said these were taken from Rudryamal and Geography of Ayodhya has been described in these sloks. The sloks readout to me, first was regarding the Glory of Ayodhya and other three were regarding the Geography of Ayodhya. The fact written in slok No. 31, 32 and 33, are correct. Slok No. 31,is about the Nal-Neel at the south of Ramkot, which is correct. Nal- Neel were the name of monkeys, the incarnations of Gods. The word Nal-Neel here qualify the name of a place. He himself said these were installed in the fort. I have seen this tower recently. Nal-Neel fort is at height of ten-fifteen from the ground level. This fort is situated in the south of Ramkot. It is at a distance of three-four hundred feet from the

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disputed site. I have heard about Ramkatha Kunj but I have not seen it. At the time of my visit to Nal-Neel Tila, I did not pay attention toward Ramkatha Kunj. Slok No. 32 at page No. 110, refers "Guwaksho man vanaro". This is the same Gawaksh, which I referred in the statement given by me. The place by the name of Gawaksh is in the west side of the disputed Bhawan, not in the north. The point that it is in the north of the disputed place, is not correct. The Dadhiwatra, referred in Slok No. 33, is the same Dadhiwatra, which I referred above. This place is in the west of the disputed Bhawan. It was correctly mentioned therein. Slok No. 32, does not refer about the north side. But this place, known as Kuber Tila, was said to be situated in the north of Navratna.

Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

11.10.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for cross examination on 12.10.2004. Witness to be present.

(Hari Shankar Dubey)

Commissioner

11.10.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

12.10.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 8.10.2004.)

(Furtherance to dated 11.10.2004, cross-examination on behalf of defendant No. 3/18, on an affidavit, plaintiff No. 7 in others origin4l suit No. 4/89 and defendant No. 5, Mohd. Hassim, in other original suit No. 5/89, by Shri Mustaq Ahmad Siddiqui, Advocate, continues.)

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"Ayodhya Darpan" was not published by me, but by Bhagirath Brahmchari. I do not know from where it was published. The name of publishers was written in the book. Witness, on seeing the document No. 43 C- 1/4, "Ayodhya Darpan" filed in the court, said this is the same book, which I referred above. This book contain the history of Ayodhya in short but Geography was described in detail. The Geography described in the book is in agreement with the stones fixed at various places in Ayodhya, that's why I deemed the facts mentioned in the book, correct. These stone are the same about which I referred in the statement given by me that these stones were fixed by Britishers in accordance with the book kept in Sarswati Library. The facts, that Akbar has taken away the stones from the Ayodhya Fort, to Allahabad, are based on the writings on the stones kept in the Rishi Ashram of Allahabad Fort.

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The name of Allahabad Fort is "Akshya Vatt". In Ayodhya, there. was no other fort of King other than the Ramkot Fort. There is no other fort in Ayodhya other than this fort. He himself said that the present ruler has a fort. This fort is situated at the road leading to Gaunda from Faizabad. There are towers in this fort. I have not counted the number of towers. I cannot say about the numbers of tower even on guess. The thick pillars, installed for the strength of the fort are called towers. These towers are high in length, than the height of wall of fort. There are no idols of God/Goddess on the towers of the fort of King of Ayodhya. The fort of King of Ayodhya. was constructed with the help of General of Nawab of Lucknow. The ancestor of the present King of Ayodhya was the Military General of Nawab of Lucknow. So the Nawab made him the King of Ayodhya. The fort was constructed first and he was made the King of Ayodhya by Nawab later. The fort of King of Ayodhya was constructed during the time of Begum Hazrat Mahal.

I referred "Narad Panchratra" book in the statement given by me, above. This book was in manuscript. But has now been published from Bombay. This book is in two volumes. The reference about carrying the idols away from one place to another is in second volume. Karmkandi Pandits keep the book, 'Narad Panchratra'. But the shilp (crafts) part of the book is not published. So far no book has been published about the crafts concerning to temple construction. Craftsman keep the manuscript with them but they did not want it to published. There are two-three methods for construction of temple. I have tried to know about the present craft in vogue in northern India, but could not succeed. People in Orissa, Andhra Pradesh, Keral, Karnataka, Maysore etc. have the knowledge of temple constructions crafts. The art of constructing a

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temple is called craft. Craft technology contain the various methods for construction of temples. From the ages, there has been single technology for construction of temple. Technology of construction of temples differs state- wise. The difference in the technology is like the signature of persons differs from man to man. Among the technology, there are five chariots technology, seven chariots construction technology and eleven chariot construction technology. Craftsman uses their five, seven and eleven chariot construction technology. He himself said that he constructed the temple after consulting the craftsman. India was always ruled by the Rajputs from the beginning. After Rajputs, Muslims ruled India. The technology used during the time of Rajputs for constructing the temple were known to craftsman only. Even the King did not possess the knowledge of temple construction technology. Pandits used to performed the ceremony of installation of idol in the temple, so they do possessed little knowledge of this craft .

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Question: Whether there were different technology of temple construction were in vogue i.e. technology for temple construction in Northern India, technology for temple construction in south India, technology for temple construction during eleventh era and technology in seventh era.

(Upon this question, Learned Advocate, Shri R.L. Verma, on behalf of plaintiff in other original suit No. 3/89 raised an objection that so many questions are being asked in a single question, which creates confusion. These facts were asked earlier also. Hence being no relevance, it is simply wastage of time. Hence such question should not be allowed.)

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(Upon this question, Learned Advocate, Shri Ajay Kumar Pandey, on behalf of plaintiffs in other original suit No. 5/89, has raised an objection that the witness has .not told anything in his main cross-examination, in regard to the technology for temple construction and witness is not a specialist of the subject. Hence such question should not be allowed.)

Answer: Craftsman science is one but there is some difference is found in Handcrafts. The difference in technology cannot be named. The houses constructed now a days are not in accordance with the classical patterns and temples are also not constructed in accordance with the classical pattern.

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On 23rd December 1949 at about 8-9 A.M. some Muslims gathered near Mali Mandir, behind the disputed place in 70-80 numbers. Before that, there were no persons from other community. Mali Mandir is at a distance of hundred, hundred and fifty feet, from the disputed place and in the west side, at the road leading to Dorahi Kuan from Market, on the eastern side of the road. Situation, except the gathering of Muslims, was normal on that date. The entire drama was the creation of Ramdev Dubey. Ramdev Dubey has already constructed the tent there. He had beaten the Muslims in his tent. He had taken money from the Muslims. Wife of Ramdev Dubey was related to the Mahant Hanuman Das and he used to come to temple and as a result he came into my contact with Ramdev Dubey. Wife of Ramdev Dubey told me, that Ramdev Dube)i has taken Rs. 20,000, as a bribe from Muslims. With the result her son died and she asked me to persuade Ramdev Dubey. I talked to Ramdev Dubey. Upon

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which he asked. What I know about the money. I did not reveal anything. Ramdev Dubey has not followed my advice because he had a lust for money. Ramdev Dubey after taking money from Muslims had not taken their side. He cheated the Muslims.

I do not know, who was the than Distt. Magistrate of Faizabad because I was a student at that time. I have seen the person named Nayyar. But what post he was holding, I do not know. He was a Govt. Officer but what post he was holding, I do not know. During what period he was in Faizabad, I have no knowledge about it. He used to visit to Paramhans Dasrath's place, opposite to Kutra Police post. I have seen him there. I have no knowledge, whether he was a disciple of Pramahans or not But he used to prostrate in reverence before him.

I have not counted the Muslims gathered at a place near the disputed palace on 23rd December, 1949. I have told only on presumption that they were fifty to sixty in number. It is not correct to say that they were only 10-12 in numbers. The statement given by the witness on 16.9.2004, at page No. 34, that "12-14 Muslims gathered there" was readout to him. Witness said that his statement was correct because in the beginning 12-14 persons had come there.

Three subject i.e. Karmakand, Upasanakand and Gyankand comes under Vedic literature. The policy to rule and politics in detail has been described in Vedic literature. These subjects were not described in length in Vedic literature. In Manusmirithi, Bhardwaj Smriti, Yagwalkya Smriti and Sandilya Smriti in Vedic literature, policy to rule and politics was described. He himself said all the four type of policy, Sam, Dam, Dhand and Bhed were

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described in it. Besides, the above four books, these policies were also described in the policy science written by Guru of Chandergupta, Chanakya. Chanakya policy is regarded as a policy part of Vedic literature. He himself stated that Chanakya has translated the ethics on to the language of common man, from ancient books. Ancient book, I mean, the above four books. There may be other book also, but I do not know.

The place called Ratna Sihasan in Ayodhya is situated in the south of Kanak Bhawan and is at the east-north corner of the disputed Bhawan. It is ancient temple. Ratna Sihasan Mandir falls within Ram fort. Ram fort I mean the fort constructed during the time of Ramchanderji in Ayodhya. I believe that Ratna Sihasan was from the time of Ramchanderji because coronation ceremony of Suryavanshi King used to take place there. Ramchander's coronation also took place there. I do not remember whether Ratna Sihasan was mentioned in Rudryamal or not.

Old Bargad tree is called Kalp tree. The trees referred in Purana are also called Kalp tree. These tree were described in Purana alongwith Geography of their places. There is no kalp tree in Ayodhya. There may be some one, but I have not seen it. I do not remember whether there is any reference of kalp tree in Rudryamal or not I am not aware whether Sita Bhawan is referred in Rudryamal or not and it is also called Kanak Mandap. I know only Kanak Bhawan. Ratna Sihasan is at a distance of 50 feet from Kanak Bhawan and a road in between. Ratna Sihasan Mandir is in the south of Kanak Bhawan. I do not remember whether there is a reference about the offerings of Ramchanderji and Laxman's idol in Gold or silver Rudryamal Granth or not.

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I do not know about Pak Sadan place in Ayodhya. I have not heard about it so far. I do not remember whether there is any reference about Sita-pak or Sita Sadan in Rudryamal or not. I have studied the History and Geography part of Rudryamal but I could not remember. Laxman and Satrughan were also born in Ayodhya. I believe that they were born in Keikei Bhawan. Witness again said that they might have born in Suniitra Bhawan. Birth place of Bharat and Satrughan has its own importance. I have no knowledge whether one get salvation by taking darshan of Bharat and Satrughan birth place or not in comparison to birth of Ramchanderji . There was no reference about it in Rudryama Granth because there is in detail, about Ramchanderji and a littie about Kush. Mantra part of Rudryamal contain the procedure for performing Puja of Ram, Laxman, Bharat and Satrughan.

Sita Koop is near the Janambhoomi in Ayodhya. It is at a east-south corner of the disputed Bhawan. I do not remember whether there is a reference about Sita Koop in Rudryamal Granth or not. I do not know whether there is reference about the importance of Sita Koop and its water in Rudryamal or not. I have seen the Sita Koop, have drunk its water but I do not know about its classic importance. I do not know from when it is there. It is an old koop and I have been seeing it regularly. I cannot say whether it is from the time of Tretayug or not. I do not know whether stones were fixed at Sita Koop, alongwith the other places or not. I have stated in the statement given by me about the places where I have seen the stones.

Slok No. 1, titled "Ratna Sihasan" at page No. 117 of Rudryamal written by Parini Pandey, filed in the court, through application No. 35(o)/2004 in other original suit No. 3/89, was readout to witness. Witness said this slok

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was from the Geography part of Rud The slok is correct but the Kaip. tree referred there in, was not there at that time. Slok No. 31 at page 126 of this book was readout to witness. Witness said this slok is from the Geography part of Rudryamal. The slok No. 65 at page 134 of the book and sloks written below this were readout to witness. Witness said that these sloks were taken from the Geography part of the book named Rudryamal Granth.

Slok No. 26, 27, 28 and 29 at page No. 174 and 175 of the book were readout to witness. Witness said these sloks were taken from the Geography part of Rudryamal. Hindi translation of slok No. 36, 37 at page No. 178 of the book was readout to the witness. Witness said that these sloks were taken from the geography part of the book named Rudryamal Granth. Witness, upon listening the slok No. 38 at the, same page said, this slok was also taken from the geography part of Rudryamal. Wherein directions were defined in well manner. The word "Janamsthanantu" used in, means near the Janamsthan. Sita Koop is in Agnikone. He himself said that it is fifth termination in grammar. Literal meaning of the word is birth place. This slok refer the birth place, which is at the disputed site. There was no mention of word Ram because repeating the one' word time and again grammatically is not correct.

Question: There is no need to write a word time and again, in the subject being discussed on and in the refer from a book. But if the subject matter is changed, it is necessary to put the name from the clarity point of view. What you have to say in this regard?

(Upon this, Learned Advocate Shri R.L. Verma, on behalf of plaintiff in other original suit No. 3/89, has raised an objection that since the only a part of the book was filed, such question cannot be asked because 'Rudryamal'

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is written on the Mahatamya of Ramchanderji. Moreover the question is not relevant and is causing unnecessary delay in the process of examination. Hence question should not be allowed.)

(Upon this, learned cross-examiner raised a counter objection that he was sorry to say that his learned friend has not followed the question. My question is not about any particular book. The question simply relates to the principle of literature.)"

(The above counter objection was answered that the question pertains to a part of the book. So the question in regard to its subject cannot be asked.)

Answer: The subject matter has not been changed. Hence it is not necessary to repeat the word.

Janambhoomi and Janamsthan are synonym and belong to Sanskrit language. In Hindi these words are used for the same meanings. Whether the word. Janambhoomi was used in Rudryamal or the word Janamsthan was used at, I do not know. There was a stone in Ayodhya, on which Janamsthan is written. He himself stated that there is a stone at the disputed site. There is a road in the north of disputed site. Stones might be in the temple, which is in the north of road. I have not seen the stone. I cannot say anything about the fact that word Janambhoomi was not used in the book Rudryamal Granth because I do not remember. In old times bow was the instrument for measurement, like today instrument meter, centimeter, feet etc. I do not know what was the length of bow for standard measurement. I will measure the distance in Ganesh, which was marked in bow. According to Rudryamal Lomas was at a distance of 100 bows from Janamsthan, which is equal to 1000 feet. According to this formula one bow is equal to 10 feet. 100 bows are equal to 1000 feet. The distance of Janamsthan

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from Lomas was written as 100 bows in Rudryamal. In Sanskrit the word Sat is used for 100. For 500, one will have to write Panch Sat in Sanskrit. I am talking about Geography of Rudryamal. I have studied it thoroughly but now I am an old man, so my memory is not good now. I have no doubt about that Lomas is at a distance of 100 bows from Janamsthan means at a distance of 1000 feet. There was a reference about the wife of Vibhisana in Rudryamal. Her name was written as Sarma. There was a stone upon her name in Ayodhya. This stone is in the north of Ramkot. There is no Sarma temple in Ayodhya. Only the stone is there. Vighneshwar is at the side of Sarma. There was a reference about Sanna in Rudryamal. For last 25-30 years, people started using Janambhoomi instead it Janamsthan. The word Janambhoomi was used in Ramcharitmanas. He himself. stated that Ramchanderji, on return from Srilanka, said, "Janambhoomi mam pun suwahan". There is a Janamsthan Mandir, constructed recently in Ayodhya. It was constructed two generation before. This temple also comes under Gudartar. My temple and others also comes under Gudartar. I do not know whether Situ Kitchen, is within Janamsthan Mandir or not. It is not correct to say that the people of Ayodhya and from all over India treat this Janamsthan Mandir as a birth place of Ramchanderji whereas the fact is this that disputed site is the birth place of Ramchanderji. It is not correct to say that I am giving false statement in this regard. It is not correct/to say that Masjid was constructed at disputed site in 1528 and Namaj was being performed there regularly upto the night of 22nd December, 1949. Destruction can be caused in a seconds and construction takes a long procedure. Mandir was destroyed, once during the time of Tuglak and once during the time of Meerbaki but its year is not known to me. The Bhawan at the disputed site was demolished on 6th December, 1992.

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It is not correct to say that there was no idol in the disputed Bhawan on the night of 22/23rd December, 1949. It is also not correct to say that the disputed place is still a Masjid. It is not correct to say that the priest of Ramchabutra used to give one laddu (sweet) each to the Namazee. I do not know that there were grave, on the three sides of the disputed Bhawan. It is not correct to say I am giving false statement that disputed Bhawan is a Mandir.

(Cross-examination, by Shri Mustaq Ahmad Siddiqui, on behalf of plaintiff No. 7 in others original suit No. 4/89 and defendant No. 5 in other original suit No. 5/89, concluded.)

(Shri Irfan Ahmad, Advocate on behalf of plaintiff No.6/1 and Shri Fazle Alam, Advocate, on behalf of defendant No. 6/2, has accepted the cross-examination conducted by Shri Abdul Mannan, Advocate, Shri Zaffaryab Zilani, Advocate and Shri Mustaq Ahmed Siddiqui, Advocate.)

(Cross examination on behalf of all defendants concluded)

Statement read and confirmed.
Sd/-
Mahant Acharya Banshidhar Das
12.10.2004

I have dictated to stenographer who typed it in the open court. Witness is released.

Sd/-
(Hari Shankar Dubey)
Commissioner
12.10.2004

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10743

HON'BLE HIGH COURT OF JUDICATURE AT
ALLAHABAD
LUCKNOW BENCH LUCKNOW
OTHER ORIGINAL SUIT No. 3 of 1989
(REG SUIT NO. 26 - 59)

Nirmohi Akhara ... Plaintiffs

Versus

Priya Dutt Ram and others ... Defendants

STATEMENT OF DW. 3/18
ACHARYA MAHANT BANSHIDHAR DAS @ URIYA BABA

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HON'BLE HIGH COURT OF JUDICATURE AT
ALLAHABAD
LUCKNOW BENCH LUCKNOW
OTHER ORIGINAL SUIT No. 3 of 1989
(REG SUIT NO. 26 - 59)

Nirmohi Akhara ... Plaintiffs

Versus

Priya Dutt Ram and others ... Defendants

MAIN EXAMINEE WITNESS NO. DW. 3/18 UNDER ORDER 18 RULE 4 CODE OF CIVIL PROCEDURE

I, Acharya Mahant Banshidhar Das alias Uriya Baba, aged 99 years, disci;le of Bairam Das, resident of Singh Darwaza, Chhavni Math Jagannath Pun Mandir Uriya Baba Ka Sthan (Surya Mandir) Mohalla Ramkot, Ayodhya solemnly affirm that:

1. I was born in 1905. I came to Ayodhya in 1930.

2. In 1930, when I came to Ayodhya I stayed at Mandir Badi Chhavni Ayodhya where I got detailed knowledge of Valmiki Ramayana, Manas, Srimad Bhagwat Gita form Ramayani Ram Balak Dasji and Mahanta Kaus Kishor Das Maharaj. I already had the knowledge of Sanskrit. I also know other languages such as Hindi, Uriya etc.

3. After staying at Badi Chhavni, I stayed at Hanumangarhi Mandir, which is a famous temple of Nirmohi Akhara and has been staying with the than Mahanta Sitaram Das of Hanuman Garhi Ayodhya since 1938.

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4. In 1966, I became the Mahanta of Surya Mandir (Uriya Mandir) of Mohalla Ramkot, which is situated on the North of the Road Kanak Bhawan Mandir and since then I am living in Uriya Mandir i.e. Surya Mandir Ramkot.

5. Since 1930 during my habitation in Ayodhya I have been visiting Shri Ram Janam Bhoomi, Mandir, Hanumangarhi and Kanak Bhawan Mandir regularly for darshan.

6. In 1930 I went for darshan of Shri Ram Janam Bhoomi Mandir about which the suit is subjudice. At that time too Bhagwan Ram Lalla was sitting there, I took darshan and also took prasad, Aarti and charnamrit (sacred water). I had been receiving prasad, Aarti and charnamrit from the Priest and Sadhus of Nirmohi Akhara living in the outer part i.e. in the Sant Niwas and store rooms situated in the north of main eastern gate, called Hanumatha dwar, in the north of Ram Chabutra.

7. Upto December, 1949 I have been taking darshan of Ram Lalla sitting in the inner part. In the last week of December the inner part was attached. I myself had seen it when I went there for darshan 10-12 days before the Makar Sankranti.

8. The attachment of inner part was not correct. God Ram Lalla has already been sitting in the inner part and I am taking his darshan and offering prayers since 1930.

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9. There are Ram Chabutra, Chhattee Pujan Sthal, Shiv Darbar, Store room, Kitchen in the inter part including Sant Niwas where Sadhus and Priest and Panch of Nirmohi Akharas were residing. In this outer part too, I have been taking darshan of Ram Lalla since 1930 and receiving Aarti, Prasad and Charnamrit from the sadhus and Priest of Nirmohi Akharas. Devotees tooks darshan of Chhattee Pujan Sthal, where there were foot prints of all four brothers, Ram, Laxman, Bharat and Satrughan and chulaha Chakia Belan. I also used to took darshan there.

10. I also used to take darshan of Shiv Darbar.

11. I have seen the control, possession of Nirmohi Akhara over the outer part from 1930 to 1982. In February, 1982, the outer part also got attached because of the dispute of Sia Raghav Saran.

12. After February, 1982, outer part has also been brought under the control of Receiver.

13. I know that civil suit was filed during the time of Mahant Raghunath Das. This was told to me by Mahant Raghunath Das in 1960.

14. I know about the arrangements of Akharas in Ramanandiya community. Hanumangarhi is under the Nirvani Akhara. Shri Ram Janam Bhoomi is under Nirmohi Akhara,. I have been seeing the possession of Nirmohi Akhara over Ram Janam Bhoomi since 1930 to upto the date of its attachment. Since than a suit is going on, about which I have heard from others.

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15. Nirmohi Akhara is a Math of Ramanandiya Sadhus similar to Nirvani Akhara and all all follows the same

practice and customs.Akhara being a Math is a religious trust under which so many Mandir are there.

16. Since 1930 I have not seen any Muslim reading Namaj in the inner or outer part.

17. After the riots of 1934, Muslims never visited from the road, which falls in the north of disputed Mandir. Before that they used to pay visit to Suthatti Mohalla and Shringarhaat.

18. In Vedic literature, Valmiki Ramayan, Manas, other publication and literature this disputed site has been described as Shri Ram Janam Bhoomi Mandir and this holy place Ayodhya city is at the southern bank of Saryu.

19. On the basis of historical- facts and from Geographical point of view I believe that the disputed site is the birth place of God Ramchanderji.

20. After demolition of structure by the crowd in December, 1992, I rearly visited for darshan. But

whenever I went there I took the darshan of God Ram Lalla in the tent.

Sd/-

Acharya Mahant Banshidhar Das

@ Uriya Baba

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Verification

I, the oath taker affirmed that the contents at para 1 to 17 and 20 of the affidavit of main examinee, to the best of my knowledge and the contents at para 18 and 19 on the basis of literature and in accordance to my faith based on the books is correct to my belief and I solemnly affirm it. I again solemnly affirm that the above statement is correct and nothing is false.

May God help me. Affirm at High Court premises Lucknow Bench, Lucknow, to-day i.e. 15.9.2004.

Oath taker
Sd/-
Acharya Mahant Banshidhar Das
@ Uriya Baba

Acharya Mahant Banshidhar Das Uriya Baba is known to me and he put his signature before me.

Sd/-
(R.L.Verma)
Advocate

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Before: Commissioner, Shri Han Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow.

(Commissioner appointed by Full Bench Lucknow vide order dated 10.9.2004.)

Other original suit No. 3/1989

Original Suit No. 26/1959

Nirmohi Akhara ... Plaintiffs

Versus

Baboo Priya Dutt Ram and others ... Defendants

15.9.2004

D.W. 3/18. Acharya Mahant Banshidhar Das @ Uriya Baba

Main examinee, affidavit page 1 to 3 of Acharya Mahant Banshidhar Das @ Uriya Baba, aged 99 years approx. disciple of Bairam Das, resident of Singh Darwaza, Chawani Math Jagannathpuri Mandir, Uriya Baba Ka Sthan (Surya temple) Mohalla Ramkot, Ayodhya, Distt. Faizabad was submitted and taken on record.

(Cross-examination by Shri Veereshwar Diwedi, Advocate, on behalf of Defendant No. 17, Shri Ramesh Chander Tripathi and defendant No. 22, Shri Umesh Chander Pandey, in suit No. 4/89, begans.)

I belong to Orissa state. My native place was Chhawani Math, situated at Singhdwar, Orissa. My father's name was Balkrishna Acharya. I became disciple in 1915. I became the disciple of Sadhu Balram Dasji Maharaj of Chhawani Math and still his disciple. I never opted for another Guru. I studied Shastras from others also. I practiced of Mantra and yoga from others. I left Orissa at

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the age of 13 years. I went to Bombay from Orissa. I stayed there for three years. From Bombay I went to Kashi i.e. Varanasi and stayed there for 12 years. In Ayodhya I studied Valmiki Ramayana, Ramcharitmanas and Bhagwat Geeta in detail. I studied Ramcharitmanas from Balakram Das, who is no more now. I practiced Valmiki Ramayana, Bhagwat Geeta and Mantra from Pandit Sitaram Dasji Maharaj, Chitrakuti. I still study Valmiki Ramayana, Bhagwat Geeta and Ramcharitmanas. I have studied the above mentioned books only from the three persons mentioned above and not from any person. I am a Mahant of ancient Surya Mandir Ureya Baba, Mohalla Ramkot. I belong to Khaki Akhara, which is under Nirvani Anee. Nirvani Anee is called Nirvani Akhara. There is difference between Anee and Akhara. Anne is the owner and Akharas comes under him. There are 9 Akharas under Nirmohi Akhara. 7 under Nirvani and 2 under Digambar. Maha Nirvani is under Nirmohi Akhara. My owner is Nirvani Anee.

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"Mandir" I mean the place where an idol of God is kept. God is called under whom there were 6 opulences, opulences of the whole world. Devatas are the master of temple and Mahants are its representatives. Mahants are the managers and guides of the God/Goddess of the temples. Sometimes committees are formed to manage the temple. Committee manages the whole affairs and Devta is not the owner of the temple.

Nirmohi Akhara belongs to Ramanandiya community. Ramanandiya community was not established by Ramananda. Ramananda was a religious propagator. Ramanandiya community was in existence from the times of Ramchanderji. Ramananda is not an Acharya of Ramanandiya community. Its old Acharya was Janaki ji. This community was founded by Janak ji. Nirmohi Akhara

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came into existence 700 years ago. Ramananda established it. Janaki ji was younger to God Rama. Janaki ji, I mean, the woman who lived in Baikunth Dham Saket. Janaki ji in the form of incarnation was the wife of Rama. She was in Saket before the birth of Ramchanderji. Her name was "Shri". "Shri" I do not mean Laxhmi. "Wife of Vishnu is also called Shri". The word Vishnu is wide.

Question: Whether Rama was an incarnation of Bhagwan Vishnu, as a human?

Answer: Swambhu Manwantar Sakshat Vaikunth Niwasi Bhagwan Ram has taken birth as Rama and Sita was an incarnation of "Shri". Manu and Satroopa Dasrath and Kaushaliya were born

Question: Who was born first, Bhagwan Ram or Sita?

Answer: Ram was born first.

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The place where Ram ji has taken birth is called birth place of Ramchanderji. It is also called Ram Janam Bhoomi. When he became adult he married to Sita. Ram Chanderji was 16 years old at that time and Sita ji was 14 years old. Ram Janam Bhoomi is a holy place for Hindus. Each and every particle of this place is sacred to Hindus. There is a Vashist temple, which is called Ram Janambhoomi Mandir. No other Ram Janambhoomi is there. I cannot say who constructed the Ram Janambhoomi temple. Its repairs was done by Ane Nirmohi Akahra during last 700 years. There was a temple made of Kaushoti black stones, prior to the temple constructed by Nirmohi Akhara. I cannot say who constructed the temple and who fixed the black stone of Kaushoti because it is an ancient temple. It is more than 700 years old. Ramkot is ten lakhs five thousand and fifty years old. Witness again said Ramkot is 14 lakhs five thousand and fifty years old.

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Question: Do you know the difference in between "owner" "Manager"?

(Upon this question, Shri R.L. Verma, Advocate in other original suit No. 3/89, has raised an objection that the word owner has been defined and Mahant is synonym of owner. The word owner has an elaborate definition and the word swami (owner) is used as Maalik (owner). Hence such fallacious question should not be allowed.)

Answer: Mahant of Math is also called owner. Some people say that Mahant is the owner of Math. Any person appointed for making an arrangement in our system is called an officer.

Question: If it is said that God/Goddess installed in temple is the owner, whether it will be correct?

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(Upon this question Learned Advocate Shri R.L. Verma in other original suit No. 3/89, has raised an objection that this question is hypothetical. Besides, this question does not pertain to the party for which Learned cross-examiner advocate is advocating. This being irrelevant question, cannot be asked.)

Answer: Even the documents are prepared in the name of God/Goddess, the Mahant is the owner of temple.

Question: Whether the temple of Sitaji, Ramchanderji, Laxmanji and Hanumanji be treated one or should be treated as separate .

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(Upon this question Learned Advocate Shri R.L. Verma in other original suit No. 3/89, has raised an objection that this question is not relevant and hypothetical and fallacious. Hence such question should not be allowed.)

Answer: If Ram, Laxman, Sitaji and Hanumanji are all together, it will be treated as one temple.

There is no separate temple of Laxman. Laxman always remains with Ram Chanderji. If there is an idol of Laxman in that case, Bhog will be offered to Rama first and thereafter to Laxman and Hanumanji. There is famous Hanuman's temple called Hanumangarhi temple in Ayodhya. It is not called Ram's temple. Full Ram darbar is behind the idol of Hanumanji. In this case, Bhog is offered to Rama first and then to Hanumanji. I have no knowledge about temple of Vamdev in Ayodhya. There is a Devkali in Ayodhya, where there is a temple of Kali.

Question: Whether the temple of Deviji, will be treated temple of Rama?

(Upon this question Learned Advocate in other original suit No. 3/89, Shri R.L. Verma, raised an objection that the worship of Devi is a Saakt upasana. Since the question is not relevant, it cannot be asked.)

Answer; No.

There are Saakt temple and vaishnav temple in Ayodhya. The name of temple is called by the name of God or Goddess whose idol is in it.

I have studied Ramcharitmanas. The word "Mandir" was used in Sunderkand of manas. Besides the word

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"Mandir" is also used in other Kands. Goswami TulsiDas has called the residential Bhawan of Dasanan Ravana, as temple of Dasanan. The various Bhawans of Lanka, were called temple by TulsiDas. Ravana was a devotee of Shiva and every house in Lanka, Shiva was worshipped, so every house was called Mandir. TulsiDas did not call these temples as Shiv temples. But called them as temples of owners of houses.

Para 18, 19 of the main examinee Affidavit and verification related to these paras were read out to witness and asked.

Question: Among the facts referred in para 18 and para 19, of the main examinee affidavit, which fact is based on your knowledge and which part is on the belief, which is based on the study of books?

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(Upon this question Learned Advocate in other original suit No. 3189, Shri R.L. Verma raised an objection that this question does not come under the purview of cross- examination and whatever facts are written in the above paras are the subject of argumentation. So separately this cannot be asked what question is based on Juge knowledge and on juge faith.)

Answer: Every History has Geography. If there is no Geography of History, then it become novel.

It is not correct to say I am deliberately not giving the answer.

I referred to riots of 1934 in para 17 of my main examinee affidavit. I myself have not seen the cow-slaughters. I have heard about it. Second reason of riots

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was that Muslims have been putting a number of dead bodies on the ice and were taking them for burial at Ram Janambhoomi, Hindus objected over this, which resulted in riots. Both the Muslims and Hindus have lost their lives in the riots. There were two stones near Mali Mandir in the rear part of Ram Janambhoomi. These were the stones of Ramkot Geography i.e. God who protect the fort on which names these stones were fixed. One stone was Gawaksh and second stone's name, I was not able to remember. Witness then said second stone was Dadhiwatra. Muslims were taking away the stones, upon which Hindus gathered there and fighting took place in which Hindus and Muslims both have lost their lives. Among the dead, the number of Muslim was higher than Hindus. He said, I have seen both the incident with my eyes; I have not paid any fine in this regard because I was a student. Mahants have paid the fine. In this incident minor damage was caused to temple. During my habitation in Ayodhya I have not seen any Muslim reading Namaj there, neither before the riot nor after the riot. Bara Sthan Mandir was at a distance of two hundred to two hundred fifty feet in the north of Ram Janam Bhoomi. The Surya Mandir, where I live, is at a distance of three to four hundred feet from Ram Janam Bhoomi and is in the north of Kanak Bhawan. I became the Mahant of Math Jagannathpuri Mandir, Uriya Baba Ka Sthan (Surya Mandir), Mohalla Ramkot in 1966. Before me, Ramlikhawan Dasji was the Mahant. Now the ninth generation of Mahant including me, is going on.

I have heard that Nirmohi Akhara has filed a suit. I am giving my statement in it. Mahant Raghunath Dasji and King Pamchanderji Das Shastri (Ramachander Acharyaji) told me that Ram Chabutra and Ram Janambhoomi is. theirs and other people raising disputes about it . So the suit was filed; Originally, the Nirmohi Akhara was at Ram

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Janambhoomi site. Nirmohi Akhara, since its establishment, was the owner of his site. Prior to Nirmohi Akhara, a Mahatma, whose name I am not able recollect, was the owner of this place. He was also from Nirmohi Akhara. That sant was not from the time prior to Nirmohi Akhara, but he belonged to Nirmohi Akhara.

The entire disputed premise was maximum in the length than to width. There was a Singh-Dwar for making entry into temple. That door where a Sita kitchen was there remained closed and was opened on the occasion of fair. Two doors, with junglas were in the east. One door was at the side of kitchen, one at the front, one door was Hanumanth door which comes before the Ramchabutra. Raghnath Dasji had filed a suit in regard to the disputed premises in 1959 and the same suit is still pending. I do not know about any suit filed by Nirmohi Akhara. The entire premises was attached in parts, on two occassion. The inner part of Ram Janamboomi was attached first and the part having Ramchabutra was attached later due to the disputes in between the sadhus. Outer part, perhaps was attached in 1982. Inner part was attached in 1959. It is not correct to say that I am making false statement for the cause of Nirmohi Akhara. Shri Ramchander Acharya is known to me for last 4-5 years. He lives in Gujarat at Dakore. I do not know that Ramchander Acharya ji is taking active part in this regard for two-three years. He is a Naga and Panch of committee. He is a rich man. It is not correct to say that I came to know about this case after 4-5 years of meeting with Ramchander Acharyaji. I am a son of a Lawyer and I have advocated in about 200 suits. Ramchander Acharya has not told me about this case. At present, Mahant Jagannathji of Nirmohi Akhara is a Mahant. He is a Mahant appointed by the committee. It is not correct to say that I am giving false statement in this

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regard. The birth place of Bhagwan Ram is open to all Hindus for darshan but the owner is Nirmohi Akhara. The birth place of Rama, the place where temple was constructed, is a holy place for all Hindus. Ramlalla is the owner of this entire premises. There is a committee constituted for management of this place , for last 700 years and Nirmohi Akhara manages the site.

(Cross-examination by Advocate Shri Beereshwar Diwedi, on behalf of Defendant No. 17 Shri Ramesh Chander Tripathi and Defendant No. 22, Shri Umesh Chander Pandey in other original suit No. 1/89, concluded.)

(Learned. Advocate Shri D.P. Gupta, on behalf of plaintiff in other original suit No. 1/89, said that he has not to cross-examine the witness.)

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(Cross-examination by Learned Advocate Shri Ajay Kumar Pandey on behalf of plaintiff, in other original suit No. 5/89, begans.)

xxx xxx xxx xxx

Hindus believes that God Rama was born at this place, which is below the middle dome of the three dome's disputed Bhawan. This belief and faith is going onfrom generation to generation. People also believe that by taking darshan of Ram Janambhoomi one get salvation. Math is a place from where religion and devotion is propagated "mien" stand for chander (moon) and "tha" also stand for chander (moon). Nectar comes from moon so the Sadhus Sant living in Math, propagate religion. In religious trust, trust have many meaning. "Nyas" Trust mean establishment. Second meaning is sacrifice and third meaning is when some religious place is established, that

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is called religious trust. The aim of Math or Trust is one. Math means a place from where religion is propagated. Trust (Nyas) stand for establishment. Religion propagation centre of Sadhus is called Akhara. The aim of Akhara is that Sadhus propagate the, religion by moving around. They established math at various places for this purpose. The Math at Kashi was established for the first time by Jagatguru Swami Ramanandacharya. Swami Ragavacharya was the Guru of Ramanandacharya. He lived in Kashi Math. But he did not establish the Math. It was established 2500 year ago. Math of Shri community is also at Panchaganga Ghat of Kashi called Shrimath. Swami Bhawanandacharya was the disciple of Ramnandacharya. Ramanandacharyahad 12 disciples. Swami Anubhawanandacharya was one of the disciples of Swami Bhawanandacharya. Swami Shyamanandacharya was the disciple of Anubhawanandacharya. He was a Mahant of Ram Janam Bhoomi. Girjanandacharya was the disciple of Bhawanandacharya. Balanandacharya was a disciple of Girjanandacharya, who imparted military education.

Heavy atrocities were being inflicted on Hindus during the time of Swami Balananandacharya. Hindu were being converted in to Muslims. Balanandachaiyaji has not established the Maths. He expanded its number. He was the general of Army of the King of Jaipur. Later he became Sadhu. He imparted military training to the Sadhus of Ramanandiya community so that Hindu religion could be protected. Swami Balanandacharya has established four Akharas. He already had three Akharas. Four Akharas established by him were. Vishnu, Swami Nirmohi, Maidhari Nirmohi, Jharia Nirmohi, Shyamji Digamber. All these Akhara were under the Nirmohi Akharas. Shyamji Digambar Akhara was under Digambar Akhara. The earlier

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Akharas of Balanandacharya were established by Jagadguru Ramanandacharya for the propagation of religion. Akhara were established for the propagation of religion. Later, when the fightings started taking place, then Annee (owner) came into existence. I do not know the literal meaning of Annee. It may be right, if it stand for military. Annee was established by Balanandaji. There are 3 Annee and 18 Akharas. Among them 9 Akharas are of Nirmohi and 7 Akhara were under Nirvani and two were under Digambar. Under them there was military of three lakhs. Three Annee were established by Balanandacharya. These three Annees are Nirmohi, Nirvani and Digambar.

Question: Do the people of Ramanandiya community follow the teaching ofRamanandacharyaji?

(Upon this question, Learned Advocate Shri R.L. Verma, on behalf of plaintiff in other original suit No. 3/89, said the question "Jo Kuttch Bataaya" is not clear, very vague. It should not be allowed.)

Answer: Yes.

(After Swami Ramanandacharya, this community has established 36 seats. And so there was not only one seat of Ramanandacharya. He was called Ramanandacharya of Kashi is called Ramanandacharya. Others are called Dawacharya. The Acharya of these 36 seats is called Jagadguru. Jagadguru living at Kashi is the main Jagadguru. Ramanandacharya of Kashi seat has the equal importance as Swami Ramanandacharya has. He himself stated that he was also a member of the committee.

(Cross-examiner Advocate has raised serious objection and it was stated that witness has not stated the

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things, which he himself stated, in a sequence. It was also stated whatever was stated by the witness are not related to the suit in any way. Hence it should not be recorded.)

(Learned Advocate Shri R.L. Verma of plaintiff in other original suit No. 3/89, replied the objection that most of the question asked by Shri Ajay Kumar Pandey were not relevant. Hence these questions are objected.)

Statement heard and confirmed.

Sd/-

Acharya Mahant Banshidhar Das

15.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for further cross-examination for 16.9.2004.

(Han Shankar Dubey)

Commissioner

15.9.2004

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Before: Commissioner, Shri Han Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

16.9.2004

D.W. 3/18 Acharya Mahant BanshidharDas @ Uriya Baba

(Commissioner appointed by Full Bench Lucknow vide order dated 10.9.2004.)

(Cross-examination by Learned Advocate Shri Ajay Kumar Pandey, on behalf of plaintiff in other original suit No. 5/89, furtherance to dated 15.9.2004, continues.)

I know Baba Rampadarath Das ii, Mahant of Ram Ballabha Kunj. 1 also know Baba AbhiramDas of Hanumangarhi. I know Paramhans Ramchander Das of Digambar Akhara and Digvijaynath, Mahant of Gorakhnath Mandir in Gorakhpur and Baba Raghav Das. Kirtan used to be chanted at Ramchabutra. I was in Ayodhya since l949. During this year I did not go outside of Ayodhya. I was in Ayodhya in the month of October, November and December, 1949 During these months people in thousands number have read the Ramcharitmanas in Ayodhya. This parayan (reading) happened at inner or outer part, both. Discourses of Sant, Mahatmas were also held during that period. One of the Mahatma was Pandit Hanuman Dutt ji. Besides, Pandit Rajshri Akiesh Das and Ramayani Prem Das were among them. People from outside also used to come, although I had no liaison with them. Baba RaghavDas, leader of Sadhu Samaj, was also there in this programme. I cannot say, whether Swami Karpatri ji was there in the programme or not but all honourable Sadhus were there. I have not seen Mahant Digvijay Nath in the programme. Sadhus and Acharyas are called Swami.

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Swami words indicates respect. Such as word Swami is prefixed before the name of Karpatri. Akhara were meant for propagation of Religion and to protect the temples. List of property of Akharas is made by committees who keep their record. Nirvani Akhara also keeps the list of property but I had no right to see it. I have not recited the Vishnushastra. He himself said that I knew Vishnushastra and I have the knowledge about it. One name of God Vishnu is Rama in Vishnushastra and one name is Garurdhwaja. The Chariot having the flag of Garurji is called Garurdhwajh. Only the Chariot of Vishnu has the Garurdhwajh. Shri Vashvaksh is also the name of Vishnu, which means the Vaksh (chest) having the sign of Srivats. Only Vishnu has he sign of Srivatsa on his chest. I have studied Garur Puran but it is not remembered by me. I have studied Ramcharitmanas in detail. In Ramcharitmanas two Guards were referred in its Bal Kand. It is written in Ramcharitmanas that: "There were two Guards of God, who were loved by God, named Jai and Vijay. These were known to everyone." These lines appear at the bottom at page 104 of Ramcharitmãnas document No. 258 C-1/2. I have studied Valmiki Ramayana. 27th and 28th slok of fourth canto of Sunder Kand at page No. 24 of Ramayana document No. 261 C-1/2 and meaning of these sloks were read out to the witness by cross-examiner advocate. There is reference of a passionate and decorated elephant having four teeth. Upon which witness said I have not seen the elephant having four teeth. These were at the time of Bhagwan Rama but not to-day. So many things of that times do not exist to-day. But Ram Janam Bhoomi, which was there at the time of Shri Rama, also exists to day.

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(Cross-examination by Learned Advocate, Shri Ajay Kumar Pandey on behalf of plaintiff in other original suit No. 5/89, concluded.)

(Shri Ajay Kumar Pandey, Advocate said, that Learned Advocate Shri Madan Mohan Pandey on behalf of defendant No. 2/1 and Learned Advocate Km. Ranjana Agnihotri on behalf of defendant No. 20 in other original suit No. 4/89, have informed him that they are accepting the cross- examination done by advocate Shri Beereshwar Diwedi and Shri Ajay Kumar Pandey.)

(No advocate except the Learned Advocates of defendants in other original suit No. 4/89 and defendants No. 4,5,6 and 26 in other original suit No. 5/89, were present for conducting cross-examination on behalf of any defendant.)

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(Cross-examination by Shri Abdul Mannan, Advocate, on behalf of defendant No. 11, Mohd. Farooq Ahmad of this suit, begans.)

xxx xxx xxx xxx

I was born in Orissa. I was in Orissa upto the age of 12 years. I was born in Distt. Ganjam. My father was a clerk of D.F.O of the forest Department . There are a number of forests under a D.F.O. When I was born, there was the rule of Britishers. My distt. was also under them. Prior it was under the Riyasat. He himself said that there were number of small riyasats. These riyasats were controlled by the Britishers. These riyasats paid taxes to the Britishers. After coming from Orissa, I rearly visited there. But after 12 years of age, I never stayed there on regular basis. My father was in service till the rule of Britishers. After that he remained at home. He did not come here. My father died in Orissa, but in which year he

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died, I do not remember, but perhaps in the year, in which we got Independence I cannot say how old I was at the time of death of my father. I was born in 1905. I can count my age. My father died in 1947. I am not sure whether at the time of death of my father, I was 40-41 years old or not because in my account and counting my memory has become feeble. After the death of my father I lived at the place in Ayodhya for which I am a Mahant to-day. But I was not a Mahant when I came from Orissa. I came to Ayodhya in 1930. When I came to Ayodhya, I used to study Ramayana at Ban Chavani. At that time I studied Ramayan only and started teaching Ramayana to people. I studied Ramayana from RambalakDas of Bare Chavani. I have studied the Ramayana from 1930 to 1933. Rambalak Das used to teach Ramayana to me daily. First he taught me original Ramayana and after that literal meaning and then emotive meaning. Thus it took four years to study Ramayana. I studied Ramayana in Ayodhya. My lodging/fooding was done at Ban Chavani. During the period I studied Ramayana, I stayed in Ban Chavani. At that time there were around one thousand people in Ban Chavani. All these thousand people were Sadhus. The house of Ban Chavani spread over to two acre land approx. The food was earned from the land or from the help rendered by the disciple. Number of disciple in the registers were 12 lakhs. Every year, invitations were used to be sent to the student. These invitation were used to written by 100 people, I am one of them. So I remembered it. These 12 lakhs disciple were from all over the country, particularly from U.P. and Bihar. I did not go for collection, only wrote invitation letters. Invitations were used to be sent to every village in 10, 15 and 20 numbers. Invitations were used to be sent by post at the name of one person listing the name of invitees in a village. Baba Raghunath Das ka Bhandara was conducted once in a year and

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invitation used to sent to the disciple, on that occasion. On that occasin few disciples used to come and some used to send money orders. Persons who came personally , used to offer the presents. At least 10 thousand people used to come there at Bhandara. Bhandara was being conducted on a fix day of every year. Disciple used to bring wheat, dal, rice and vegetables with them. Those who used to come at Bhandara took food at Ban Chavani. They used to stay there for two-three days and took food there and some people stayed there for eight days. People coming from outside did not take away anything from there. Money received through money orders etc. were deposited with the manager and the manager used to give that money to the Mahant. At that time Kaushal Kishore Das ji was a Mahant. I am talking about the period from 1930 to November, 1934 because in December, 1934, I went to Hanumangarhi. The then Mahant of Hanumangarhi was elected from Jaganathpuri. My Guru told me that there was none to serve the Mahant of Hanumangarhi so you go to Hanumangarhi from bari Chavani Mahant Sitaram Das was the then sitting Mahant of Hanumangarhi. I stayed there upto the year 1938, to serve the sitting Mahant of Hanumangarhi. This Mahant was alive even after 1938. By. that time the number of student had increased; So I did not think it appropriate to stay there. At the time, when I went there, there was none to serve the sitting Mahant. I was the only person for his service. I have served him for 5-7 years. Hanumangarhi was at a distance of half km. from Bari Chavani. I used to come back to Bari-Chhavani from hanumangarhi and used to go there occasionally. There were number of disciple of Mahant of Hanumangarhi. I became freed from the service in a year or two but I remained there, upto 1938. After 1938, I came to Surya Mandir of Ayodhya, where I am the Mahant at present. It is situated in Mohalla Ramkot. I went

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to Surya Mandir with the sole purpose of study because the then Mahant of Surya Mandir Hanuman Das was a good physician. So I went there to study Ayurveda.

I studied Ayurveda their upto 1949. I sometime used to go out side. I have not got a degree in Ayurveda. I studied Madhav Nidant, Susurth and Balbhatt. I learned Ayurveda education from Mahant Hanuman Dasji. I still practice Ayurveda. I am not a professional physician. I have opened an Ayurvedic clinic in the temple but closed it later because of heavy rush. I ran the clinic for three years. I did not charge the fee. I treated the people free of cost. The medicine, which was not available with me, I used to write it and asked the people to buy it from the market. Two-three-four hundred people comes there daily. I have no degree of Ayurvedacharya etc. I used to treat the person who held Degree. For some ailment there is no treatment in Allopathy and physician knowing Ayurvedic cannot treat it properly. I used to give medicine for those ailments as well. Such as rheumatism, trembling of head and hands etc.

I am a Brahman by caste. There are Brahmans, Chhatriya, Vaishya and Sudra in Hindus. Brahman is upper caste. As per practice Brahman do not marry in other caste. The child born after inter caste marriages is called Brahmshankar. In U.P. and all over India Brahmans are married to Brahmans only. There are four classes in Hindus but castes are in numbers. Brahmans are the best among the four castes.I do not understand the meaning of the best . This greatness of Brahmans is known since times immeuorial times. All the inventions in India relating to knowledge and science were are invented by Brahmans only. Veda is the oldest first book in the world. There were written by Brahmans. Brahmans, Chatriya and Vaisya have

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the sight to study Veda. Sudras had no right to study Veda in accordance with the practice.

I have been with Gandhiji for three years. All old Congressmen were Contemporary to me. I was with Gandhiji in vardha, in Orissa and Bihar. I went to Vardha via Madhya Pradesh and stayed there for one and half to two years. Training was imparted there in spinning. There were 50-60 people with me, who were getting training in spinning. People used to come there and went away. I used to sit and eat with Gandhiji, when we were in Orissa and Bihar. Gandhiji kept visiting in Orissa. I was with Gandhiji in Bihar, Gaya, Patna and Ranchi etc. I went with Gandhiji to Bihar but I do not remember in which year it happened. I was in Ayodhya at the time when Gandhi died. I was not with him. I have not been with him from a some time. I do not know, how old I was at the time when he died. I was born in 1905. 1 was in Karachi at Panchmukhi Hanuman Mandir when we got Independence. I do not remember the place where Panchmukhi Hanurnan Mandir in Karachi was. It was a Sidh Mandir. Peoples came there in huge number more than the Hanumangarhi in Ayodhya. The temple is still there in Karachi. From Karachi, I went to Sindh - Hyderabad. How far Hyderabad is from Karachi, I do not know. From Hyderabad I went to Lahore and from Lahore to Delhi and went to Gandhiji. When I came to Delhi from Lahore, India was divided in two parts. India-Pakistan. I have little knowledge of English. I have studied English but now have forgotten it. When I came from Karachi to Lahore and than to Delhi, atmosphere of uncertainty was prevailing everywhere. People were crying Jao-Jao. I met Gandhiji upon reaching Delhi and I fought with .him. I told about the happening in Pakistan to Gandhiji, Ballabh Bhai Patel and Jawahar Lal Nehru and to other congressmen. I stayed in Delhi at Chandni Chowk for eight days, after coming from Lahore. I stayed at a

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Math of famous Mahatma, Saran Das in Chandni Chowk. Prem Dasji was a Mahant therein. During my stay in Delhi for eight days I used to take food etc in the Math itself and thereafter I used to meet the leaders and remain with Gandhiji. I do not remember the name of place where Gandhiji was residing at. Gandhiji used to stay at two-three places besides Birla Bhawan near Parliament house. I was in Ahmedabad at the time of death of Gandhiji. I do not know on which date Gandhi died. I came to know about the death of Gandhiji from newspapers and from the people. When I heard about the death of Gandhiji, I do not remember whether market was closed or not. At the time when I got the information about the death of Gandhiji, I was studing Geeta. I got the information about the death of Gandhiji at about 5.00 PM and at that time Geeta's Anushatan was continuing . I used to read eleven lessons of Geeta daily. At the time when I got the information about the death of Gandhiji, thousand to thousand five hundred Sadhus were there in the Math. All the people were discussing the death of Gandhiji. In Jamalpur, the number of Muslims inhabitation was more. At that time all Muslims, Hindus were Congressman. I do not know for how many days I stayed there. Later after five to seven days I went to Ayodhya. I made Ayodhya as my residence in 1920. Wherever I used to go from Ayodhya I used to come back to Ayodhya.

People of Chhattriya and Vaish community had no right to perform Karamkand but can read Vedas. Sudras had no right to study Vedas. Besides above four c1asse in Hindus, there was no other class in Hindus. Every class have a number of castes. I had the right to read vedas. I enjoy this right to day too. He himself stated that Yazurveda was memorized to him but now forgotten. Seven days after the death of Gandhiji I came back to

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Ayodhya and I went to Surya Mandir. I was in Jamalpur Darwaja Jagannath Mandir Ahmedabad at the time of death of Gandhiji. It took me two days to reach Ayodhya from Jamalpur. There was peace in Ayodhya and after some days the peace was not disturbed.. I have heard the name of Babri Masjid. Hindus call it Ram Janam Bhoomi. I have studied history. Phirojshah Tuglak, Mohd. Tuglak and Aurangjeb had attacked at a number of times but Hindus prevented the construction of Babri Masjid. First attack was attempted by Phirojshah Tuglak. During his attack how long fight continued, I do not know. I only remember the main-main happening as mentioned in the History. Phirojshah ruled over Bihar. From Bihar he came to Delhi and from Delhi to Bengal. He had also come to Ayodhya. Phirojshah caused destruction in Ayodhya. I do not know for how long he stayed in Ayodhya. His aim was to convert Hindus into Muslims and to cause destruction and then proceed further. From Delhi he went to Bihar. From Bihar he went to Bengal and then to Jagannathpuri. I do not know whether he again came back to Ayodhya or not. I used to note the main happening of history in my diary, but in short. I have noted in my diary about Shershah Sun. But I do not remember. This diary is at my residence. I could not bring it to-day. I can bring it here. I have noted all the important happenings from the destruction of Somnath Temple upto the time of Aurangjeb, about who was the King and who was the Nawab. I have also noted in my diary about the battles fought in brief No riots took place in Ayodhya in connection to the murder of Gandhiji. I permanently reside in Ayodhya. I have studied Hindi. Document No. 115 F.I.R. under section 145 Cr.P.C. was shown to witness upon which witness said there is a reference about the F.I.R. lodged on 23.12.1949.

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Question: Whether the report was lodged by Hindu S.H.O. on 23.12.1949?

(Upon this question, Learned Advocate Shri Tarunjeet Verma on behalf of plaintiff in other original suit No. 3/89, raised an objection that the question about the contents of document, cannot be asked for from witness. Because neither the witness was an accused nor witness. Hence permission for asking such question cannot be allowed.)

Answer: Hindu S.H.O. had lodged incorrect report on the basis of which attachment was ordered.

"A part of F.I.R." Five-six thousand people together... desecrated the Masjid by installing idol. The person on duty and many people has seen it" was readout to witness. Witness said that the report lodged was incorrect. Idol was already present there. So the question of installation of idols in between period does not arise. In the last portion of , the report referred about the desecration of Masjid. This report was lodged because the S.H.O. was with the opposition. S.H.O. was a Hindu and I have seen him. I have asked from the S.H.O. of police post, which was at Hanumanthdwar of Ram Janambhoomi, who lodged the report that idols were already there then why you have lodged false report. Why you have not stopped them, if the idols were put in before you. It is not correct to say that 5-6 thousand Hindus have kept the idols there on the night of 22/23.12.49, by making forceful entry into. It is also not correct to say these people have desecrated the Masjid. It is also not correct to say that idols were kept there in the night because idols have already been there. The point reported in the F.I.R. that idols were kept on the night of 22.12.1949, was incorrect. Thereafter no clash took place

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only the suit is going on. I was born in 1905. I was born on Assadh poormina. I have been in Bombay for three years. I studied there in Bandra Mission High School. I have passed 9th class examination from there. Thereafter I went to Banaras. He himself stated that he was not interested in studying English so he went to Banaras for studying Sanskrit. I stayed there for twelve years. I have not given any examination during these twelve years. I kept studying. There was a Sanskrit college. I used to learn from a Pandit. Both math and college were there. After studying in Banaras for 12 years I went back to Ayodhya. When I visited Ayodhya for the first time, no Masjid was there. He himself said that when Thakurji is there, the question of Masjid being there does not arise. Since there was no Masjid, the question of going into Masjid by me, does not arise. Minars were never there in Masjid. I have not seen Minars ever there. The key always remained with Nirmohi Akhara. Masjid does not contains Singhdwar, Hanumathdwar. This is reason why I do not treat it a Masjid. So for I know, Minars are there in a Masjid. It may be that in the countries where climate is cold, minars are not there in Masjid. But I have not seen any Masjid without Minars. I have seen the Minars in the Masjid at Guwahati, Bengal, Mithila. These are cold places and near to Nepal. Besides I have also seen the Masjids in Kashmir. I know the countries were Minars are not in the Masjid I had asked certain persons as to why Minars were constructed in Masjids. I have been told that Minars are must on the Masjid otherwise they will fall and I was not aware of this fact.

I have heard the name of Meerbaki. He was a Military General of Babar. I have read about it in the book and also heard from historians. I do not know the names of historians. I have read the history upto B.A., M.A.

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Whenever I thought it proper, I get it noted. On 23rd December, 1949, Muslims gathered around the disputed place and the S.H.O., who had written the report, himself dispersed the crowds. That S.H.O. dispersed the crowd by beating Muslims. There were 12-14 Muslims. They were from nearly the houses situated in between Tedhi Bazaar and Ram Janambhoomi. They came but S.H.O. drive them off. I had seen it from a distance that Muslim in 20 numbers had gathered there: There was no noise at 1.00 A.M. in the night. I can say this because my house was nearby. Muslim in 15.20 number gathered there in the day. S.H.O. had fixed a tent there and he beat them in the tent. I have no knowledge whether higher officer reached there on next day or not because I do not know them. I know only S.H.O. and recognize him S.H.O. had taken twenty thousands from a Muslim of Distt. Basti. Soldiers deployed there with the S.H.O. had an altercation with S.H.O. That S.H.O. was a Hindu. I have seen the persons there in the tent with my own eyes. It is not correct to say that disputed Bhawan was a Babri Masjid upto its demolition. It is also not correct to say that namaj was being read there from the date of construction of Babri Masjid. It is also not correct to say that it is Babri Masjid and will remain Babri Masjid in future.

(Cross-examination by Shri Abdul Mannan on Behalf of defendant No. 11, Mohd. Farooq Ahmad concluded.)

(Cross-examination by Shri Zaffaryab Zilani, Advocate on behalf of defendant No. 9, Sunni Central Board of Wakf begin.)

I came to Ayodhya at the age of 28 years. Before that I have studied in Varanasi. I have not obtained any

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Degree or certificate for education. I have started my education at the age of 16 years in Kashi.

Statement read and confirmed.

Sd/-

Acharya Mahant Banshidhar Das

16.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for further cross-examination for 17.9.2004.

(Hari Shankar Dubey)

Commissioner

16.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

17.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to dated 16.9.2004 cross-examination by Shri Zaffaryab Zilani, Advocate on behalf of defendant No. 9 Sunni Central Board of Wakf, U.P., on affidavit, begins.

Para 18 of the main examinee affidavit was readout to witness. Witness said, I have read the Geography of Ayodhya in the Vedic literature, Valmiki Ramayana, Manas, other publication and literature referred in that para. I have read in the book that Ayodhya is situated on the south of the bank of Saryu. The books referred at para 18 of the main examinee affidavit, contained no reference that disputed site is a Ram Janambhoomi, but it was written therein that Ram Janambhoomi is within Ramkot of Ayodhya. In the books referred at para 18 of the main examinee affidavit, there is a reference about Ramdurg. Ram Janam Bhoomi said to be under the Ramdurg. Ramdurg is also called Ramkot. There is no reference about Ramkot in these books. Rigved comes under Vedic literature.

Question: Which books you have read under the "Vedic literature", which you have referred at para 18 .of your main examinee affidavit?

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Answer: I have read Rigved, Rudrayamal, Valmiki Ramayana. Tulsi Ramayana under the Vedic literature. I have not read other book under Vedic literature.

Question: Whether Ramcharitmanas comes under Vedic literature?

Answer: Vedic principle is described in Ramcharitmanas. So it comes under Vedic literature.

It is not correct to say that Ramcharitmanas does not come under Vedic literature. Tulsi Dasji himself said , that Ved Shastra is written in Ramcharitmanas in accordance with shashtras and Purana. The above slok is from the Balkand of Tulsi Mana I have studied only Rigveda Under The Vedic literature referred at para 18 of the main examinee affidavit. I have not studied others three Veda under it. I have read other Vedas also but not as in the required form. There are four Vedas. And each veds have a number of branches. But they do exist only for name sake. Besides Rigveda, in other three Veda, I have read about Ram Janambhoomi and Ayodhya but I could not understand it. You cannot understand the meaning of Veda without Guru and no such Guru met me. Purana also comes under Vedic literature. I have studied Purana but not properly. I have read the Purana as History or story. I have studied Rudrayamal in detail because the Geography of Ayodhya is well defined in it. He himself said that even in history he values Geography .He himself said that without Geography history has no meaning. When the Rigveda was compiled. I cannot say. But experts all over the world treat it a first ever granth. It is honoured by Hindus, Muslims, Sikh and Christens. According to my faith and research Rigveda is lakhs of years old. It was well before the birth of Ramchanderji. Vawaswat Manu

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was the first King of Ayodhya. Riguveda was there before Vawaswat Manu. Vawaswat Manu was the seventh Manu. Sixth Manu were there before. First Manu was self styled Manu. The time of Manu runs into many crores years but I do not remembered properly. Although I have read about it. One kalp was for one thousand years during the time of Manu. One thousand Chturyuga is for one kalp. There is only one kalp in one Manu time, which is equal to hundred Chaturyuga. Vawaswat Manu time is running even at present. Veds had their own status during the time of 1st self style Manu . Rigveda is from the time of first Manu times. The Rigveda, which I studied, is in old Sanskrit. The Sanskrit, which is in accordance with Parini Grammer, is easy than to the old Sanskrit and Prakrit Sanskrit is corrupt form of Sanskrit and is a language of interaction. In my view, Prakrit language is not an independent language. In the present Sanskrit language the Rigveda is available to-day, the same Sanskrit language was at the time of Manu. Besides Rigveda, there are three other Vedas, Atharveda, Yazurveda and Samveda. These three Vedas are also from the time of first Manu. Vedas were not before Manu. At the time of first Manu, Veda emerged from the mouth of Brahma, which were compiled by Rishies. At that time Vedas were written on Bhojpatras in ink and on Tadleaves by Kante, called Lekhani. The original Veda is not available. As the per practice it is continued by scribing. There are four yug (times) - Satyug, Tretayug, Dwaparyug and Kalyug in a chaturyug. I do not know how many years are there in Satyug. Kalyug is of four laths thirty- two thousand years. Dwaparyug is just double of Kalyug i.e. Eight laths sixty four thousand years. Tretayug is more lengthy than Dwaparyug. Satyug is more lengthy than Dwaparyug. Chaturyug is equal to Satyuga, Tretayuga, Dwapuuyug and Kalyuga. The time of one Chaturyuga is for 45 lakhs year approx. I cannot say

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whether one kalp contains four thousand million, thirty-two crores years or not. I knew it but now I have forgotten it. The age of a man during the time of Satyug of first kalp was one lakhs year. The shape and size of the then human being were greatly different from the human of to day. I do not what was the normal height of the then human but definitely it was much higher as compared to present human. I have been at the site of Hastinapur exacavation 5-6 months ago, there was a 32 feet long skeleton. The height and age has been reduced with the passage of time and intelligence also. In the first Satyug of Vawasat Manu Yug the height of man was 100 feet or more less, I cannot say. 28th Chaturyug of Vawasat Manu times is running. Ramehandeiji was born in Tretayug's 9 lakhs years ago. What was the length of man at that time I cannot say? I cannot say whether the height of those men was equal to to-day's men or not.

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Document No. 261 C-1/1/5 was shown to the witness. Witness said the picture was of the time of marriage of Ramchanderji and his three brothers. The human body appearing in this picture proves that it was a picture of last incarnation of Ramchanderji. He himself said that height and width of a man could differ. The height of a man cannot be decided on the basis of this picture. The picture shows Ramchanderji and his three brothers with their wives but the glossiness from hid body is missing. The physique was shown same. The face of Ramchanderji and his three brothers in this picture is imaginary and not authenticated as that glossiness is not there.. Document No. 200 C-1/1/4 was shown to witness. Witness said Ramchanderji with bow/arch is appearing in the picture. He himself said that this picture is not correct because except bow/arch, none is with Ramchanderji. The other people were at distance from him. It is not in accordance

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with Ramayana. In document No. 26 1/1/2 Kaushaliya with Ram in her lap is appearing. This picture is imaginary and not mythological. Although in accordance with the mythology this picture is correct. In document No. 261 C/1/1/1 Valmiki is not shown, as he was described in Shastras and he has not been shown accordingly in the picture. The picture of a hunter is similar to, described by Valmiki. Mythologically the picture appears to be true. Picture document No. 261 C/1/1/3 is true in accordance with the mythological belief. This picture is not imaginary. But Janakji have been shown sitting below, which is not correct.

In picture document No. 261 C-1/1/6, Ramchanderji, with Sita and Laxman and boatman, were shown, but another person shown with boatman, which is not correct. According to mythological belief it does not appear to be true. Kevatraj was alone at that time. The picture appearing in document No. 261 C-1/1/6, is of the time of second stop over when he was crossing the Ganga at Srigawerpur. This picture pertains of the time when Ramchanderji was going to forest from Ayodhya. Picture in document No. 261 C/1/1/7, was true in accordance with the mythological belief but colour of Bharatji has not been shown therein properly. Bharàt's complexion was dark-blue like Ramchanderji. The physique of the persons who have been shown in the picture have been shown properly.

Panchang is a subject of Jyotish. I do not have much knowledge of the subject. I do read panchang to know about dates. Panchang is required to know about days, Nakshtra and festivals. Witness after seeing the document No. 9/52/1 filed with affidavit of Mahant Ram Das dated 30.1.2004 in other original suit No. 3/89, said that I can read after putting optical, if it is written in Bold letters. I

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cannot read small letters. I have not heard about Ganesh Apa Panchang. A part of above document "In accordance with Surya principles, the whole world …… 100 years of age." was read out to witness. Witness said that being an old, his mind is not working. So I will not be able to say whether these things are correct or not. The subject given in this is a subject matter of Purana. I have read the Bhavisaya Purana. Part of Bhavishya Puran document No. 9/1 to 9/12 vide list No. 1 alongwith the affidavit of Mahant Ramji Das Puran was filed. Upon which witness said I cannot read this Bhavishya Puran which was written by Ved Vyas. Ved Vyas had written the Bhavishya Puran at the end of Dwapar Yug. Wherein past, present and future was described. Bhavisya Puran referred the Rajvansha. This also refers generation of Satyug, Surya and Chander Vansh of Treta Yug, Chandervanshiya King of Dwapar time and King after that time. The reference of Rajvanshas in Bhavisaya Purans, according to me, is correct. King Harish Chander was referred in Rajvansha of Satyug. Rohit was his son. He was a King well before Ramchanderji. Ramchanderji was from 65th generation of Vawasat Manu. I do not remember which generation King Harish Chander Vaswat belongs to. In accordance with the Treta Yug, whether there was a King Mahasaya Sudershan or not, I cannot say. Dilip was the second son of Maharaja Sudershan. Thereafter, Maharaja Raghu was. Thereafter Aej and Maharaja Dasrath was a son of Aej. He was Maharaja Dasrath second. There was a Dasrath before that also. Shri Rama was the son of Dasrath. Rama was an incarnation of Vishnu. He ruled for 11 thousand years. Kush son of Shri Ramchanderji ruled for 10 thousands years. Attithi was a son of Kush. According to Bhavishya Puran, Prasanjeet was told to be the last King of Ramchandra family. He was contemporary to Bhagwan

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Budh. He was born in Kalyug. Because Bhagwan Budha was also from Kalyug. Budh Bhagwan propagated religion through King Prasanjeet. Prasanjeet and Parikshit were not one and the same person. King Parikshit was born in very early times in Dwapar Chandervansh. There is a reference of King Vikramaditya in Bhavishya Puran. King Vikramaditya was there two thousand years ago from today. There was a referenceof King Vikramaditya in Bhavishya Puran written before five-six thousand years before the time of King Vikramaditya. A part of document No. 9/11 of the above affidavit of Ramji Das, "Sut ji said Brahaman at present I am in Yog nindra ..... ruled for the year equal to his father" was readout to witness. Witness said that the matter written in Bhavisaya Puran is correct. The Mahamad (Mohd.) referred in, was the same Mohamad Sahib, who was the Paigamber of Muslim or some one other Mohamad, I cannot say about it. Similarly "On the completion of three thousand years ..... became famous as Vikramaditya" was read out to witness. Witness told that this is true. He was the same Vikramaditya, on whose name Vikrami Samvat was started. Because I have been in Ujjain for so many days. Ujjain was said to be a capital of Vikramaditya as people used to say. I have seen the ruins there. By going to Ujjain I came to know that Ujjain was the capital f Vikramaditya. He (Vikramaditya) was there 2 thousand 56 years ago. I cannot say whether Chandergupta was earlier to him or not. Chandergupta was the first emperor of Maurya family, contemporary to Chankya. Budh religion was there before Chandergupta. Budh religion was spread during the Chandergupta times. I cannot say whether Chandergupta was married to the daughter of King Cellucas or not. The writing in Bhavisaya Puran was correct. Bindusar was the son of Chandergupta. Ashoka was the son of B indusar. I

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cannot say whether Ashoka was before Vikramaditya or not. Magadh was the capital of Ashoka. Magadh was also the capital of Chandergupta Maurya. Ujjain and Magadh are still there as was during the early times. Patliputra was the then name of Magadh. People says that Vikramaditya came to Ayodhya from Ujjain. In my view whatever is written in history is wrong. Historian have written whatever they were told by Britishers. History says that Ayodhya was a forest while the fact is this that Ayodhya was dwelling place. It has been the capitals of the emperors. At the time of Vikramaditya, Prasanjeet the King of Ayodhya was from Suiyavanshi. I knew who was the King of Ayodhyas ancestors were at the time of Vikramaditya but I have forgettent who was. Vikramaditya never attacked Ayodhya. Vikramaditya came to Ayodhya for darshan. Ram Janam Bhoomi was there at that time too. Ram Janam Bhoomi was made of black stone and was at the same place where the disputed site is situated today. Pillars of Kaushoti in black colour were there in the temple. But I do not know their number. I have seen fourteen pillars at Ram Janam Bhoomi. I have seen the same pillars there, which were found in the excavation carried out there last year.

I have been there during the excavation with many people. Excavation site was prohibited but I have seen it from a distance. I have seen the excavation site from the corridors meant for darshan for devotees. I also used to see the excavation site from parikarma marg. It is not correct to say that one cannot go to at excavation site from parikarma marg. I used to see the excavation site from the point, where police used to frisk the people for going to parikarma marg. He himself stated that going at the excavation site was not allowed. I used to see the excavation site from a distance. I never went near to

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excavation site so I did not require a pass to go there. Devotees were not required any passes.

A part of the statement given by the witness to-day itself "Pillars of Kaushoti in black colour were there in the temple..... and I also seen its foundations," was read out to witness. Witness said that he has seen the foundation of pillars but not the pillars. Than said I have seen pillars and foundation, both. I have seen the pillars at outside. I have seen the pillars at the side of corridors. I cannot say about the numbers of pillars. Some pillars were complete and some were fragmented. I cannot guess about the number of complete pillars. Because police personnel used to insist that place urgently. I have seen the foundation of black pillars. There were heavy ditches. I do not know the number of ditches. It is not correct to say that during excavation I have not seen the foundation of pillars at pillars at the exacavation site and I am making false statement.

The temple, constructed of black stones at the disputed site, which I referred above at the disputed site said to be made during the time of Vikrainaditya was constructed by the King of Kannuz and not by the King of Ayodhya. I have not read in the history but heard from the people. I have tried to see the rock inscription in order to see that yhe king of Kannuz had constructed which temple, but I did not find it. I was told that the rock inscription has been deposited in the museum. I did not try to go to museum. The pillars of the temple said to be made by Vikramaditya were found but not the temple. Because the temple constructed later was of bricks. It was constructed by Nirmohi Akhara. It was constructed by Govind Dasji, the disciple of Shyamananda at about 600 years before. This temple made by Govind Dasji was demolished on 6th

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December, 1992. In the said temple constructed by Govind Dasji there were 14 pillars of Kaushoti, two at the Hanumanth gate and 12 inside. I have not read about this temple said to be made during the time of Vikarmaditya in any book of history but I have heard about it. There is a reference about the temple made by Govind Dasji, in the book "Prasang Parijaat". This book is in Kankari language and not in Urdu, Sanskrit and Hindi. This book is of my community. Its Hindi version was published by Ram Das of Gokul Bhawan, Ayodhya. "Prasang Parijaat" was published 30-40 years before the Gokul Bhawan. I had the book but is not available at present with me. The book contains 1000 pages and the script is Devnagari. Vasihst Kund was there at the time when Vikramaditya visited to Ayodhya. This Kund was very ancient. Hindus worships all their Gods by water in this Kund. Kanak Bhawan Temple was also there at that time. It was small in size. Present Kanak Bhawan Temple is 100 years old. KaikaiBhawan was also old one and existed at the time when Vikramaditya came to Ayodhya. "Rudrayamal" contains all details in this regard. Some portion, which I got published through Baghirath Bramahachari, is with me. I have published this book 8-10 years before. It is a part of Rudryamal. I have published the part of that book only which appeared useful to me. I have brought this book with me. The name of book is "Ayodhya Darpan". This book contains the information about all the Kunds and holy places, which were there at the time of Vikramaditya. The book also contains the reference of holy places near Ramkot. This book contains the reference about the Ram Janam Bhoomi in Ramkot area. Ram Janambhoomi was referred at page No. 144 of this book. There is a reference about Ram Janambhoomi temple in Ramkot, in this book.

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The "Ayodhya Darpan" book, which I referred above, is the document No. 45 C-1/4 in other original suit No. 3/89. The only difference is that document No. 45 C- 1/4 is fourth edition, whereas the book, which is with me is third edition. If it is said that there is no reference of Ram Janam Bhoomi at page 144 of the book, than I will be able to say anything in this regard only tomorrow, after seeing the book.

Statement read and confirmed.

Sd/-

Acharya Mahant Banshidhar Das

17.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for further cross-examination for 18.9.2004.

(Hari Shankar Dubey)

Commissioner

17.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

18.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to dated 17.9.2004 cross-examination by Advocate Shri Zaffaryab Zilani on behalf of defendant No. 9, Sunni Central Board of Wakf, U.P., on affidavit begins.)

(In the book named "Ayodhya Darpan" at document No. 43 C-1/4, there is a reference of Ram Janam Bhoomi at page No. 36. This reference is appearing in the fourth line, of the shlok (couplet) next to the word Ram Janam Bhoomi, as under:

Ram Janam Bhoomi Mandir was at a distance of five hundred bows from the place of lomas. He himself stated that Ramjanam Bhoomi and lomas Ashram were opposite to each another. How long is a bow, I do not know.

Question: If you do not know the length of a bow, than how you can say that how far the Ramjanam Bhoomi Mandir is, from lomas?

Answer: It can be measured how far the Ramjanam Bhoomi is from lomas in accordance with the length of bow.

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Question: "Bow" was an instrument of measurement and was measured equal to a yard or feet. Hence it cannot be measured to-day. Whether this is proved on the basis of books that how many feets and yards were there in bow?

Answer: In the ancient times the length of a bow could have been measured by measuring it on the earth.

By measuring the distance from Ramjanam Bhoomi to Lomas, the distance in between can be measured. Lomas Ashram was in the east of disputed site. Lomas Ashram is the place called Ramghulella Mandir near to Sugreev Kila in the east of Manas Bhawan, which is situated in the east of disputed site. I cannot guess the distance from Lomas Ashram to the disputed site, because I am an old man and my intellect does not work properly for long.

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Question: Whether a bow was equal to five yards or 10 yards or equal to five feet?

Answer: I have no knowledge whether a bow is equal to 5 yards or 10 yards or was equal to five feets. So I cannot answer this question on presumption.

This book (Ayodhya Darpan) refers only to Janambhoomi and not to Janambhoomi temple because this book is related to Rudryamal. So the temple was not referred in the book. Temple was constructed later. Ram Durg was there before. The top three line of the couplet (slok) from the Ayodhys Darpan which I referred to above described that birth place of Ramchanderji, was in the north of Vashist Kund which is in the east of Bighneshwar. This is absolutely correct because there are stones at the

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both places, at Bighneswar and Vashist Kund. On the basis of stones fixed, reference in books and on perceiving myself, I am stating it as correct.

Question: In accordance with the book, what is the distance in between the Bighneswar and Vashist Kund?

Answer: The distance from Lomas Ashram to Janamsthan according to book was 500 bows. Ram Janamsthan is at a distance of one thousand eight bows from Bighneswara. The distance from Vashist Kund to birth place was not given on the book. Only it was stated therein that Vashist Kund is in the north of birth place.

Bighneswar is in the north of birth place. But in the book it was stated that the birth place is in the east of Bighneswar. Hence I am saying that Bighneswar was on the north of birth place.

Document No. 289 C/I/202 attached to exhibit O.O.S. No. 5/89 (document No. 289-C 1) was shown to witness, upon which he said he cannot read the document even after putting optical as this was in very small letters.

Question: My contention is that you are deliberately not, answering about this map. Although you can read the letters very well.

Answer: It is not correct to say that I am, deliberately not reading the letters written in the map. In reality, I am totally unable to read the letters.

The Bighneswar it shown on the east-north of Janam Bhoomi, may be correct. If Vashist Kund is shown in the south of Ramjanam Bhoomi, it may be correct. He himself

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said that it is out of Ramkot. If Lomas is shown in the east near to Sumitra Bhawan, that may be correct, because I am saying the same thing. Sumitra Bhawan is in the east and Lomas is in the south of Ram Janambhoomi. Lomas and Sumitra Bhawan are not nearby. These two are at a distance. Lomas is near to Sugreevs Tila (hillock). This place is in between the Hanumangarhi and Sugreev hillock. Sugreeva hillock is at the side of old bus stand. It is at a distance from Railway station. Sugreeva Kund and Sugreeva hillock are separate places. Durg of Ramkot is called hillock. The word "bow" was never used in Ramcharitmanas for measurement. About Valmiki Ramayana, I cannot say whether the word "bow" was used in or not. Rudryarnal is ancient to Skand Purana. During Dwapar yug, Ved Vyas has written Skand Purana. A part of Skand Purana is called "Ayodhya Mahatamya". Ayodhya Mahatamya, originally was in Skand Purana. I have not read Skand Purana thoroughly. I have read the chapter Ayodhya Mahatyamaya of Skand Purana as a story. At present I do not remember it. Only the part, which I memorized, is remembered by me. Geography in much is not included in Skand Purana.

Question: Whether there was any reference about birth place under Ayodhya Mahatamaya in Skand Puran?

Answer: I do not remember.

I have not measured the distance of Janamsthan (birth place) from Lomas, Bighneswar and Vashist Kund. He himself said that if I have been informed about it before giving the statement, I would have measured it.

Eight miles is equal to a Yojan. I do not remembered what was the length and width of Ayodhya, in Yojan, in

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accordance with Valmiki Ramayana. Although I have read in this connection, to-day morning itself. I cannot say in which Kand and canto of Valmiki Ramayana the length and width of Ayodhya was referred. Description of Ayodhyapuri comes in Ayodhya Kand of Balmiki Ramayana.

Question: Whether it is correct to say that the reference of Ayodhyapuri comes in Pancham Sarga (fifth canto) of Balkand in Valmiki Ramayana.

Answer: Description of Ayodhyapuri comes under both Bal Kand and Ayodhya Kand .

I cannot say, even by seeing the book, that in which Sarga of Ayodhya Kand, Ayodhyapuri was to referred because I cannot see. There may be less or special description about Ayodhyapuri in Ayodhya Kand, but description was there. The description of Ayodhyapuri as given in Ayodhya Kand is also given in the same form in every kand of Valmiki Ramayana. There is a special description of Ayodhyapuri in fifth canto of Ba! Kand of Valmiki Ramayana, but the geography of Ayodhya was not given in it. It was only characterized.

Question: I am to say that there is detailed description of Geography of Ayodhyapuri in the fifth can to of Ba! Kand of Valmiki Ramayana. What you have to say in this regard?

Answer: It is correct that the description was in the form of character. But the geography of Ayodhya is not as well defined, as it was defined in Rudryamal.

Question: I am to say that there is no description of character in fifth canto of Balkand of Valmiki Ramayana and the geography of Ayodhyapuri

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was described in much detail in Rudryamal than you have described about Ayodhya?

Answer: It is not correct.

Question: Whether the destrict male famous by Kaushal inhabited at the bank of Saryu, reference about which comes in fifth slok (couplet) of fifth canto, does not describe the Geography of Ayodhya?

Answer: It described about the geography but through a medium of a character.

Question: Whose Character was defined in the above slok?

Answer: Character of Kaushal.was described in the said slok

Similarly the description of Ayodhya in sixth slok of fifth canto of Balkand of Valmiki Ramayana is in the form of Character. Kaushal, Awadhpuri and Ayodhya are a name of one and same place.

Question: It becomes clear from fifth and sixth slok that Kaushal was referred as district and Ayodhya was referred as a city of that district. This Kaushal and Ayodhya appeared in two different names. What you have to say in this regard?

Answer: Kaushal is the name of a country and Ayodhya is its capital.

The writing in sixth slok of fifth canto of Valmiki Ramayana that Ayodhya city was constructed by Maharaja Manu himself is not correct.

I believe Devtas had asked to Vishwakarma to construct Ayodhya city. Then came Manu. Later on

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Vawasatu Manu came. Ayodhya was inhabited during satyug of first chaturyug of present Kalpa. At present 28th chaturyug of this Kalpa is going on. In seventh slok of fifth canto, Ayodhya was described 12 Yojan in length and 3 Yojan in width, which is correct. According to me Ayodhya is spread over 96 miles in length and 24 miles in width. Parikarma is performed of this area. At present the city, which is known as Ayodhya and which is under Faizabad district is two and two half mile in length and approx. two miles in width. He himself said that Faizabad and Ayodhya is one. Faizabad district was not established by Nawabs instead but they changed its name. It is not correct to say Faizabad was not there before the rule of Nawabs and it was established during the time of Nawabs. The fact is that Faizabad was known as Saket and Ayodhya was known as Ayodhya. He himself said that Saket Deg College was established on its name. Guptar Ghat is in Faizabad distt. In the seventh slok of fifth canto, the highways is referred for going to other districts, does not exist at present. He himself said that the entire luxury of Baikuntha comes with the arrival of Ramchanderji.

The manner in which highways of Ayodhya's were described in slok No.7, that cannot be called the description of Geographical situation of Ayodhya. It may be the description of the size of Ayodhya. There was reference of big phataks, doors, yantra shastra and residence of craftsman's in tenth slok of this canto. It is not a geographical description of Ayodhya but it is a description of glory and beauty of Ayodhya. In the 12th slok of this, canto there was reference of gardens, mangoes gardens and sakhu forest all around the Ayodhya. There is also a description of its glory and beauty and not the description of geography of Ayodhya. It was mentioned in 13th slok that there was deep excavation around the

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Ayodhya, for which reason, getting entry into Ayodhya was almost impossible and this city was not accessible to outsiders. The Ayodhya city was very difficult and impgenable for other to enter .This was also not a description of the geography of Ayodhya. In 15th slok of this canto, there was a reference of huge palaces built by various metals and high rising buildings, which is not geographical description of Ayodhya. In 16th slok there is a reference of high rising buildings having Gold plates and its being constructed in dhootpalakh size, is also not a description of geography of Ayodhya but the description of the artistic creation of Ayodhya. In 17th slok, it was referred that Ayodhya was densely populated by the houses of Purawasees and it is situated in a plain land where Jarhan rice, as sweet as sugarcane, was produced in heavy quantity, but its Geography was not described in. Instead there is mention of eating and drinking habits in Ayodhya.

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Question: I say, in the above slok (couplets) of the Balmiki Ramayana, there is wide description of the geography of Ayodhya, much more than the book named Rudryamal. What you have to say in this regard?

Answer: In the above sloks, geography of Ayodhya was described alongwith the character but the Geography was not described independently. He himself stated that place specific is called Geography.

Rudryamal referred in "Ayodhya Darpan" book was written in Treta Yug. It is not correct to say that Ayodhya Darpan, 43 C 1/4, was written much later. There is no evidence that the book was written later. The places, and holy places referred in "Ayodhya Darpan" these were in Treta Yug. TulsiDas was in the Treta Yug. He was there, five hundred years ago. The fact mentioned in the book

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Ayodhya Darpan that Sumitra Bhawan was at a distance of thirty Dhanus from Ram Janambhoomi is correct .He himself said that it is still there. Sumitra Bhawan collapsed but it was newly reconstructed four-five years ago and is called Sumitra Bhawan. It is not correct to say that there is no Sumitra Bhawan near to disputed site. I do not know that Sumitra Bhawan was demolished during leveling the land in 1991. I have seen the Sumitra Bhawan in its old shape and himself said is seeing also the new one. Sumitra Bhawan was the residence of Queen Sumitra. The mention at page No. 67 in "Ayodhya Darpan" is correct that Sumitra Bhawan is at the distance of thirty Dhanus from Ram Janambhoomi, where Laxman and Satrughan were born. Keikei Bhawan referred at page 68 of this book is situated in the of Ram Janambhoomi at the distance of 24 Dhanus, where Bharat was born. This fact is correct as is written in the book. It is also correct as written in page No. 70 of the book that Tulsi Ghat is at a distance of two furlong in the east of Saryu from Laxman Ghat. He himself said that it might have been written in Hindi. In Rudryamal there is no slok about it. I have not seen any reference of Tulsighat in Rudiyamal. Bharat Kund and Vilvahari Ghat are mentioned in Rudryamal.He himself said that all these description is called geography. I have not seen any place called Ashok Vat in Ayodhya. I have not came across the mention of Ashok Vatika referred in Rudryamal at page 91. There was a reference of Ramdurg in Rudryamal. Rarndurg is called Ramkot. "Durg" in Sanskrit is called kot in Hindi. I have not seen the place Ram Sabha as referred at page 52 of the book "Ayodhya Darpan". Nageshwarnath and Hanumangarhi were referred in the book and so in Rudryamal.

Kaushaliyaji's Bhawan is located adjacent to the side of Keikei Bhawan. Kaushaliya Bhawan is at a place, after a street, which leads from the disputed Bhawan's

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north. It falls on the way leading to Keikei Bhawan. Kaushaliya Bhawan might be at a distance of two hundred feet from disputed Bhawan. It is in between the Keikei Bhawan and Janamsthan. Mohd. Tuglauq had demolished all the buildings of Ayodhya except the residenes of Boatmen. Hence all the Bhawan were reconstructed after these were demolished by Mohd. Tuglauq, within seven hundred years .

All Mandirs and Bhawan in Ayodhya including Nageshwarnath Mandir and Hanumangarhi Mandir were demolished during the time of Mohd. Tuglauq. Not a single temple or Bhawan was spared from demolition . Beer Singh was the King of Ayodhya at that time. The Mandir at the disputed place was first demolished during the time of Mohd Tuglauq. The regime of Mohd. Tuglauq began from 1320 era and the Mandir at the disputed Bhawan were demolished in 1325 era. (This was told by the witness after reading his diary, which was with him.) Mandir at the disputed site was reconstructed by Ananthanand, disciple of Ramanand Swami during the time of Firozshah Tuglauq. Firozshah Tuglauq was the son of Mohd. Shah Tuglauq. He himself stated that Mandir remain ruined for quite long. It was reconstructed after 30-40 years. The then King, of Ayodhya Beer Singh, during the time of Mohd. Tuglauq, alongwith twenty thousand Hindus converted themselves into Muslim. Swami Ramananda had re-converted those twenty thousand Hindus into Hindu religion after imparting diksha but Hindus did not accept them. Then they were given a new caste named Sanyogi by Swami Ramananda. The ancestors of these twenty thousand Hindus are still Sanyogees. He himself said that Sanyogi caste is in every state. Mohd. Gauri and Mohd. Gaznavi came to India before Mohd. Tuglauq but they went back after looting and plunder and did not stay in Ayodhya. In my view no King except Mohd. Tuglaq stayed in Ayodhya before Swami

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Ananathananda was the disciple of Ramananda and perceptional brother of Kabir Das Mohd Tuglaug had arrested Kabir Das and kept him in prison for two years.. Kabir Das came to Ayodhya so many times. He was a Bhajranandi Sadhu. Mohd.Tuglaq released him after seeing his miracle. Firozshah Tuglaq had again destroyed the temple reconstructed by Ananthananda at the disputed site. Thereafter Swami Anubhawananda constructed the temple again. Shyamananda stayed in the temple constructed by Anubhavanand. During the time of Shyamananda, Meerbaki, Military General of King Babar, demolished this temple. He himself stated that King Babar had not given any specific instruction to Meerbaki in this regard. Meerbaki of his own demolished the temple. He did not construct the Masjid after demolishing the temple . He left the place open. Govind Das, disciple of Shyamananda constructed the temple again, during the regime of Babar. On 6th December, 1992, the same temple was demolished, which was constructed by Govind Dasji. Govind Dasji was a Mahant of Nirmohi Akhara. The temple was constructed with the help of Queen of Haissar. There were three doors in the disputed Bhawan, all were having grills and curtain. The grills were there from the year 1930, since when I started visiting there, which were taken out by the Nirmohi Akhara, before it was attached with the intention to built-up new temple there. But Nirmohi Akhara could not built-up the temple because Muslim invaded Ayodhya time and again. Muslims invaded the disputed site five years after 1930. The first invasion by Muslim took place during my time in 1934 and last attackat the disputed site was launched during the time when Ramdev Dubey was a S.H.O. He is the same S.H.O., who lodged a complaint on 23rd December, 1949, about the incident of 22/23rd December, 1949. Shri Ramdev Dubey was well known to me. It was attached after this

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incident and thereafter Muslim have not attacked disputed site.

This Bhawan was constructed by Govind Dasji. He constructed the Bhawan on the disputed site as a temple. Govind Das has constructed the temple at that site during the time of Humanu. Govind Dasji constructed the building with three domes. He himself stated that brass pitchers were fixed thereon. Among the brass pitchers fixed thereon, two pitchers were stolen by the Muslims and one remained intact upto 6th December, 1992. Govind Dasji, at the time of construction of temple, had also fixed the grill of iron thereon. The part of Ramchabutra, at the outer part of the building with three pitchers, was also constructed during the time of Govind Dasji. An idol of Ramchanderji at two places, one at Ramchabutra and other beneath the part of a dome, were there since the time of Govind Dasji. An idol of Ram, Laxman, made of eight metals was in the inner part and an idol of Hanumanji made of stone and an idol of Ramlalla made of black stone was in the outer part. Bharat Laxman and Shatrugan's idols were also made of eight metals. There were three doors in the part of Ramchabutra and three doors in the part of dome.

Statement read and confirmed.
Sd/-
Acharya Mahant Banshidhar Das
18.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for further cross-examination for 20.9.2004.

(Han Shankar Dubey)
Commissioner
18.9.2004

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Before: Commissioner, Shri Han Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

20.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to dated 1 8.9.2004Cross-exarnination by Advocate Shri Zaffaryab Zilani on behalf of defendant No. 9, Sunni Central Board of Wakf, U.P., continues.)

I have not read about the length and width of Ramchabutra constructed by Govind Dasji. I can only say about the Ramchabutra, which I have seen. Ramchabutra is also called "Bedi." The word Bedi is appropriate word Chabutra . Bedi is a word of Hindi language. The word Bedi can be used for the small or large chabutra. Chhattee Pujan Sthal was there since the time of Govind Dasji. I have seen the Chhattee Pujan Sthal in the year 1930 and have been seeing it upto the year 1992. Chhatee Pujan Sthal is not called Kaushaliya kitchen but is called Sita Kitchen. Chauka, Chulaha and Belan were there. He himself said charan padukas (foot prints) of all the four brothers were there on the top of the chabutra and Chulha-Chhakee was also there. All these items were on a single 'Bedi'. This Chabutra was at a height of one feet from the ground level and 10 feet in height and 5 feet in width. No item other than Chulaha-Chakla, Belan and Charan Paduka were kept there. No throne was kept there. After its demolition I have seen the Chabutra for the last

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time in 1992. This Chabutra was also demolished by Kar-sewaks on 6th December, 1992.

Witness was shown picture No. 69 of the document No. 200 C-1 of the colour album. Witness said it appears a picture of a part of disputed premises but I cannot say which part is there. From the tree appearing in picture No. 70 of the coloured album, it seemed that a place nearby to the kitchen is appearing in this picture. It seems that northern Singh Darwaza is appearing in the picture No. 71 of the colour album. Picture No. 72 is also picture northen Singh Darwaza of that place, wherein staircase for going down is appearing. The four pictures shown to me were not of Chhattee Pujan Sthal.

Witness was shown the picture No. 36 of the document No. 201 C/1 of the black and white album. Witness said picture of Hanuman door and outer wall is appearing in it, which is in the eastern side of disputed premises. It is not correct to say that the doors of wall of inner Katghara is appearing in picture No. 36. Wall with grill is appearing in the picture No. 35. It appears that grills have been fixed in the surrounding wall. Wall with grills is appearing in picture No.37. A closed door is also appearing in the picture. The door is in the side of the tree and kitchen of Nirmohi Akhara and Saint Niwas is on the other side. A door, by the side of a tree is appearing in picture No. 38. This door is at the wall with grill aside kitchen. Singh door is appearing in the picture No.' 39 of the album, where staircase is there to go down. Hanumath door with two Kaushi pillars is appearing in picture No. 42. It is not correct to say that the door appearing in picture No. 42 is the picture of Singh door and not of Hanumath door. A part of door in three dome's part is appearing in the picture No. 7 of the album. Then said that the picture

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appearing in the picture No. 7 is of the Hanumanth door. Singh door is appearing in the picture No. 23 of the album. No picture of Chhattee Pujan Sthal was there, among the picture shown to me. Chhattee Pujan Sthal was part of the palace of Ramchanderji. This palace was palace of King of Ayodhya and was called Ramkot or Durg. It was a part of palace of Queen Kaushaliyaji. Sita kitchen was also there. I have seen the palace of Queen Kaushaliya. Celebration were held there on the occasion of Chhattee. I have heard in this connection because it was of the time during Tretayug. Chhattee Pujan Sthal was a part of Kaushaliya palace because Ramchanderji was born there hence it was a delivery room. The present Kaushaliya Bhawan is at a some distance from the disputed site. In the land pertaining to Kaushaliya Bhawan,two-three Maths have been constructed. Chhattee Pujan Sthal is at a distance from Kaushaliya Bhawan. This place is under Ram Janambhoomi Sthal. Disputed site was a delivery room. I am saying this on the basis of earlier saying. Chhattee Pujan is celebration. According to my belief and faith a function of Chhattee Pujan of Ramchanderji was held at Chhattee Pujan Sthal. Chulaha and Chakla were there since the time of Ramchanderji. There is no evidence in support that there were kept later. There were eight number of foot prints of all the four brothers. I cannot say whether Chakia, Chulaha and foot prints were there at the Chhattee Pujan site since the time of Ramchanderji but I have seen the items there from the very beginning. This Chulaha is made of the stone, which appeared there during the excavation. I cannot say at what time these things were kept there, because I have never given thought on it. I never thought that when these things were kept there in the beginning. A part of his statement at page No. 65, which he made today that "Chhattee Pujan

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Sthal was a part of palace of Ramchanderji ..... I have seen the palace of Kaushaliyaji" was readout to the witness. Witness said, the palace of Kaushaliya referred in my statement was the present Kaushaliya Bhawan. It was not about the Kaushaliya Bhawan of Tretayug. A part of my statement given by me today, at page No. 66 that "Chulaha and Chakia kept at this place was from the time of Ramchanderji. There is no evidence in support that these things were kept there later" It is continuing because of the tradition. We are listening it from the very beginning.

A part of my statement given by me to-day at page No. 66, that "Chakia, Chulaha and foot prints at Chhattee Pujan Sthal were from the time of Ramchanderji" is correct or not, because without seeing, I am not able to recollect. Whether I have read in this connection in any book, I cannot say. There is no reference of Chhattee Pujan Sthal in Ramcharitmanas and Valmiki Ramayana. TulsiDasji has written in all 12 books on the subject of Ramcharitmanas. I have studied all of them. There was no reference of sthal except chhattee pujan. Whatever celebrations, which are held at the time of birth of a child, were described in it.

The entire book "Geetawali" written by TulsiDas is about Ramchanderji. The third sub-verse of verse No. 5 at page 28 and 29 of Geetawali at document No. 46 C 1/1 was readout to witness. Witness said that there was reference of chhattee pujan in the verse "Manjul" Bhawan. In this verse the palace of Maharaja Dasrath was described as a beautiful palace. There was a reference of Shankarji's visit as old Brahaman and who was called by Kaushaliya in her Bhawan, in second sub- verse of 17th verse at page 45 of Geetawali. There was a reference of "Bhupati Bhawan" in second sub-verse of 20th verse at

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page 49 of Geetawali, wherein Bhawan of Maharaja Dasrath was described. There is a reference of "Nrip Bhawan dwar" in 39th verse at page No. 72 of this book. In this verse, the term used as "Nrip Bhawan dwar" means the door of the Bhawan used by King Dasratha for his residence. There was a separate Bhawan for Maharaja Dasratha in this huge Bhawan and separate Bhawans for the three Queens - Kaushaliya, Keikei and Sumitra. All these Bhawans were adjacent to each others. The present "Bara sthan" in Ayodhya is also called Dasrath Mahal. Bara sthan or Dasrath Mahal is at a distance of 100 feet from Kaushaliya Bhawan and there is a w in between. The present "Bara sthan" or Dasrath Mahal was the palace of King Dasratha. The stones at the historical monuments in Ayodhya were fixed during the time of Britishers. He said that these were fixed in accordance with the geography of Rudryamal.

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The mention of "Dhanus" in the statement given on 18.9.2004, by me, I cannot say what is the length of it in feet and yard or meter. He said that he measured the distance by his stick.

The part "In this map Lomas was shown in the east of. and near, Sumitra Bhawan" of my statement at page 52 dated 18.9.2004, was correct because I am saying the same thing. The statement given immediate after of the above statement that "Sumitra Bhawan is in the east of Ramjanam Bhoomi and Lomas is in the south" is not correct because Lomas is in the east and Sumitra Bhawan is in the south.

There was a Lomas chabutra called "Lomas Chaura" in front of Lomas Ashram. I do not have the knowledge about it. I have not seen any Lomas Chaura at any other

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place in Ayodhya. The other original suit No. 3/89, in which I am giving statement, Sumitra Bhawan has been shown in the south of the disputed Bhawan in the attached picture of the suit document. This picture is at the document No. 3/9-A-I. Lomas Chaura shown in between the disputed Bhawan and Sumitra Bhawan, in the picture is not correct.

In document No. 289 C 1/202 of O.O.S. 5/3 - Book exhibit, if Lomas was shown in the north of Sumitra Bhawan and in between the disputed Bhawan and Sumitra Bhawan, it is not correct. He himself said that Lomas is in the north of Sugreev Teela. Vashist Kund at present is at the south-west corner of disputed site, but is in the outer part of Ramkot. Ramkot Mohalla is in the east of the road but the things which are on the other side of the road are out of the Ramkot. Vashist Kund is in the west of the road to Dorahi Kuan. Gokul Bhawan is in the east of the road from Vashist Kund to Dorahi Kuan and opposite to Vashist Kund. Dorahi Kuan road is in between the Gokul Bhawan and Vashist Kund. Bighneshwar was shown in the east of the disputed site in document No. 289 C-1/202, which is not correct. He himself stated that there are two Bighneswara - one near to Brahmkund which is in the west of Ramkot, which now has been submerged in Saryu and the second Bighneswar is located in the north of Ramkot. And the same has been shown in this map. I do not know whether this Biglmeshwar is in between the Kanak Bhawan and Keikei Bhawan or not. I also cannot say whether this I is in between the Kanak Bhawan and a throne made of Gems or not. I will be not able to tell also whether that Bighneshwar is in between Keikei Bhawan or Hanumangarhi. The Bighneshwar I am talking about is near to Matgajendra. Matgajendra is in the north of the disputed site. Matgajendra was a son of Vibhisana, on

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whose name the Matgajendra temple is. In document No. 289 C-I/2003 Lomas Rishi Ashram is shown in the south of disputed site, which is not correct. Lomas Rishi Ashram is in the east of the disputed site. He said, it is called Ramgulella Mandir. It is not correct to say that I am not giving the correct direction of Lomas Rishi Ashram. It is not correct to that the direction shown in document exhibit O.O.S. 5/3 and in the map attached to the suit is correct.

A part of the statement given by him on 18.9.2004, that "Govind Das constructed the Mandir during the regime of Babar" and the same Mandir was constructed by :Govind Dasji was demolished on 6th December, 1992" was readout to witness. Witness said that this statement was correct. A part of statement at page 61, dated 18.9.2004 that "Govind Das has constructed the Mandir after the regime of Babar during the time of Humanu" was readout to witness. Witness said his statement was correct. Some part the Mandir constructed was during the regime of Babar, which was destroyed during the regime of Humanu, during the invasion, was reconstructed by Govind Dasji during the time of Humanu. The disputed Bhawan demolished on 6th December, 1992 was the Bhawan repaired during the time of Humanu. After Humanu, Aurangzeb etc. never destroyed the disputed Bhawan. I do not know when the idol, which I have been seeing since 1930, were kept in disputed Bhawan. It is not correct to say that the disputed Bhawan demolished on 6th December, 1992 was a Masjid. Whatever I stated in my statement, from Tuglauq to Humanu, I have read these in the books of Ramanandiya sect. I have read all the three books, Vaishnav Kabir, Parsang Parijaat and the third one Kashi Murthand. All these three books were written by Chaitanya Das, disciple of Ramananda Swami. He himself said that these books were written by Chaitanya Das,

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disciple of Ramananda Swami. He himself said that these books were in the form of manuscript, which were published later by other sadhus. Among the above books, Parsang Parijaat was published by the Guru of Mahant RamDasji. Vaishnav Kabir was published by Mahatma GururDas of Haridwar. Kashi Marthand was published from Rishikesh, by a Mahatma, the name is not known to me. Besides the books of Ramanandiya sect. I have also read the books written by other historians but I do not remember the name of any author. I have not studied any authentic book of Geography. I have read the books. "Geography of India" and "Geography of State" I do not remembered their authors. I have been reading the books of Geography, Philosophy, History and Yoga, daily. The books I reads, are in the size of Geetawali at the document No. 46 C-1/1 but these books are thick as compared to Geetawali. I have written in para 2 of my main examinee affidavit that I have studied Valmiki Ramayana, Manas and Srimad Geeta in detail, when I came to Ayodhya in the year 1930. I have also read these books earlier but in detail I could study after coming to Ayodhya. People from Ayodhya used to go to Kashi for making discourses. From them I came to know that people in Ayodhya had better knowledge and hence I came to Ayodhya for studies. I have stated in my statement that I went to Kashi at the age of 16 years. I have been there for 12 years in two phases. Once I came back from Kashi and then I again went there and in total I have stayed there for 12 years. First time I stayed in Kashi for 8 years and second I stayed time for 4 years. I went to Kashi for the first time in the year 1930. I was 28 years old when I came to Ayodhya. I was born in 1905. The mention at page 34 of the statement that I came to Ayodhya at the age of 28 years is not correct because I came to Ayodhya at the age of 25 years. I went to Kashi at the age of 16 years and

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came back to Ayodhya at the age of 25 years. I stayed at Kashi for 9 years. During this period of 9 years, I have not studied Valmiki Ramayana, Manas and Srimad Bhagwat in detail from my Guru. Although I memorized Manas, Geeta during my stay in Kashi. But my study was not proper. I had to go to Kashi again for studying yoga and to construct a math, called Gulelalla Ramjanki Mandir. I stayed there for three-four years when I went to Kashi again. I have studied yoga and sea science in Kashi. After that I came to Ayodhya in 1984 for forever. I again went to Kashi in the year 1980. Para 6 of the his main examinee affidavit was readout to witness, on listening he said that Ramlalla was sitting on a chabutra in the mid of inner part, where sometimes priest used to keep a swing type aeroplane made of wood, on which Ramlalla used to sit. He himself stated that idol of Laxman always remained with Ram idol. And himself said that Hanumanji also used to sit there. The size of chabutra was about three-four feet, three feet in width and at one and half feet high from the ground level. This chabutra was just below the mid dome and is made of cement and bricks. This chabutra was at a distance of two feet from western wall and was in the east. A staircase was there on the chabutra. An idol of Laxman was at seQond step. An idol of Ramlalla was 6 inch in height and that of Laxman was little small, approx. 4-5 inch in height. An idol of Hanumanji was 12 inch in height. Idol of Hanumanji was at the bottom and was made of stone. Shri Gopal Singh Visarad versus Jahoor Ahmad, picture document No. 154/13 was shown to witness. Witness said that similar staircase was there, as shown in the picture. Marble stone were not there at the staircase, it might have been fixed later, chabutra was just below the staircase. I am talking about the then prevailing situation in 1930. I cannot say when the stones were fixed on the steps, might be later on. It is not correct to say that

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chabutra was never there under the staircase as shown in this picture. It is not correct to say that the idol on the steps were kept on the night of 22/23rd December, 1949. It is not correct to say that stones on the steps were already fixed there and were not fixed later on. There used to be curtain at the western wall. Hence I could not ee what was there behind the wall. He himself stated that curtain was there at the front and at the rear side. Northern door of the disputed premises was shown in the picture document No. 154/5 of this suit. Grave is not appearing in the south side. There were sant Niwas and a kitchen of Nirmohi Akhara in the south. There was tin over the kitchen and a molshre tree at the gate of kitchen. It pillars were made of bricks. Eastern and western wall was permanent and bricks pillars were in the north-south side. But inner portion was closed. The doors were in the north-south side, but I do not know what these were made of I cannot say whether the picture of any wall is appearing in picture document No. 154/14 and 15 of this suit. The witness upon seeing the picture No. 81 and 82 at document No. 201 C-1 of the black and white album said I saw the aeroplane in the disputed Bhawan appearing in these pictures. I have seen such type of scene in the the disputed Bhawan in portion below the mid dome. The scene, which look like an aeroplane was seen there for some time but not quite regularly. I have seen the same scene at a number of times before it was attached and sometime even after attachment. Ramlalla is appearing in these pictures below the aeroplane. Photo of Ramlalla, framed in, is visible. Then said frame is not visible to him. Only one picture of Ramlalla is appearing in picture No. 82 of the document No. 20 C-1 of black and white album. He himself said it is the picture of throne and temple. I cannot say whether the floor of the disputed Bhawan was similar

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to that which is appearing in picture No. 83 and 84 of this album or not.

Picture No. 152, 153, 154 and 155 of the document No. 200 C-1 of the colour album was shown to the witness, upon which the witness said the part beneath the dome of the disputed Bhawan is appearing in these pictures. Ramlalla with make-up is appearing in picture No. 152. Ramlalla is appearing in picture No. 155. The aeroplane appearing in the picture is like a throne type airplane made of wood, which I saw there some time but not daily. I do not know about the floor appearing in picture No. 156, I used to pay visits there but I never looked upon it.

Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

20.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for further cross-examination for 21.9.2004.

(Han Shankar Dubey)

Commissioner

20.9.2004

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Before: Commissioner, Shri- Han Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

21.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to dated 20.9.2004, Cross-examination, on affidavit by Advocate Shri Zaffaryab Zilani, on behalf of defendant No. 9, Sunni Central Board of Wakf U.P. continues.)

In 1930, when I came to Ayodhya, there were one-two shops of pede and Batasa (sweets) at the side of Hanumathdwar. Shopkeepers used to sell the items over the takts (wooden structure of planks). These shops continued to remain there in a similar manner upto 1992. There was no shop in the north at the site, where staircase was. Car etc. could not come to the eastern side door of the disputed site People used to visit there only on foot. Vehicles used to come up only upto the door. No car, rickshaws from northern side used to come upto the eastern gate. Northern road, leads\ from Hanumangarhi to Doraha Kuan. All type of vehicles used to ply on the road leading to Hanumangarhi from Dorahi Kuan.

Picture No. 24 of the document No. 201 C-i of the black and white album was shown to witness. Witness said that eastern part of the disputed premises, which was on the northern side of Ram Chabutra, is appearing in this picture. Sant Niwas and kitchen is there at this site. Tin shade appearing in picture No. 24, is a scene of storeroom.

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I cannot recognize the scene in picture No. 25 because it is not a complete picture. Shankar Chabutra, where idol of Shankar, Parvati and Ganesha are there, is appearing in picture No. 32. This chabutra was under a tree. I do not remember that the stones on which the writing in black is visible were there before it was attached or not. The white stones on which writing in black is written appearing in picture No. 33, were there before the attachment or not, I cannot say. About the scenes appearing in picture No. 45 and 48 I cannot say whose pictures are these. I cannot say about the scene appearing on picture No. 46, because this picture is not full and if the picture had been full , then I could understand it. I cannot say about the scene appearing in picture No. 53 and 54. It appears to be a scene of some part of the disputed Bhawan. There may be stones on the both side of door, if it had been a scene of eastern part of the disputed Bhawan and similarly if the picture No. 53 had been a scene of northern side, than staircase must be there. Pillars are appearing in the picture No. 55, 56, 57 and 58. These pillars were at the Hanumanth Dwar of the disputed Bhawan. Dwar (door) is not appearing in these pictures only pillars are visible. The pillars appearing at picture No. 59 and 60, are of the some parts of the disputed Bhawan. Since these pillars are not coloured with Sindur, therefore I cannot say that whether there were fixed at the Hanumantha dwar or not. The pillars appearing in picture No. 61 and 62, were of the some part of the disputed Bhawan but of which part, I cannot say. The picture appearing in picture No. 63, 64, 65 and 66 of this album are the pictures of the pillars of the disputed Bhawan, but of which part, I cannot say. If wall be there alongwith the pillars, I would have recognized it. The pillars appearing in picture No. 67 was fixed below the northern dome of three domes part, which I have seen two-three times but I cannot say what part is

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appearing in this picture. Neither I have asked anyone nor I have the knowledge. This picture was displayed at the part of western wall of the disputed Bhawan. The pillars appearing at picture No. 71, 72, 73, 74, 75 and 76 of this album, were in the disputed Bhawan but at which part of the disputed Bhawan, I cannot say because no wall is appearing alongwith these pillars. Picture No. 71, lagayat 76, were the picture of different pillars. Pictures No. 87, 88, 89, 90 and 91 are of the parts of disputed Bhawan, but which part, I cannot say. There appears to be pitcher and idol of Ganga and Yamuna. No wall is visible in these pictures. Therefore, I cannot say which parts of the disputed Bhawan are in picture. A pitcher, below and picture of Ganga-Yamuna above in picture No. 91 is visible. Ganga-Yamuna has been shown in the picture in the form of human or Goddess. Picture of pitcher is in the form of a pot. Pitcher is treated as Varun God. He himself stated that while constructing the temple, pot and idol of Ganga-Yamuna are placed in the foundation. I have studied the crafts technology. Where in I have studied that an idol of pitcher and Ganga-Yamuna are placed on the door of temple. The pillar appearing in picture No. 91, was at the middle door below the disputed Bhawan. This pillar was at the front side. Pitcher is appearing in picture No. 87 but idol of Ganga-Yamuna is not. Picture No. 88 is not clear. Pitcher and idol of Ganga-Yamuna is not visible in picture No. 89. Picture No. 89 is also not clear The pillar appearing in picture No. 95 was at the rear of disputed Bhawan. Pitcher and Ganga-Yamuna is appearing in 'the picture. Pillar in picture No. 96 is thick but pitcher and idol of. Ganga-Yamuna is not there in the picture. The pillar appearing in picture No. 96 was fixed at the three door's part, in the front and in the rear part. No pitcher or idol is appearing in picture No. 96. There is a pitcher over the pillar appearing in picture No. 97. There was no idol of

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Ganga Yamuna over it. I cannot say whether the pillar appearing in picture No. 97, was at the front or rear part. Pillar appearing in picture No. 98 is thick one and was at the rear part. No idol is appearing in this pillar. Pitcher and idol of Ganga-Yamuna are not appearing at the pillar in picture No. 99. The pillar is appearing in picture No. 100, pitcher is there but Ganga Yamuna idol is not clear. Pitcher. is below and idol of Ganga Yamuna is at the top. The pillar appearing in picture No. 99 was fixed at the middle door in the front side. Pillar appearing in picture No. 100, was at the middle part in the front side. Pillar appearing in picture No. 100, is a thick one and was at the rear part of the disputed Bhawan. Pitcher and idol are not visible in this picture. Pillar appearing in picture No. 102 was at the middle part of the disputed Bhawan. Pitcher and idol are not visible in this picture. He himself stated that pitcher and idol were there at the middle part of the first door. Pillar appearing in picture No. 103, is not a pillar which was fixed in the front of middle part but is a pillar at side. Picture of Ganga-Yamuna is not appearing in the picture. Pitcher is visible in this picture. Pillar appearing in picture No. 104 was at the rear part. No idol is visible at this pillar. Pillar appearing in picture No. 105, no idol is there in it, this was fixed at the side gate. This pillar was at the northern and southern door, in the front portion, of the three doors of the disputed Bhawan. There was a pitcher in the pillar appearing in picture No. 106. This pillar was in the front side. No idol is visible at this pillar. Front side I mean, the front portion of the door. The pillars painted with Sindoor were at the Hanumanth dwar. He further said that two pillars, painted with sindur were at the Hanumanth dwar. Witness on seeing the picture No. 104, 105 of the document No. 200 C-1 of the album said that the pillars painted with Sindur are appearing in these pictures. The pillar appearing in picture No. 108, is thick

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and short, which was at Hanumanthdwar. The pillars appearing in picture No. 104 and 105, were in the inner part. No idol is appearing on these pillars. Pillar appearing in picture No. 109 is thick and short among all the pillars. This is painted with Sindoor, which was at the Hanumanthdwar. It is not correct to say that pillars appearing in picture No. 108 and 109, were not at the Hanumanthdwar but were at the part of dome of the disputed Bhawan. The pillar appearing in picture No. 114, among the picture No. 110 lagayat 114 was at the Hanumanthdwar because it was thick and short and the rest of the pillars were in the inner part. Pitcher and idol of Ganga-Yamuna is visible in picture No. 109, lagayat 114 and no idol in any other picture. Idol of Ganga-Yamuna is appearing at the place in the pillar in picture No. 109, where sindoor is painted. Pitcher with sindoor is appearing in picture No. 115 lagayat 120, at picture No. 120, but it is not clear and pitcher and idol are not appearing in rest of the picture. Pillar appearing in these picture were in the inner part. The pillars appearing in picture No. 121, Lagayat 126 were in the inner parts. Pitcher and idol of Ganga-Yamuna are not appearing in any other picture. No idol is appearing in these pictures. The paintings similar to the paintings on pillars are appearing in these pictures. There was a pitcher but no idol of Ganga-Yamuna is appearing on the pillars in picture No. 127 of the album. This pillar was at the inner part of the disputed Bhawan. The pillars appearing in picture No. 136 Lagayat 147 of this album were in the inner part of the disputed Bhawan. A pitcher is appearing in the picture No. 141. Rest of the picture does not contain the idol. Two of the pillars appearing in picture No. 136, Lagayat 147, were at the Hanumanthdwar. But I am not able to recognize recognizing. the two pillars which were at Hanumanthdwar. It is not correct to say that none of these were at the

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Hanumanthdwar. He himself said that pillars fixed at Hanumanthdwar were thick and short and painted with sindoor and were at least by one feet less in height from others.

Among the pillars appearing in picture No. 157, Lagayat 167, thin pillars were in the rear part of the disputed Bhawan and thick pillars on the. three door's part. Pillar appearing in picture No. 157 was a thick one. Pillars appearing in picture No. 158 Lagayat 161, were thick in size. Pillars appearing in picture No. 162, 163 are thin. Pillars appearing in picture No. 164, 165, 166 and 167 are thick. No idol is visible to me on these pictures. My sight is poor.

Question: If your sight is so poor, how you have said that this pillar is thick, this pillar is thin and on which idol of Ganga-Yamuna is, on which the pitcher is?

Answer: I cannot see the subtle things. An idol of Ganga and Yamuna and pitcher is large in size, so I can see these.

Among the pillars appearing in picture No. 176 to 2OO, the pillars appearing in picture No. 176, 177, 182, 183, 188, 189, 190, 195, 196 are thin, rest are thick. Thin pillars were in the inner part of the disputed Bhawan and thick pillars were at the three doors. Pitchers are appearing in picture No. 181 and 186, but no idol is visible in these two pictures. In picture No. 167, pitcher is at a less height and idol is in the middle. These idols are of Gangas and Yamuna. Pitcher is appearing in picture No. 185 and pitcher and idol were not seen in any other picture. When it is not visible then it is not proper to say anything on the presumption. He said that pitcher is

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appearing in picture No. 199. First door of the disputed premises is appearing in picture No. 201.

The picture of pillars, which were in the inner part i.e. in the part of dome, are appearing on the picture No. 47 and 48 of the album. Sant Niwas and storeroom are appearing in the picture No. 43. He himself said that a tree is also appearing in the side. This may be the picture of the outer portion of the disputed premises. He himself said that police personal were deployed there.

Question: My contention is that there is no scene of Sant Niwas and store room in the picture No. 43. What you have to say in this regard?

Answer: I cannot guess whether the Sant Niwas 4 Storeroom were similar to picture, which is appearing in this picture.

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Last incarnation of Ramchanderji happened in 28th Tretayug and the first was in the first Tretayug of Manuwantar. Thus the said birth happened in first Tretayug of first Kalpa. There is a description of his taking birth for four times since then to the last Tretayug. This reference is in Anand Ramayana and Ramcharit Manas. Anand Ramayana is written in Sanskrit. Who wrote this, I do not remember. There is a reference in Ramcharitmanas of Rachanderji taking birth for four times. The first incarnation was as Ramchanderji. Vishnu has not taken birth as Rama. In which Kalpa Rama incarnated, there is no description about this but he has taken birth in every Kalpa. Second incarnation of Rama was of Maha Vishnu, the third one of Vasudev Bhagwan and fourth Avtar was of Narayana. These all were of Vishnu. The first statement given by me that fourth incarnation of Rama was of Vishnu, is correct. His birth place remained same as in the last one. During his first three incarnations his mother was

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Kaushaliya and father was Dasratha. I believe that King Dasratha had been from first Tretayug. He himself said that Dasrath was a Manu in first Kalpa and his wife was Kaushaliya. In second Kalpa, Kashyap was born as Dasratha and his wife Aditi was born as Kaushaliya. In third Kalpa King Sheelnidhi and his wife was Padma Kaushaliya. There was no reference, whether temple were constructed at the places were he born in first three Kalpa. All the four incarnation were described in the Balkand of Ramcharitmanas. The first incarnation of Rama was described in verse No. 141 to verse No. 146 of Balkand, at document No. 258 C-1/1, of Ramcharitmanas. He himself stated that this was described upto verse No. 148.

Question: There is no mention of his taking birth more than once in the verse from 141 to 148 of Balkand, you have described above. What you have to say in this regard?

Answer: Only one character has been described at a time. Second character is given in the further verses.

Question: There is no such description in any verse of Ramcharitmanas as you have described above that Ramchanderji was born in first Kalpa, Second Kalpa and Third K What you have to say in this regard?

Answer: There is a mention in Ramcharitmanas that "God takes place at time and again in different form." In which verse this was mentioned, I will let you know after, seeing it.

I cannot trace the said verse at this time. I will let you know tomorrow.

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Second incarnation of Ramchanderji was described in the verse No. 122 of Balkand of Ramcharitmanas.

Question: There is no mention in verse No. 122 of Balkand, about the second birth of Ramachanderji.

Answer: It was described after verse No. 122 of the Balkand of Ramcharitmanas that "Kashyap Aditi Kaha Pitu mata, Dasrath Kaushaliya Yikhayata, Ak Kaip yah Bidhi Avtara, Chant Pavitra Kiye Sansara" and further stated that - "Ek Kaip Sur Dekhi Dukhare, Samar Jalandhar San Sab Hare".

After verse No. 123, in the second line it was described that:- "Mahajalandhar Ravana Bhayaum, Ranhate Ram Param Pad Payhun" Ek Janam Kar Karan Eha, Jehiagi Ram Dhari Nardeha."

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This story belongs to second incarnation. The story of third incarnation was in the verse given below this verse. Where in it was written that "Narad Shap Deen Ek Bara, Kalpa Ek Tehi Lagi Avtara". Shankarji is saying it to Parvati who was listening it .

The detail in this connection was described from 124th verse to 128th verse of Balkand. Arrogance of Narada was described in the next verses. Narada has given curse to Rudra that he will born as demon. This reference also figures in verse No. 135. The third incarnation was described in verse No. 139 as under.

"Ek Kalpa Ehi Hatu Prabhu leen Manuj Avtara
Sur Ranjan Sajjan Sukhad Han Bhajan Bhu-Bhara"

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At verse No. 121 of Balkand in Ramcharitmanas, it was stated: Asur Man Thapahien Surehi Rakhain Nij Suruti Setu Jag Vishtarahein Vishad Jas Ramjanam Kar Hetu.

Verse No. 121 and 122 of Balkand is also a subject in this regard.

I do not know for how long Govind Dasji disciple of Ramananda lives. There were 36 persons after Ramanandaji, who held the seat. For how long these persons remained alive, I do not know. But there is literature in this regard. He himself said that one who follows yoga and Mantra lives long. Ramananda was there in 1912. Ramananda was born in the year 1912. At present 2004 is running. He again said that Ramananda was born 1212 and he lived for 200 years. He died in 1400. He had 12 disciples. These were 12 main disciples. Each of his disciple lived for 100 years. His disciple, Ravi Das and Saint Kabir Das lived for 100 years. Ramananda has established, Nirmohi, Nirvana and Digambar Akharas. AnuBhawananda was the Guru of Balananda. Bhawananda was a disciple of Ramananda. I have no knowledge about for how many years he remained alive. Balananda and Shyamananda, both were the disciple of Anubhwananda. Govind Das was a disciple of Shyamananda. Ramananda died 600 years ago, not 700 years. Anantananda, disciple of Ramanand on the order of his Guru. He reconstructed the temple at the disputed site during the time of his Guru reconstructed the temple. I, on 17.9.2004, give a statement that I cannot say who constructed the Ram Janambhoomi temple but it is being constructed , maintained etc by Nirmohi Akhara for last 700 years. This is correct. This temple was constructed by Anantanand Dasji during the time of Ramananda Das. I, on 17.9.2004 made a statement that this temple was constructed by

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Govind Dasji, disciple of Shyamananda, about 600 years ago. It might have been constructed later but all the other facts mentioned in my statement were correct. Govind Dasji constructed the temple, after two generations from the death of Ramanandaji.

After Humanu, no King has demolished the disputed Bhawan. Document 44 C-1/1, 44 C-1/8 of other original suit No. 3/89, were shown to witness. It was written in document No. 44 C-1/24 that "Hindu became careless because there was no attack for the continued four years and taking the advantage of this, Aurangzeb has attacked the Janam Bhoomi in 1664" is not correct. Aurangzeb has constructed two Maths for us. One is in Moradabad and second one is at some place in south, but name of the place is not known to me. Aurangzeb has not destroyed any temple. Except Mohd. Tuglauq none other destroyed the temple. He again said that the name of other Math, in the south, is Sikakolam. 14 pillars of Kaushoti, which were in the temple of the disputed Bhawan were brought from SriLanka. This is purely a legend. Without any proof I cannot accept this. I believe the mention in document No. 44 C-1/3 that King Vikramaditya construct a grand palace over the 84 Kauthoti pillars, is not correct. It is not justified. How can Vikarmaditya constructed the palace when the King of Ayodhya was there and the then King of Ayodhya was not poor. The mention in the book that Hindus for renovation of Janambhoomi, launched an attack, during the regime of Nawab Vajid Ali Shah is not correct. The reference in document No. 44 C-1/6 is not correct where in it has been written that an attack was launched by Hindus in 1912 and also in 1934 during the rule of Britishers. It is also not correct that Hindus have attacked again in the year 1934. It is a false and based on saying that the point mentioned in document No. 44 C-1/6 that no

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harm was caused to Masjid in the first attack but it was destroyed completely during the second attack and commissioner of Faizabad Shri J.P. Nicolson again reconstructed the Masjid in 1934. The fact is this that Hindu Sadhus collected the donation amounting to Rs. 35 thousand and repaired the Masjid in 1934. The reference in document No. 44 C-1/7 is not correct, wherein it was written that Bhagwan Rama said that he will take birth again on 22.12.1949, the site was locked. The reference in document No. 44 C-1/5 is also not correct where in it was mentioned that the permission for constructing Ramchabutra by Hindus has been managed for by King Man Singh of Ayodhya, through Vazid Ali Shah and a temple of Khas, three feet in height was constructed and idols were installed in it. He said there was no king by the name of Man Singh after the regime of Mohd. Tugláqu. Han Singh was the last King of Ayodhya. He was contemporary to Mohd. Tuglauq. Thereafter there was no King in Ayodhya. The predecessors of the present King of Ayodhya, were throne by last Nawab of Lucknow,. on the request made by Sadhus: The King was Sakaidweepi. I know the author of book Pt. Ramgopal Pandey "Sarad", from where references were cited. He mentioned the said point in the basis of saying. Saradji is no more but when he died, I do not know. There was King Shrawasti in 12th generation of Vaiswat Manu, who inhabited the Shrawasti. After Rama, Ayodhya was being ruled from Shrawasti. Bhagwan Budh came to Ayodhya after meeting with King Parsanajeet.

After departing to paramdham by Ramchanderji Ayodhya remained as it was but its glory was reduced. The point "After departing to paramdham by Ramchanderji, Ayodhya remain deserted for long", mentioned in 111th

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canto 10th Sholak of Uttarakand in Valmiki Ramayana is correct.

Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

21.9.2004

I have dictated to stenographer who typed it in the open court. Suit may be listed for cross-examination for 22.9.2004. Witness to present.

(Han Shankar Dubey)

Commissioner

21.9.2004

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Before: Commissioner, Shri Han Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

22.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to 21.9.2004, cross-examination on affidavit by Shri Zaffaryab Zilani, Advocate, on behalf of Defendant No. 9, Sunni Central Board of Wakf, U.P. continues.)

I used to visit the disputed site daily after 1930. Some day I may not have gone there. I went at the disputed site for thousand of times. Whenever I went there, I used to have darshan and came back. It took 10-20 minutes for darshan. During these 10-20 minutes I used to take darshan of all the four places of the disputed premises. An idols of Shankar-Parveti, white in colour, were kept on Shankar Chabutra under the tree of Pipal. First of all, I have darshan of Ramchabutra, then Ramlalla, Sita Kitchen and to Shankar Chabutra and from there I used to come back. Sometime I used to offer prasada while having darshan to Pujari (Priest) for offering in the inner side. I do not remember the name of Priest. Priest kept on changing. He himself said that Mahant of Hanumangarhi Faizabad remained the Priest for long time. I do not remembered his name at present. On being reminded by learned cross- examiner advocate, he said priest name was Bhaskar Das. Before attachment, Bhaskar Dasji used to meet me there. There were three doors in Sant Niwas and storeroom, in the north, south and west direction. Sant Niwas and store room were

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combined together from the inner side. There was a grill in between.

I have mentioned at para 11 of my main examinee affidavit that outer part was got attached in 1982, due to internal dispute of Siyaraghav Saran. After this attachment, the person from outside, who were from Nirmohi Akhara, were used to stay there. They had nothing to do with the management because receiver has been appointed for its management. The new priests used to perform puja and bhog but under the control of receiver. I said at para 16 of my main examinee affidavit that I have not seen any Muslim reading Namaj in the disputed site since 1930. This, I am referring about the time, when I started visiting there. I have not visited there before 1930. Whether Namaj was being read there before 1930, I have no knowledge. I have also no Knowledge whether Namaj was read there in between 1930 to 1949, during my absence. The bus station and Railway station were in the direction of Hanumangarhi. The main Bazaar of Ayodhya is in the opposite direction of Hanumangarhi. The people residing at the back side of the disputed site used to pay visit to Hanumangarhi through the road leading to Hanumangarhi from Doraha Kuan. He himself stated that Muslims have stopped going to and, from this road since 1934. There were three reasons for 1934 riots. First, cow-slaughter, second was, Muslims tried to bury a number of dead bodies near the disputed site. They were stopped at Dorahi Kuan. The third reason was that there were two holy stones in the rear part of Ram Janambhoomi, one was Gawaksh and second was Dadhiwatra. Muslims tried to take them away. He said this reason was also responsible were for riots and clashes. He further said about the incident of cow-slaughter that he heard it from others but he himself saw the other two incidents. I am not

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aware of, how many houses of Muslims were. there. I used to go there for taking labour and nasons. I had no social interaction with the local Muslims of the area. I used to interact with Molavi, who was a friend of Ram Dev, S.H.O. I do not remember his name. His house was at the side of the house of Shri R.L. Verma, Advocate. The house of said Molavi was in the north and not in the west of the disputed site. Only the said Molavi was known to me in Ayodhya and little acquaintance with the labours and mason, whom I used to call for work. During the period of my stay in Ayodhya for 74 years I had acquaintance and interaction with the above mentioned Molavi only. No Muslims came to me in the temples of the Ayodhya wherever I stayed. Only the above mentioned Molavi used to visit to me. After 1934, the Muslims living in the west side of the disputed site, used to pay visit from Katra Mohalla through Hanumangarhi to Gokul Bhawan, through a lane. The situation remained unchanged even after 1949. No Muslim passes through the northern side of the disputed site upto 1992. The apprehension arisen in the mind of Muslims in 1934 and remained in their mind upto 1992. In between a few stray incidents took place. It is not correct to say that I am submitting false statement in this regard. My statement that Muslims never abandoned the route leading to Hanumangarhi from Dorahi Kuan is not correct. They used to go by this route only. It is not correct to say that three dome's disputed Bhawan was constructed by Babar as a Masjid. It was also not correct to say that Namaj was being read there five times a day on regular basis, from the date of its construction to the night of 22nd December, 1992. It is also not correct to say that idols were kept therein on the night of 22/23rd December,1949 and this was the reason for its attachment. It is also not correct to say that there was no idol inside the disputed Bhawan before 22nd December, 1949. It is

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not correct to say that disputed site was not the birth place of Ramchanderji nor Ram Mandir was there ever. It is not correct to say that I am giving false statement at the behest of Mahant of Nirmohi Akhara and for giving benefit to him.

(Cross-examination by Shri Zaffaryab Zilani, Advocate on behalf of defendant No. 9, Sunni Central Board of Wakf, U.P. concluded.)

(Cross-examination by Mustaque Ahmad Siddiqui, Advocate on behalf of defendant No. 7 in other original suit No. 4/89 and defendant No. .5 in other original suit No. 5/89 begin.)

xxx xxx xxx xxx

I have studied Sanskrit in Kashi before 1930. I have been in Kashi for eight years before 1930. In December, 1980, I again went to Kashi and stayed there for four years. During the period from 1930 to 1980, I stayed in Ayodhya and some time, at regular intervals, went to other places also.

According to my horoscope, I was born in the year 1905. I immersed the said horoscope in Saryu in 1982. The said horoscope of mine was prepared by Shankracharya of Puri Shri Bharti Ram Krishna at the time of my birth in 1905. At present I have no written proof to support that I was born in 1905. He himself stated that his date of birth was remembered by him. There were a number of court cases of my grand Guru. I advocated those cases. These cases were tried in the court of Judges, High Courts and Supreme Court. The case personal to me was tried in Distt. Level Court in Faizabad and Varanasi. I used to advocate the case of my

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Grand Guru but when my Guru became the Mahant, I did not advocate the cases. But I used to go to Supreme Court for advocation of the case. I appeared before the Supreme Court in 1942 for the last time. Then said, the year 1942 have wrongly been mentioned and actually the year should be 1948. My cases, which were filed in Varanasi sand Faizabad, ultimately went tried upto High Court. Among them two cases each are still subjudice at the Allahabad and Cuttack High Court respectively. My affidavit and the affidavit of my Grand Guru, were filed in accordance with the prescribed procedure. I have also been tried orally and date of birth is written in the oral statement and also in the affidavit. I have filed an affidavit in 1963 in the Cuttack High Court. After 1963, I have been tried regularly in the courts of Banaras. He himself stated that case filed in the Varanasi was after the date of 1980 In the High Court of Allahabad some of cases are sub-judice. In the High Court of Allahabad I had filed an affidavit after 1980 but the date and year is not known to me I used to write my date of birth in affidavits, which was written in my horoscope. It is not that I have written different date of birth by mistake. In the year 1930, when I visited the disputed site, I met Mahant Raghunath Das of Nirmohi Akhara there. I do not remember the name of then priest. But he was a good Sadhu. After 1930, Raghunath Dasji was the Mahant for the whole life. I do not remember the date when he died. In the year 1949, Mahant Ram Kewal Das of Nirmohi Akhara was a Mahant. The predecessor of Mahant Ram Kewal was a Mahant for two years only. His name is not remember by me. Raghunath Das, Ram Kewal Das and Jagannath Das were also known to me. Besides the above three, there were two other Mahant also. I do not know them. The name of Guru of Ram Kewal Das is not known to me. Ram Kewal Das remained Mahant for 10-20 years. After Ram Kewal Das, Jagannath Das became

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the Mahant Jagannathji He is still a Mahant. Bhaskar Dasji remained the priest of the disputed site for years but he was not a Mahant of Nirmohi Akhara ever. He was a priest of Hanumangarhi, Faizabäd. At present he is neither a Mahant of Nirmohi Akhara nor a priest. He is a member of the committee. I do not know how many members are there in a committee. One Ramcharan Dasji was also a Mahant of Nirmohi Akhara, I have heard about him, but I have not seen him. Whether some mishappening happened with him, I do not know. I also do not know in which period he was a Mahant. In 1930, when I went for darshan, I was given charnamrit (holy water) at both the places, at the inner part and outer part. During the period from 1930 to 1949, among the priest, from whom I received charnamrit, only the name of Bhaskar Dasji is know to me. He then said that besides him, he also received charnamrit from Siyaraghubar Saran Das and Raghunandan Das. Bhaskar Das had also given him chamamrit before 1949. He said, Bhaskar Dasji was a priest for a number of times. When I received Charnamrit from him for the first time, I do not remember. I only say the things which are based on facts because statement giver on presumption often proves incorrect. Telling a lie have been described as a sin in the dharmshastras. But if by telling a lie, proves a saviour then there is no harm in telling a lie. Similarly there is no harm in telling a lie by a person who is dying from hunger. If there is a religious place and if somebody is acquiring it through wring means or forcibly occupying them , there is no harm in telling a lie. If the religious place is taken away forcibly by others by telling a lie then it is correct. But it should be investigated first that to whom the place basically belongs to. The ratio of Muslim population in Ayodhya, which was in 1930 still exist or not, I cannot say. There are some Masjids in Ayodhya. I have the knowledge about the

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Masjid which is towards Swargdwar and other small Masjid behind the Janambhoomi. The Masjid towards the Swargdwar is at the side of Baba Ibrahim tomb or not, I do not know. Whether urs is organised every year at the tomb of Baba Ibrahim, I do not know. Whether there is a Masjid behind the police station or not I do not know but graves are there. The entire courtyard is surrounded by a wall. Grave known as Naugji grave is also there. I have not conducted any research about Naugji grave. I have heard that this was an old Hindu Samadhi, occupied by Muslims, It is nine feet in length. I have not measured it. The man's height must be 9 feet, whose grave is it. There are other graves also but I do not remember. I went to see only the grave of Naugji and there graves were of Hindus, which were occupied by Muslims. But I have no knowledge about this. I have no knowledge about the place named Bijli Saheed Roja of Ayodhya nor I know a that fair was organized there. There is tomb of sheesh Paigambar in Ayodhya. I have heard about it but I have not seen it. I do not know in which Mohalla the tomb of Paigambar in Ayodhya is situated. I have been to Mani Pravat in Ayodhya at a number of times. There was a grave on the side of road behind Mani Pravat. But I have not asked anybody about the grave. I do not know whether the courtyard is surrounded by a wall or not. Had it been surrounded, it must have been visible from the road and a door would have been there. It may be possible that it would not have been visible due to less height. I have not heard from anybody that Ayodhya is very important place for Muslim. I have not heard nor believe that they wanted it to be a Khurd Macca but could not. Mohd. Tuglak had tried in this direction but could not. Mohd. Tuglak named the Ayodhya as Fakirabad but it could no continue. And Ramkot was renamed as Begampur. Begampur Mohalla was there in Ayodhya. Old documents contain only the

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name of Begampur Mohalla. For writing, Ramkot and Begampur Mohalla mention both the names are necessary. Ramkot Mohalla is called Begampur. Mohd. Tuglak was the King of Delhi in the year 1325. His real name was Juna Khan. He, after killing his father, kept his name Mohd. Tuglak. His dynasty vanished. His cousin was Phirozshah Tuglak. Mohd. Tuglak ruled for about 20-25 years. The way present states are called Province similarly I have heard that they were earlier called Suba at that time. In 1325 Ayodhya city was under Avadh province. Ayodhya was not the capital then. It was only Ayodhya. Capital was Shrawasti then, which was under Basti. Ayodhya was in fact the capital of Avadh. I am not aware whether Ayodhya was the capital of Avadh province from 1194 to 1700. Lucknow and Faizabad respectively were the capital of Avadh province from 1194 to 1700. During which period Lucknow was the capital of Avadh province, I do not know and similarly during which period Faizabad was the capital of Avadh province, I am not aware of. Gulbari was a King palace. During the time of Sultanat Ayodhya was the capital of Avadh only for name sake because it was mentioned onlt on paper. However no work has been conducted from there. The head of Capital, King was residing at Surawasti. The King was Hari Singh. Hari Singh was the King during the time of Mohd. Tuglak. After Han Singh, no Hindu became the head of the capital Avadh and Muslim became its ruler because the rule was run from Delhi. Delhi came under Gulam Vansh but in which year, I do not know. Muslim became the Head or Governor of Ayodhya from the time of Muslim rule in India. About the King Hari Singh and Shrawasti as a capital, I have read in the book titled "Prasang Parijaat" Kashi Bhartand and Vaishnav Kabir". This fact was also mentioned by a Faquir in a book written by him.

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I have seen Bhaskar Dasji as a priest of Ramchabutra and Ramjanam Bhoomi and not a priest of other temple. I am not aware whether Bhaskar Dasji was a priest of temple called Gudartar. I have heard about this temple but I have not seen it. There are four Tar in Ayodhya. Among them, Gudartar was one and second Tar at Bara Sthan. I have no knowledge about the other two Tar. The owners of Tar used to be invited at the time of appointment of Mahant. I could not be a Taradhis of a temple, for whom I was a Mahant. I am not aware that Gudartar temple is situated in the north of road, which is in the north of disputed Bhawan. I never went to that temple, but I have heard its name. I do not know whether idol of Ramachanderji was there or not. He himself said that there were an idol of Ramchanderji and Narayana in every Math. I have a reverence in the temple where there is an idol of Ramchanderji. I have not seen all the temples of Ayodhya. I have seen the disputed premises thoroughly. The items, which were around it in 1930 and thereafter, I know about them. Manas Bhawan is in the east of the disputed site at present and Faquir Ramji ka Mandir in the north. In 1930, there was a ground in the east of the disputed Bhawan. There was a courtyard. I do not know at what time 75 Muslims were killed and buried in that courtyard, due to dispute. I do not know that this site is called Ganj Saheedan. I have heard in this regard to-day itself. According to my knowledge, Ayodhya was known as a city of Bhagwan Ram. Besides, this Budh people were also associated with the Ayodhya city. He himself said Budh religion began from Ayodhya. Except Budh religion or Sanatan religion, no other religion is related to Ayodhya. It is not correct to say that I am giving false statement on this point. It is not correct to say that Ayodhya from the very beginning was an important place of Muslims and Jams, except Hindus and Budhs. Acharya Rishabhdev was

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the first Acharya of Jams, who was a son of King but he never propagated Jam religion from Ayodhya. I never heard that Sheesh Paigambar was a son of Hazrat Adam, who originated the earth. There are two-three temple of Jams in Ayodhya. There are separate temples of Sewatamber and Digamber in Jams. The large naked idol belong to Digamber Jams. I have been in that temple. In addition to this, I also visited other temples. Gurudwara of Shikh is at Brahmkund in Ayodhya. Guru Govind Singh came to Ayodhya during the fight for Ramjanam Bhoomi. He constructed Gurudwara at Brahmkund. In which battle, Guru Govind Singh came to Ayodhya I do not remembered. But he came before the battle of 1934. This battle was fought between Hindus and Muslims. Guru Govind Singh came for the help of Hindus. There is a temple of Faquir in the north of the road in the north of the disputed Bhawan and still exist. This temple is in the north of the disputed Bhawan. I do not know whether Faquir Mandir is within the acquired premises or not. I do not know, which other temples were acquired, besides Manas Bhawan. Faquir Ram Ka Mandir is about four hundred years old. This is one of the oldest temple of Ayodhya. In my knowledge two oldest temple in Ayodhya were, Ramgulella temple and Surya Mandir, owned by me. I do not know the meaning of Gulella. He himself said that there are a number of Math called Ramgulella, of Ramanandiya sect. There is only one Ramgulella temple in Ayodhya. I have no knowledge whether Ramchanderji played there at Ramgulella Mandir or not. There is a Dantadhawan Kund in Ayodhya. I do not have the knowledge that Ramchanderji used to brush (Datun) his teeth at this place or not. If the follower of Ramchanderji says that Ramchanderji used to brush (Datun) at this place, I do not it authentic. There is a reference of Dantkund in the books but it is not written anywhere that Ramchanderji used to brush his teeth here.

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Ramgulella temple is not referred in Books but Lomas is referred. There is a board of Lomas Ashram have been installed in front of Gulella Mandir. History must have the Geography and vice-versa because both are related to each other.

Disputed Bhawan was demolished by kar-sewaks on 6th December, 1992. On that day nothing special festival wa in Ayodhya. A meeting of Vishwa Hindu Parishad had been convened on that day in connection with the construction of temple. Kar-sewaks had come to attend the meeting. These were the follower of Hindu religion. They had come there motivated with religious feelings. Kar-sewaks demolished the disputed Bhawan because they were asked to wash disputed Bhawan with Saiyu water and sand, upon this the kar-sewaks got angry and almost one lakh kar-sewaks returned back. The rest of Kar-sewaks demolished the disputed Bhawan in anger. Kar-sewak were hoping that construction of new Bhawan would began from that day. For construction of new Bhawan it was necessary to remove old Bhawan. Every kar-sewak had brought five bricks with him to began the construction. Bricks were also brought by trucks from some places. Kar-sewaks had began the first phase towards the construction of temple. I have not seen the tomb of Kwaja Hattee at Kuber Tila in the south of the disputed Bhawan. It is not correct to say that its real name was Kwaja Hattee, not Kuber Tila. He himself said there is one Ramkot and twenty four Tilas in Ayodhya. There are twenty- four tower of Ramkot. I know the name of these Tilas. Ramdurg is over covered by these tila I am saying this on the basis of Rudryamal. I have also seen these tilas. The six tilas in the north are known by the name of Vibhisan and his wife Sharma Devi. Third one is Bhignesh Tila, fourth one is Pinderaa Tila. Fifth one is Matgajendera Tila in the name

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of son of Vibhisan. Sixth one is Gayendra. All these tilas were on the north side. In the south are Nal Tila, Neel Tila, Sushen Tila, Kuber Tila, Gawaxh Tila and Dadhiwakra Tila. In the west are Durgeshwar Tila, Satbali Tila, Rishabh Tila, Vanas- Tila, Gavey Tila. The name of one tila is not remembered by me. In the east are: Mayand Tila, Jamwant Tila, Kesari Tila, Hanuman Tila i.e. Hanumangarhi Tila, Sugreev Tila and Angad lila. All the tilas are in a row. The road leading towards south from Dorahi Kuan is called bye- pass road. The tilas on the west side are in the east of this road. Kot, Kila, Durg and Fort are synonymous. The hillock kind of mountain at a height is called Tila. Disputed Bhawan was not on Tila but was on the plain land. Some Tilas are at much height. Some Tilas have became plain. Excluding Kuber Tilas, Sugreev Tila, Angad Tila, Hanuman Tila, Mayand Tila and Gayand Tila still exists. Rest Tilas have became plain. I am saying all this on the basis of books. Rudryamal, original one, is safe in Saswati library, Varanasi. Its one edition was published. One edition is with me, I have published it but it has not been binded yet. The name of this book is "Ramtarak Pursharan Anusthan Vidhi" and "Ram Raksha Stroth". I have written its publication and printing year, as 2004. The above two books are separate. One is Ramraksha and other is Purshaian. Ramraksha contains twenty to twenty five pages and Ramtarak Anusthan Purscharan contains 50 pages. I got these books yesterday evening after publication. My name is written on the book as a "compiled by". It was published by my disciple, Ram Prakash Das. I have the manuscript on the basis of which Rudryamal was published. Manuscript contains much more than just double pages. What I have stated above, Shiv-parveti was cited as it author. I cannot say who reduced it into black and white. Swami Raghuvaracharya and Swami Bhagwalacharya are its scriber. I do not know whether the

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year of scribe was written in the original manuscript, or not. Its language is Sanskrit and letters are of Hindi. The persons, who scribed the original manuscript, one from Gujarat and second one is from Kashi. He said both are Jagadguru. The above person prepared the manuscript in 1921. The manuscript, which is in Sarswati library, Varanasi is very old and is written on the tar- leaves. The above two person has made the duplicate copy of the manuscript kept in Saraswati library and the manuscript I have, in my presence. I have read only a small portion of the manuscript kept in Saraswati Library. The portion, which I reed, is also in Ayodhya Darpan. It is also included in the book written by me. This manuscript is from the tretayuga which is continuing traditionally but I have not seen, who scribed it and in which year. Manuscript is in Sanskrit language and its words are in Hindi, devnagari. Some call it Devnagari and some call it Hindi. Devnagari used in the above manuscript is some what different from today's Devnagari. It is in a designed form, similar to Pali. I recognize the Pali, to a little extent. Pali in India is from the time of Bhagwar Budha. I do not know when the new script was introduced. Its language is similar to that of Sanskrit of to-day. But that Sanskrit was quite difficult but script is the same. I cannot say whether Sanskrit is also called Chayest or not because I am not acquainted with this word. The language used in "Ayodhya Darpan" and the language used in manuscript is one and the same.

Statement read and confirmed.
Sd/-
Mahant Acharya Banshidhar Das
22.9.2004

I have dictated to stenographer who typed it in the open court. Suit may be listed for cross-examination for 23.9.2004. Witness to present.

(Hari Shankar Dubey)
Commissioner
22.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

23.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 10.9.2004.)

(Furtherance to dated 22.9.2004 Cross-examination on affidavit by Shri Mustaq Ahmad Siddiqui, Advocate on behalf of defendant No. 7 in other original suit No. 4/89 and defendant No. 5 in other original suit No. 5/89 continues.)

The manuscript of the book, which is safely placed in Sarswati library, Varanasi and referred above in the statement given by me, is of the time of Tretayug of the present Kalpa. I cannot say how old it is. This book is in three parts, first history, second Geography and third - Ram Mantras and sources. He himself said that I have studied all the three parts but a few ingredients. I have studied the whole part of Mantras. Once this book was brought to Ayodhya. Queens College, Varanasi is the present Samparnanda Sanskrit University. Queens College was established by the Britishers. Sarswati library earlier was under the Queens College but now it is under the Sampurnanand Sanskrit University. The writing on the leavesof Tar is written from Lakheni (an instrument made of the wood for writing.) The writing is engraved or not, but it is not written in ink. The leaves of Tar were light yellow in colour and writing was in white yellow colour. The writing was not written by Kalam of Sarkanda or Pen. The writing appears to be on tar patras but the colour is

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not clearly visible. There are three part of the book; each part is nine-ten inches in thickness. I am not sure whether pages were numbered or not. Writings are on both the side of leaves. Leaves of Tar were cut to size to form a book and the book is binded by wood. The leaves of Tar are similar to present one but the colour is different. The Sadhus of Ayodhya who studied in Queens College Varanasi, knows about the book. Raniraksha Tripathi of Ayodhya is well known to me. I have studied Hindi from him. I have studied Hindi from him at the time when he was residing in Raiganj Mohalla of Ban Chavani. He was elder to me and now is no more. Ramraksha was scholar of History and Hindi. He himself has not seen the book written on the leaves of Tar but he had the knowledge of the book. I have no knowledge whether foreigners used to visit him or not.

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The cause of 1934 riots in Ayodhya was the act, in which Muslims reportedly brought the dead bodies to Ayodhya to be buried. About hundred Muslims were taking ten-fifteen dead bodies to Ayodhya but they could not succeed. I have no knowledge, what happened to these dead bodies. In the riot of 1934, Hindu and Muslims, both, were killed, but Muslims were killed in large number. An officer Prithvi Pal Singh was also killed in the riot. The Muslims became apprehensible after the riot. Hindus were normal because they were in majority. He himself said that people from Hanumangarhi and Nirmohi Akhara were always ready to resist. Hindus collected the donation for repair of damaged part of disputed Bhawan during the riot of 1934. I have no knowledge whether the repair carried out wasthrough the contractor or not. I have no knowledge whether the Bhawan was repaired by contractor Tahwoor Khan, on the order issued by the Collector, Faizabad. I do not know whether the penalty was imposed on Hindus

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after the 1934 riot or not. In my knowledge, Mahants of Ayodhyas repaired the damaged part of the disputed Bhawan by raising donation. Muslims were also involved in the damage caused to disputed Bhawan in 1934, because they have taken away the two pitchers from the rear part of the disputed Bhawan. They caused digging to take the pitcher away. After that only one pitcher, the middle one remained there. Muslims caused damaged to the dome in order to take out the pitchers. I am making this statement on the basis of my knowledge. He said that after the restoration of normalacy, he himself saw the site. I have not seen anybody taking out the pitchers or causing damage to the domes. I met Molavi through Ramdev Dubey, S.H.O. Ramdev Dubey came into my contact because whenever his family visited Ayodhya. They used to stay at my Math, alongwith Ramdev Dubey. He himself stated that Mahant Hanuman Das was related to Ramdev Dubey. I met Molavi Sahib at the time when Ramdev Dubey was posted as S.H.O. at Katra Police post in Ayodhya. I was not having good relation with my father. I was residing with my maternal uncle. My father tried to teach English to me. He used to send all his sons to England to study. This was the main reason for my having not good relation with my father. I resided with my maternal uncle since childhood. I never went to my father. I was born at my mother's paternal home. My mother remained there for most of the times. My father was a clerk of D.F.O. My father had passed the law. That is why I have said that he was a lawyer. My statement that I am a soil of lawyer and had advocated in about two hundred cases is correct. I do not remember the year in which my father died. He had died before our country attained independence. The facts given by me in the statement made on 18.9.2004, at page No. 21, that till the time my father was on service, there was a rule of Britishers. After

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that my father remained at home." is correct. I do not remember whether the British Rule came to an end on 14th August, 1947 or not because I was at Karanchi at that time. But the date, which the Learned Advocate is stating may be correct.

Siyaraghav Saran was the last priest of Nirmohi Akhara. He was a disciple of Mahant Janaki Jeevan Saran of Lal Sahib Mandir situated at Kanak Bhawan. He remained priest up to the year 1982, when it was attached. I have no knowledge whether he had filed any case regarding disputed Bhawan in the court of Munsif Faizabad or not. Learned cross-examiner advocate has readout the name of parties and decree asked for and details of property in original suit No. 57/78, Bhagwan Ramlalla versus Government, court of Munsif Sadar, Faizabad to the witness and asked whether this suit relates to the disputed site. Witness replied that it appears from the details readout to him that this suit related to the disputed site, Ramlalla and Hanumanji. He himself said that he had no knowledge of this suit. Witness was shown the document No. 285 C-1/2 of the other original suit No. 5/89, upon which the witness said, he cannot say whether the paper relate to the donation raised for the repair of disputed Bhawan, by the Mahants of Ayodhya, or not. Witness said that it appears that this paper is about the penalty imposed on Hindus in 1934. He himself said that Muslims had taken out two pitchers and the pit caused by their action, was levelled by Hindu Sadhus and Hindu families. It is also mentioned in the paper that the tax recovered thus will be paid to Muslims as a compensation. Witness was shown the page next to page No. A-34 of the documents under section 145 of Cr.P.C. The witness said he cannot read it because it is photocopy. This notice was than, readout to witness and was asked.

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Question: Whether this is the same notice which was issued after attachment by the court of Additional City Magistrate, Faizabad?

Answer: I do not know in this regard but it appears after listening that the said notice was issued after the attachment.

Question: Whether the Hindus of Ayodhya, who held any claim in connection with disputed Bhawan, were asked, through this notice, to file their claims by being present on 17th January, 1950.

(Upon this, Learned Advocate Shri R.L. Verma in other original suit No. 3/89, raised an objection that questions pertaining to the contents of any document cannot be asked for as was asked by Learned cross-examiner. And moreover, question from witness cannot be asked for by referring the real facts mentioned in the notice. So the permission should not be granted to ask such type of question.)

Answer: I do not know.

It appears from listening the content of notice that it was issued by the court, but I do not know anything in this regard. I have heard that disputed Bhawan was attached. But I have not seen the action of attachment. He himself said he has heard about this from Shri Ramdev Dubey. I do not know whether the criminal case after attachment under section 145 Cr.P.C. was filed or not. I also do not know whether any party has filed a case after its attachment or not. The earlier priest, who was removed after attachment, has not got the possession back yet.

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The suit in which I am giving statement is about to the disputed Bhawan. He said, that the suit was filed during the time of Mahant Raghunath Dasji. I know this. Mahant Raghunath Das has filed the suit for his rights. I cannot say against whom the suit was filed, because I have not seen the documents. I am giving statement in favour of Nirmohi Akhara. I have no knowledge whether special celebration of chanting (Kirtan) has began in and around the disputed site in the year 1949 around Dusshera or not. He himself said that chanting were being performed there. I do not know for whose sake the chanting were being performed of. The Phaquir Mandir, which I referred in my statement, is situated, at the road in the north of the disputed Bhawan. This road leads to Dorahi Kuan from Hanumangarhi. This Fhaquir Mandir is not called Janamsthan Mandir. To my knowledge Janamsthan Mandir is a disputed Mandir. Janambhoomi and Janamsthan is synonym and both holds the same meaning. The road in the, northern side of the disputed Bhawan is 6-7 feet below the level of the Bhawan. I have no knowledge, whether there is an embankment in the south of Faquir Mandir or not. It is not correct to say that Ramkot and Begampur are not one but two seperate Mohallas. He said both are referred in the documents. Ramkot Mohalla is written in notices. It is correct to say that Ramkot is referred as a village in old as well as new state revenue documents. Once the name of Ramkot was deleted from the official documents but it was again included. It is not correct to say that there is no revenue village by the name of Begampura and I am giving false statement in this regard. Ramkot alongwith the Begampura are mentioned in the papers. First Begampur is written then Ramkot. I cannot refer a paper where only village Begampura was written. Everywhere it is referred as Mohalla Begampur. The word Mauza is referred to a village. There was no

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tomb of Faquir in the south of the disputed Bhawan. People say that there is a tomb of a Faquir at Ramkot towards Dorahi Kuan, where black stones were fixed. Their number is not known to me. I have heard about this from a number of Hindus and Muslims. This tomb was of a Faquir who invited Meerbaki. He used to learn yoga from Shyamananda by becoming his disciple. He got the temple destroyed through Meerbaki. Meerbaki was a military General of Babar.

There was no reference about the demolition of Ram janambhoomi by Babar nor he had given any order to demolish the temple. I made a statement on 2l.9.2OO4 at page 89 that no Emperor other than, Mohd. Tuglak has demolished the temples. My statement is correct. Meerbaki was not a King. Meerbaki had demolished the temple on the instance of Faquir. Meerbaki had not demolished the temple, situated at the disputed Bhawan on the direction of Babar. He has demolished it on the request of Faquir. Meerbaki had destroyed the entire temple. Disciple of Ramananda has done away with all the thaumaturgy of Faquir, from which Meer was impressed. New building at the site was built during the time of Govind Das. It was demolished during the time of Shyamanand and constructed during the time of Govind Dasji. I cannot say about the interval in between the time of its construction and demolition. I do not remembered that the interval was for 20-25 years or not. Shyamananda started living at Guptar Ghat and Govind Das at the same place. So far I remember, building was constructed by Govind Dasji during the regime of Emperor Babar.

I do not remember the period of rule of Babar in India. I myself have not seen the black stone said to be at the tomb near Dorahi Kuan.

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The Municipal Committee of Ayodhya and Faizabad were separate at that time. Before that there was a single Municipality for both Municipalites. Municipality is elected for. The Muslim of Ayodhya also used to take part in that election.. I do not know if any Muslim has ever contested, elected or was defeated in the election held for municipality.Because I do not involve myself in this kind of hassles. I have not heard the name of Hazi Fayam. 95% of Muslims are converted one and only 5% Muslims are original one. These are foreigners. These foreign nationals came from Iran, Arab and other countries. Now they stopped coming. He himself said, that the Kings used to fight with each other's. Jains also used to fight with each other's and similarly the followers of other religion. I do not know whether Muslims from foreign countries came to Ayodhya after 1930 or not. The Muslims of Ayodhya and Faizabad are converted ones from Hindus. The original Muslims went back to Delhi. He himself said that Ramanandiya sect had reconverted a large number of Muslims into Hindus after making their disciples..

I have studied Skand Puran but not in detail. The total number of Puranas are 18. In my view, all the Puranas were written during the time of Vyasji. Ved Vyasji has written the Purans, 5000 years before. The Purans in my library are published from Gorakhpur. I have no idea that in my collection of Puran, the oldest one is how many year old . It must have been written in the book. No. such puran is available with me which was published before the 20th century .Because all the Purans which are available with me were published from Gorakhpur. Purans written by Ved Vyasji were available during the period of Britishers. Prior to this, Puranas were available in manuscript and were written on the leave of Tar. I have

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seen the manuscript written on the leaves of Tar in Sarswati Library, Varanasi. The contents of Purana, which are with me, are the same, as are in the manuscript written on the leaves of Tar, available in Sarswati Library. The language, script and method is one. He said, such type of libraries are first at Varanasi, second at Jaipur,third at Shrirangapattanam and fourth somewhere in Andhra Pradesh. Manuscript of Purana are available in the same library where original Manu script of Rudryamal have been kept. He further said the fourth library is at Tanjore in Andhra Pradesh. Library at Tanjore is the largest among the libraries, which I referred above. The language used in Manuscript of Rudryamal available in Sarswati Library, varanasi differs from the languages used in other Puranas available in the library referred to above. Script of both is same . Both are in Sanskrit language but differ in term of Grammar. I do not know the differences with a view of Grammar. Grammar used in Rudryamal is the same as was the Vedas. Grammar used in Purans is the same, which was used in Sanskrit literature.

Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

23.9.2004

I have dictated to stenographer who typed it in the open court. Suit may be listed for cross-examination for 24.9.2004. Witness to present.

(Han Shankar Dubey)

Commissioner

23.9.2004

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Before: Commissioner, Shri Han Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

24.9.2004

D.W. 3/18 Acharya Mahant Banshidhar Das (Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated. 10.9.2004.)

(Furtherance to 23.9.2004, cross-examination on an affidavit, by Shni Mustaq Alunad Siddiqui, Advocate on behalf of defendant No. 7 in other original suit No. 4/89 and defendant No. 5 Mohd. Hassim in other original suit No. 5/89, continue.)

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In Ayodhya, conflicts took place between Hindus and Muslims only. The followers of other religion did not fight with each other. There was no unity among the followers of any religions in Northern India and they always remained in conflict with each other. Followers of Shev sect and Vaishnav sect were in conflicts and sometime they physically fought with each other. These people fought with each other during Kumbh Mela in Haridwar and Nasik. These incidents happened before 1600. There was a time when the followers of Shev sect were afraid from the followers of Vaishnav sect. At that time the followers of Vaishnav sect were in less numbers.

I referred about a building with 24 towers in the statement given by me yesterday. This fort was made during the time of Kush. Now it does not exist. Only remains of 8-10 towers are there. About this fact that this fort was constructed at the time of Kush, I read it in the

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part of history of Rudryamal. In the building constructed by Kush there were six numbers. of towers on all the four direction and all the towers were in a row. I have read about it in Rudryamal. I do not know whether there is reference about it in Ayodhya Mahatamya Khand of Skand Puran or not. Balmiki Ramayana refers about it but not in very clear terms. There is no reference in Ramcharitmanas about it. The fact in this regard is this that no book other than Rudryamal have clarified about the tower in the fort constructed by Kush. There is a reference of Kuber Tila in Rudryamal book. Kuber Tila has a tower in the corner. Kuber Tila has a tower in its west and south corner. It is not correct to say that the point relating to the building of 24 towers about which I am talking is imaginary. It is also not correct to say that the towers, which are there at present, are not in a row. There is no reference about the towers in any book other than Rudryamal, because I have read about it in Rudryamal only. Manuscript of Rudryamal is the same which I have told is kept in safe custody in Saraswati Library. Rudryamal in full is not published yet. Its History and Geography part was published by Bhagirathi Brahmchari. I have published the chapter Ramtarak Anusthan method and Raksha Strout as a book.

In 1921, Swami Bhagwatocharya and Raghubaracharya, who are known to me, have seen the manuscript of above books. The manuscript written by the above mentioned two persons, know to me, on the basis of which I have published my book, they were the co-writer of the book. Swami Bhagwatacharya was expert in writing and Swami Raghubaracharya was expert in grasping and making other to understand. In the same manner, Bhagwatacharya has written the book on dictating by Raghubaracharya. There is only one person who have written this book. He himself said that the book contains the photo of the both.

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Dussehra falls on the tenth date of Shukla Paksha. So far English month is concerned, sometimes Dussehra falls in the month of October and sometime before or after that. How much, sooner or later it falls in the English month I cannot say. I cannot say that every year it falls at the variation of 10 days or one month in every three years. The fort constructed at that time remained intact upto the time of Mohd. Tuglak and in between it was repaired time and again during this period. This fort was used for the purpose it was made for. He himself stated that the wells in the fort were 60 feet in depth. I cannot say the number of wells. The well at my residence is 60 feet deep. I have seen a number of forts in India. In fort there is an arrangement for Raj-Darbar, residence for military and police and a place for religious gathering. I have no information if there was printing house in the fort or not. Police is kept therein for the purpose of safe-keeping. I have no knowledge if persons holding gun used to sit over the tower from the security point. I know only that there were idols of Gods on the towers. In all the towers referred above, there were idols of Gods. An idol of Hanumanji in Hanuman fort, an idol of Sugreevji in Sugreev fort, an idol of Jamwant in the fort of Jamwant and an idol of Mat-Gajendra in Gajendra fort, Mat Gajendra is not an independent fort, but a tower. I never heard that Gold is produced in Ayodhya. I have no knowledge about the printing house, where coins were produced, in Ayodhya. It is not correct to say that the fort I am referring about was constructed in 13th century during the rule of Muslims. I have no knowledge about the Madarshah Tila of Ayodhya. I also do not have the knowledge of Jurawanshah Tila. He himself stated that he does not have the knowledge of any Tila of Muslims. Once upon a time, Ayodhya was a centre for marketing. During the time of Satyug and Tretayug, Ayodhya was a centre of

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business for the whole world because it was a capital at that time. Ayodhya was a capital of the world at that time. Ramchanderji and Dasrathji were treated as the King of entire world. With the passage of time its recognition was reduced. Today, its political recognition in India itself has been lost but religious recognition is effective even today. It is not correct to say that there was no recognition of Ramchanderji before 16th era, in Ayodhya. It is also not correct to say that Ayodhya gets recognition only after the Ramcharitmanas was written by Tulsi Das. Valmiki Ramayana, initially was written during Tretayug. Rudiyamal book was written after it. Purana were written after Valmiki Raniayana, these were written by Vyasji in Dwaper Yug. On the basis, what Shankar said to Parvatji, I say that Geography of Ayodhya was described in details. Valmiki has written the things about past, present and future because he was a poet, who knew everything about three yugas. Puranas basically are continuing in the same form, as these were at the time of their publication No. change have taken place in them.

Witness was shown the document No. 254 C-1/11 of the other original suit no. 5/89; upon which witness said, the word used in Rudryamal are not similar to the words shown in the documents. But some letters like Pa, Fa, Ma, Sa are similar to the word shown in the document. I cannot say whether all the letters shown in the document were similar to Pali script or not because I have not read the Pali. Upon seeing the document No. 254 C-1/12, witness said he cannot say whether the words therein were from Pali script or not. Devnagari script has also the same letters. The word 'Sa' and 'Ta' are similar to the word used in Rudryamal. There is partial difference in the formation of word 'Ta' and 'Sa' shown in the document No. 254 C-1/11 and document No. 254 C-1/12 or not, I cannot

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say. I cannot say whether there is a little difference or not but this much is sure that these differ in formation. I do not remember that the word 'Sa' and 'Ta' in the original manuscript of Rudrayamal were similar to or differs from the word 'Sa' and 'Ta' shown in document No. 254 C-1/11 and document No. 254 C-12. The script of the original manuscript kept in Sarswati Library, Varanasi is not in pali but in Devnagari. But the script used, is somewhat similar to Pali. Witness was shown the statement given by him on 22.9.2004 at page 108, witness said that his statement "The script used is in, are similar in design to Pali script" is correct. I made this statement on the basis that the turn of letters used in the manuscript are similar to the letters of Devnagari script. The turn of letters 'Sa' and 'Ta' in document No. 25A C-1/11 and 12 are similar to the letters, which I referred in my statement dated 22.9.2004. There is slight difference about the writings of 'Sa' and 'Ta' at both the pages. I cannot say whether Hindi script, called Devnagari script, is from the time of Treta Yug or not. But this script was used in all the ancient books like Ved Purans. This shows that this script was from the above-mentioned time. The letters in document No. 254 C-1/13 are similar to Devnagari script. There is 'Ti' in the fourth line, which matches to Devnagari script but the 'Yum' letter in 12th line does not matched with Devnagari script. It is not correct to say that I do not have the knowledge of Devnagari script and that's why I am not recognizing the letters or I am feeling difficulty in recognizing the letters. In document No. 254 C-1/13, the letters 'Da' 'Pa' 'Ma' are similar to the letters of Devnagari script. There is little difference in letter 'Ya'. The letter 'Ra' 'La' and 'Sha' are similar to the letters of Devnagari script but letter 'Va' differ slightly. The letter 'Sha' and 'Ha' are not similar to the letters of Devnagari script. The vowel mark on the letters are correct but method slightly differs. The vowel

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mark being used in the letters of Devnagari script and the vowel mark shown in the document No. 254 C-1/13, are slightly differs. I do not know in which year, such vowel mark in Devnagari script was being used. I do not remember what type of vowel marks were used in Rudryamal. I have not read the book thoroughly. The above mentioned two persons, who are known to me, have specifically seen the book. There are 12 types of 'Ka' word in document No. 254 C-1/14. The word 'Ka' which is used at present in Devnagari script, is shown in line eight. The word 'Ka' was also used at various places in Rudryamal and was of same type. The word 'Ga' in ninth line of this document is very much similar to the word 'Ga' in Devnagari script. The line drawn above this word is similar to the line being used at present. What type of word 'Ga' was used in Rudryamal, I do not know. I know only that Devnagari script was used in Rudryamal. I cannot say much about the other words used in Rudryamal were from Devnagari script or not.

The place where Nirmohi Akhara is situated at present is new one. I have been there. It is towards Ramghat. He himself said that, he visited there for twice. The building of Nirmohi Akhara was constructed before 1930, when I visited. He himself said that Nirmohi Akhara was earlier at Guptarghat and Ramjanambhoomi. I do not know whether Guptarghat is with Nirmohi Akhara or not. At what time the place of Nirmohi Akhara was shifted from Ramjanambhoomi to Ramghat, I do not know. The earlier location of Nirmohi Akhara was at Ramjanam Bhoomi, this information I came to know from the history Sadhus. He himself said that history of Sadhus says that lakhs of Sadhus have laid their life. These Sadhus died during the time of Mohd. Tuglak.After the time of Govind Dasji, Nirmohi Akhara has changed its place from there to

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Ramghat. Since then Nirmohi Akhara is there. I have no knowledge whether there was any bloody encounter during the time of shifting. None was killed during the time of shifting. Nirmohi Akhara has constructed their main place at Ramghat after purchasing land from the landlord of Dantdhawan. I do not remember that Ramkot is 10 lakhs five thousand five hundred years old or fourteen lakhs five thousand five hundred year old. But it was constructed by Kush of Treta Yug. It was constructed during the last Treta Yug. Kush was also born in all the three Treta Yugs prior to last Treta Yug. The fun and frolics of Ramchanderji were described in detail in Valmiki Ramayana but his deeds in other three Treta Yug were briefly summarized. It was not described in detail. Tretayug of earlier, was described in Puranas, Ramcharitmanas and in other books. Sitaharan and Lanka-dahan happened during Ramchandra's last incarnation. There was no reference about the attack launched on his birth place by others. I do not know whether the two stone Dadhiwakra and Gawaksh, I referred in the statement made by me are still there or not. I have seen these stones earlier. At that time these stones were in degraded position. Names have been written on these stones. The names were written in the same manner as it were written on other stones. These stones were fixed in accordance with the geography given in Rudryamal and name was written on it. The resident of Ayodhya had made a representation to the British Collector and Commissioner to the effect that the place referred in Rudryamal and places described in the copy of Rudrayamal, which is kept in Varanasi Sanskrit University, are disappearing hence stones were fixed on at these places. After original manuscript was brought to Ayodhya the stones were refixed in accordance with the book. Stones were fixed before 1930. This happened much earlier than I read the book in 1921. This incident

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happened during the time of Queen Victoria. Britishers had established the Queens College in the beginning. There was a stone at the side of disputed Bhawan. The stones were there at Hanumangarhi and Janamsthan Mandir. I cannot say, whether the stones were fixed in 1903 or not during the time when Maharaja Bahadur Singh was a Nazool Naib Tahsildar, Faizabad.

After last Tretayug, Ayodhya was never destroyed. Saryu River which was in the north side slowly moved towards the south side and during Treta Yug it further moved to the present side, approx three miles away from its earlier position. Places of Vishnu, which were in the south of Saryu, consequently shifted to north of Saryu. There are two streams of Saryu River, one stream coming from the direction of Barabanki and second one from Bahraich. These two streams meet at Varaha, in Bahraich and from here it is called Saryu. He himself stated that Saryu comes from Bahraich and Ghagra from Barabanki and merge with each other at Bahraich. Whether it is again called Ghagra from the Vilvaharighat at Gosainganj or not, I cannot say. This place is a crematorium of Ayodhya, because King Dasratha was also cremated here. I also know about sculptor and craftsmanship. The book written on these subjects are yet to be published. This book is useful to the masons, who construct the temple, I have studied the book. It is also written on the leaves of Tar. This book contains the information about the construction of Ganga-Yamuna idol. This idol is prepared on the doors. This book does not contain the reference about an idol of a River. I cannot say that Ganga and Yamuna being holy rivers, were mentioned in the book or not. I have not seen an idol of Saryu anywhere. There is a no reference about the book in crafts science. Except the book craft science, in no other book reference of any river

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except Ganga-Yamuna have been mentioned. Crafts science refers only Ganga and Yamuna and no other river i.e. Saryu river is mentioned therein.

Rudryamal is formed by two words. Rudra stand for Shankarji and yamal stone for "said'. In my opinion second book written on the verbal saying by Shankarji, is "Garuri Granth". This book is also in the Sarswati Library, not published yet. I am going to publish it. The book "Garuri" is in Sanskrit. The book contains the mantra and the saying of Shankarji to Gurura. In my opinion Rudryamal Granth has very useful knowledge about Ayodhya because the babas of Ayodhya had not much knowledge about Ayodhya. If the stones had not been kept at the places mentioned in Rudryamal Granth, the knowledge in respect of the places concerning to Ramchanderji could not have been obtained. It is not correct to say that the same situation there before the publication of Ramcharitmanas and people obtained the information after reading Ramcharitmanas in regard to places mentioned in it.

Muslims were living in Ayodhya since the time of Meerbaki. Meerbaki was invited by Faquirs from Bahraich. Prior to this there were no Muslims in Ayodhya. The population of Hindus was also not much. Most of the people were Mallaha and Pandas. Mallaha were Hindus but they earned their livelihood by doing business through boats.

The standard of living of Mallhahas was similar to the standard of living of present Mallhahas. Followers of Vaishnav sect were there in Ayodhya before 2700 years. Purshotamacharya Bodhayan also belongs to this period. He was the first Acharya in Kalyug of our community. The people of Vaishnav sect used to pay visit to Ayodhya but

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they did not established any math. Only my math and Ramgulella Mandir are ancient places of Ayodhya. Sadhus came to Ayodhya during the period of Ramnanda. All the maths in Ayodhya are within the 700-800 years. 14 stones fixed in the disputed Bhawan were not the stones of Kaushoti but were ordinary black stones. The brother of King Parsanajeet, Adityabhanj had brought these stones from the mines of Mayurbhanj in Orissa for the reconstruction of Ramjanam Bhoomi and fixed these stones at the disputed site two and half thousand years ago. These stones were fixed hundred years before Bhagwan Budh. I have enquired about the paintings carved on these stones from the King of Mayurbhanj. I have also enquired about his family tree. I have also enquired about the meaning of Bhanj from him. His gotra was 'Vashist', one which was also of Ramchanderji. The black stone, which were fixed at the disputed Bhawan, are still available in Mayurbhanj. The paintings, which were carved on the black stones, fixed at the disputed Bhawan are still in use there. I called for the skilled men from Mayurbhanj asnd got prepared a throne for Mandir. I have enquired from this man about the painting carved on the stones. These paintings have a specific standard and name. How many stones, the brother of Prasanjeet brought from Mayurbhanj, I do not know. The name of brother of Prasanjeet was Adityabhanj. There is stone at Khijlikot in Mayurbhanj, wherein there is a reference of reconstruction of temple at the disputed site in Ayodhya. This stone contain the detail of Bhanj Kingdom and about Mayurbhanj. The writing on the stone is in Sanskrit and script is Pali. Black stones were also fixed at Sarnath in Banaras, but these stones, compared to stones fixed at the disputed Bhawan are not so glossy. The stones fixed at Sarnath are rough I have not seen the painting similar to painting on the stones fixed at the disputed Bhawan,

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elsewhere. I have seen ordinary painting at many places. I have seen the paintings carved upon the Jain's Mandir, but it is not similar to, painting on stones fixed at the disputed Bhawan. Similar painting can be seen in Khajuraho in Madhya Pradesh. I had the chance to visit to Red Fort. Paintings on stones are also there but it also differs in standard from the paintings carved on the stones of disputed Bhawan. Every kind of painting has its own name lineaments and science. He himself stated that small Mandir contains five lineaments whereas large temples contain seven lineaments, these are straight but the lineament of each side has got a specific name. The size of lineaments is dependent on the length and breadth and size of the stone. The length of lineament differs in size depending upon the size of stone. Lineament differs in length and design. The black stone at the disputed Bhawan contains 5 lineaments, which is used in middle sized temple. Small temples also contain five lineaments. In large temple too, seven lineaments are used only and small temple contain only five lineaments. There are five lineaments on each of the 14 stones fixed at the disputed Bhawan. The picture of Ganga Yamuna and pitchers are must at the first door of the Mandir. Ganga and Yamuna are shown as a Goddess. Picture of Ganga and Yamuna is must on the way to kitchen. Wherever the picture of river is necessary, it is picturised in combination of Ganga and Yamuna. Idol of Ganga and Yamuna can be recognised by a person who has some knowledge about it, as for the ordinary layman, it is merely nothing more than a stone. The stones obtained during the excavation, were of the time of treat yug. These stones were not similar to one used in the pillars of disputed Bhawan. He himself said there was a place for keeping the pillar. The places from where the pillars were obtained during the excavation were marked. He himself said that pillars in pieces were

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obtained from there. Stones in large size were obtained from western and eastern side. These are almost equal to the size of tables kept in the court. The stones of Tretayug, obtained during the excavation, are lying at the site of excavation. These are so big in size, that these cannot be carried out without cranes. Site of excavation is covered by tent but I was able to see the stone, by raising the tent, on Sunday, with the help of two sepoys from Barabanki. There are 10 to 12 feet deep pits at the excavation site. All the three side, except the side where Ramlalla is sitting, have been digged. There were three pits and earth has been removed from it but stone were left therein. The pits I have referred about are red in colour. The stones found in the pits, are not available in Ayodhya or in its surrounding areas upto hundred miles. Stone are of dense red colour similar to the colour of tables kept in court i.e. yellow. I have by mistake stated the colour of stones, therein in the three pits. Black stone are kept aside; I could not see these stones. There were deep pits, where the pillars were erected. The pits are in round shape. The depth is not known to me, because of earth-heaps. The place, pits, for erecting the pillars are similar to the size of 14 black colour Kaushoti pillars. The 14 pillars fixed at the disputed Bhawan are round in shape. But the saying of learned cross-examiner may be correct that pillars were square in shape, because paintings were there on the pillars. There was no painting on the stones, lying in the pits. These were from the Tretayug. In the absence of truck-tractor, it was not possible for an ordinary man to remove the stone. On the basis of this I am saying that these stones belong to the time of Tretayug; The human of Tretayug were strong. The human of Dwaparyug were less strong to the human of Tretayug and so on the people of Kalyug were. There is no evidence to suggest that these stones were from the time of Satyug or Dwaparyug. I mean

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there is no written evidence. There is a written proof about these stones in the History chapter of Rudryamal Granth. The stones recovered during the excavation are similar to the stones available in district Mirzapur. It is not correct to say that no stones were recovered in the pits, which I have stated above in the statement given by me.

Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

24.9.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, suit may be listed for advance cross-examination before the Hon'ble Full Bench on 27.9.2004. Witness to be present.

(Hari Shankar Dubey)

Commissioner

24.9.2004

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Before: Commissioner, Shri Hari Shankar Dubey,
Additional Distt. Judge/Officer on Special Duty,
High Court, Lucknow Bench, Lucknow

11.10.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 8.10.2004.)

(Furtherance to 24.9.2004, cross-examination on an affidavit by Sun Mustaq Ahmad Siddiqui, Advocate on behalf of defendant No. 7 in other original suit No. 4/89 and defendant No. 5 in other original suit No. 5/89, continues.)

The book called Rudryamal, which I referred in the statement given by me, has since been fully published. History and Geography are part of Rudryamal in the book called "Ayodhya Darpan" which has been published and Mantra part in two volume has also been got published. Both the volume cost Rs. 750/-. The mantra part of this book has also been published titled Rudryamal. The book was published long ago but was made available in the market only recently. Mantra part of the book does not contain the chapter of History and Geography. But Ayodhya Darpan does contain these parts. "Ayodhya Darpan" book was published much before. The book named Rudryamal, which is in the Sarswati Library, Varanasi, contains History, Geography and Mantra part. This book does not contain the part of any other subject. The full Rudryamal book is in three books, namely Ayodhya Darpan and two parts of mantras and has been published. Ayodhya Darpan named book does not contain any other subject other than History and Geography

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described in Rudryamal. The language, script and writing used in Rudryamal are similar to the language, script and dictation used in Ayodhya Darpan and in the two volume of Mantra part. Only the preface is in Hindi language. The writings in the book Rudryamal are in the form of conversation in between Shiv-Parvati. He stated that he experienced the Mantra part by practicing the Mantra part. The contents about History and Geography are similar in nature in Balmiki Ramayana and Rudryamal, in case of difference between the two books, I will treat the contents of Rudryamal as more authentic. There is reference in the book called Rudryamal that contents of the book are in the form of Shiv Parvati conversation. But there is no other reference about "Word Authenticity" to the effect that the contents of Rudryamal are in the form of Shiv-Parvati conversation. The Muslims used to burn the religious books of Hindus and destroy them. Besides this, they used to have destroyed the temples of Hindus, that's why Hindus used to hide their religious book. During the time of Britishers, the Britishers after collecting these books had kept them in Sarswati Library of then Queen College. The book Rudryamal was kept hidden at Sidhpur in Gujrat. Britishers got the book from that place and kept it Queens College. The Math of Ramanandiya sect at Kashi Panchganga Ghat was destroyed during the time of Mohd. Tuglak and the books kept therein were also destroyed. I remember the names of some of the books, which were destroyed. These were Vaishnavmataviya Bhaskar, Vaishnav Digvijay, Yogdarshan and History of Shri Sect. The math of Raninandiya Sect, which was destroyed, was called Gurudwara by Ramanandiya Sect. Its name was Srimath. A Masjid is also there. I remembered the name of Masjid, but at present, I am not able to recollect it. This Masjid is situated at Panchganga Ghat of Kashi. I have read about the demolition of Srimath in the book called

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History of Ramanandiya Sect and not in the ordinary books of History. History of Ramanandiya Sect is published in the books, namely Vaishnav Kavi, Kashi Markand and Prasang Parijat from where I studied the history of Ramanandiya Sect. History of Ramanandiya Sect was published in these three books. I do not know whether any part of Ramanandiya history is still unpublished. He himself said that there is some unpublished part of history of Ramanandiya Sect, kept in Saraswati Library.

Ramcharitmanas, written by Tulsi Das is a reliable and authenticated book of my Sect. There is a belief that the conversation between Shiv-Parvati was reproduced there in, as it was. Rudryamal and Ramcharitmanas, both are recognized books. In Ramcharitmanas, Tulsi Das has said that he has reproduced the thoughts of various Purans, Vedas and other scriptures in his language in the form of poem. It was mentioned in Ramcharitmanas, that the utterance described in the books was in the form of Shiv-Parvati conversation. It is written in Ramcharitmanas that "Ek bar Tretayug mahin, Shambu gaye, kumbhoj rishi pahin, Sang satti jag janani Bhawani, Puja rishi Akhleshwar Jaani Ramkatha Muni barj Bakhani, Suni Mahesh Param Sukh Khani." It was also mentioned in Ramcharitmanas that "Rachi Mahesh Nij Manas Rakha Pai Susamaya Shiva San Bhakha." From reading Ramcharitmanas, it appears if Ramchandra was a Param Brahrna. The thoughts in manas were also honoured by the people prior to Ramcharitmanas. Tulsi Das has written the same thoughts in Hindi. In Balmiki Ramayana Ramchanderji was portrayed as a strongman, Maryada Purshotam human as public character and Param Brahma as a Glory. It is not correct to say that in Balmiki Ramayana, Ramchanderji was portrayed as Maryada

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Purshotam strongman and his halo was developed as Parambrahma in Ramcharitmanas. The fact is this that Ramchander was portrayed as Parambrahma.

Before attachment, Siya Raghav Saran was a priest of disputed Bhawan; I am talking about the attachment of Ramehabutra in 1982. The name of Ramkot was removed from the official record during the time of Sirajudolla. In its place Begampura was used. During the period of Sirajudolla, both Begampura and Ramkot were being used. Before his period Ramkot only was being used. Nawab of Jaunpur has attacked yodhya and Muslims of that time left for Ayodhya to Lucknow, not to Delhi. I stated in the statement given by me on 23.9.2004 that the Muslims of Ayodhya and Faizabad are the converted ones from Hindus to Muslims. The original Muslims shifted to Delhi. This statement of mine is correct. Muslims shifted to Delhi at the time when Nawab of Jaunpur attacked Ayodhya. This happened before the rule of Sirajudolla i.e. around about his rule. King and his rulers used to live inside of the fort and their headquarter was also located inside the fort. Forts at that time were constructed from the security point of view and it was a practice. Ramkila situated at Ayodhya was demolished during the time of Tuglak.

The book, named Rudryamal, I referred above has been published in three parts. Besides there is no Rudryamal book. Valmiki Ramayana in not in the form of Shiv-Parvati conversation and it was written by Valmiki himself. Valmiki Ramayana is a human's creation. Ramcharitmanas contains the conversation of Shiv-Parvati. Ramcharitmanas is more popular to Valmiki Ramayana because it is in Hindi language. Ramkila has 24 towers, 6 towers on each side, Hanumangarhi is one of the towers, it was not a fort. I have seen all the 24 towers. In these 24

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towers, an idol of Hanumanji in Hanuman tower, an idol of Sugreevji in Sugreev Tila, an idol of Keshariji in Keshri Tila, an idol of Jamwantji in Jamwant Fort, an idol of Mayand-Gayand in Mayand-Gayand Tila were kept. Mayand-Gayand was a tower. There was an idol of Mat Gajendra in Mat Gajendra tower. Sugreev tower is one of the towers. Beside there are Kuber and Nal-Neel tilas. There was no idol of mother of Mat Gajendra in Gajendra tower of Sharmaji. Similarly there is no idol in Vighn Vinashak tower. Prior to this, there was an idol of Ganeshji, which was installed in Mat Gajendra tower, later. He himself stated that there is an idol in Vibhisan tila. Tower and Tila is one and the same. In modern hinguage tila is called tower. Kuber tila, Hanuman Tila, Mat Gajendra tila and Vibhisan Tila are the highest tilas of Ramfort. These highest tilas are equal in length. The stones of the fort, which was there during the time of Ramchanderji, were taken away by Akbar and he constructed the fort from these stones at the bank of Prayagraj. The entire building was constructed from stones. The buildings were demolished during the time of Akbar. The stones of the demolished building were taken by Akbar and he fixed the stones at a fort in Allahabad. The fort at Triveni bank is called Akshvat fort. After taking the stones from there people have constructed houses there. The earth at Sugreev Tila and Hanumangarhi is very old but the houses made there are 500 years old. New temple was constructed there, approx. 50 years ago. Sugreev Tila at present has the same idol which was installed at Ram Kila and an idols which were there on the towers, have been buried by the then priests. Idol of Ganeshji was shifted to Mat Gajendra. The stones at the tower of Ganeshji, still are there. He himself stated that every tower have stones. According to religious book, the place of an idol can be changed. He himself said that the

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procedure in this regard has been given in Narad Panchratra Granth.

Ramfort still exists even after removing stones from Ramfort during the time of Akbar. Its Geography still exists. Ramfort remained ruined during the time from Tuglak to Akbar. No use was being made of it. Only three Maths i.e. Ramjanam Bhoomi, Ramgulella Mandir, Hanumangarhi and mine Surya Mandir were at their places. Ramgulella Mandir was not a fort of Ramfort. Surya Mandir falls within the area of Ramfort, which is situated in between Mat Gajendra and Kanak Bhawan. Surya Mandir was also demolished during the period of Tuglak. It was reconstructed during the period of Akbar. I do not remember whether that was a period of Aurangzeb or not. He himself said Aurangzeb happened after Akbar. On 24.9.2004, at page No. 124, I gave a statement that "with the passage of time its popularity came down." I mean that after Rain, his family lost the recognition of being the ruler of the world. Loss of popularity began from the time of Lav-Kush. But during their time, loss of popularity was not much. Thereafter, it went down. During last 50 years, the popularity again went up and the cycle of popularity going down, was stopped and started increasing during the time of Bhagwan Budha. There were a number of references in Valmiki Ramayana, right from Balkand of Rama being the Param Brahma. Besides, references are there in Kiskindha Kand and Lanka Kand. The reference about Rama being the Param Brahma was in Valmiki Ramayana at a number of places. In addition to this, there is a reference about it in Kiskindha Kand and Lanka Kand. It was referred in Valmiki Ramayana that the arrow, which Rama uses multiplied to ten times, after coming in his hand and its number goes upto 100, after coming on the bow and upto 1000 at the time of releasing and goes upto 100000 when it hits. This shows the opulence of Rama. Valmiki

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Ramayana is the oldest book among the Rudiyamal and Ramcharitmanas. It was written during the time of Kush and preserved since then. Kush period was the last phase of Tretayug. It was 28th Treta. This book is about four and half lakhs years old. Duration of Dwapar is four lakhs thirty-two thousands years. Witness himself said that the duration of Dwapar is eight lakhs sixty-four thousands years. Thus the book is about nine lakhs year old. I do not know the name of person who wrote its manuscript and when it was written. I have mentioned in my statement above, Dadhiwatra and Gawaksh, the two stones. I have seen these two stones in the year 1934. These two stones were lying in the bye-lane near Mali Mandir. These were kept separately. These were not in the shape of an idol but were in the shape of Board. These stones were fixed during the time of Britishers. The name, Dadhiwatra and Gawaksh were written on them in English and Hindi, in both. The witness was shown the document "Rudryamal" written by Shri Parinee Pandey, filed in other original suit No. 3/89, through application No. 35-C/2004. Witness said, it is not a part of Rudryamal. Its some part has been taken from Rudryamal book. Besides it was compiled by taking references from number of Puranas. Ayodhya Mahatamya is described in it. "Shri Sitaramji" Thirty chapter - Rudrayamal-Shiv-Parvati conversation with Hindi version is written in the book. This book contains the extracts from Rigved, Atharved, Vashist Sanitha and Rigved Ramasthavraj. These thirty chapters did not contain the History and Geography of Ayodhya, rather only Ayodhya Mahatamya is described in. One chapter of Skand, Purana, is by the name of Ayodhya Mahatamya. He himself said that character of Ramchanderji was described in this book. I read this book daily. Ayodhya Mahatamya also contains the character of Ramchanderji. He himself said that this book contains the act/deed of Rama as Dhamroop. The

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Geography and history of Ayodhya was not described in Ayodhya Mahatamya. There is no book, other than Rudryamal, in which the Geography of Ayodhya was described in detail. The Rudrayamal is the same Granth which has been kept in Sarswati Library, Varanasi. Ayodhya Mahatamya does not contain the detailed Geography of Ayodhya. Almost every Puranas have it in little information about it . It is only the Rudryamal in which it was described in detail. Whether the part produced vide document No. 35- 0/2004 in others original suit No. 3/89, is taken from the book Rudryamal kept in Sarswati Library, or not, I cannot say. I never seen before, the so called book written by Parinee Pandey, Ved Vakaranacharya, though I know him. I cannot say, whether others have also published the book in the same way or not as Parinee Pandey published it. But the book, priced for Rupees seven hundred and fifty, was published by the Principal of Queens College. This book is authentic one. The said Principal, was known as Kaviraj. The second para at page No. 4 of the book is taken from Atharved. Slok No. 47- 48 are from Vashist. Sanhita. Material appearing after slok No.48 in Sanskrit was also taken from Vashist Sanhita. I have not found any part of Rudrayamal in the book written by Parinee Pandey. Although my vision is poor. But I have seen the part taken from Vashist Sanhita, Atharved and Righved only. I am not aware of the fact that the name of the books in Hindi Literature are kept after the popular books, so that the books gets popularity. The four sloks at page No. 66 of the book were read out to witness. Witness said, these four sloks were taken from the book Rudryamal. It was mentioned in slok No. 1 at page No. 66 of the book, that Shankarji was telling to the Parveti, for the first time. Slok No. 38 and 39, at page No. 76 of the book was also readout to the witness. After listening, witness said that these sloks were taken from

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the book Rudiyamal. Upon, listening the slok No. 40-4 1 at page No. 77, witness said that these two sloks were also taken from the book Rudryamal. Witness after listening the slok No. 42, said I am not recollecting the meaning of this slok. On rendering the translation, witness said this was taken from Rudryamal Granth.The sloks, which were readout to me, were taken from Ayodhya Mahatamya,these portion there were from the Geography, Histoiy and Mantra part. These were from the starting part of Mantra part of Rudryamal. The part below the part Nageshwar Nath Mahatamya at page No. 80 of the said book was shown to witness. Witness said that these were also taken from the book Rudryamal. After listening the slok No. 2,3,4 at page No. 81, witness said all these three sloks are from kudryamal. The family tree of Parinee Pandey, the writer of the book, was described in slok No.2. In these two sloks Parinee Pandey has introduced himself. Slok No. 28, 29 at page No. 109 and the slok No. 30, next to "Shri Hanumanji, Surgreevji", which was numbered 3, by mistake, was readout to witness. Witness said that these three sloks were taken from Rudryamal. Slok No. 31, 32, 33 at the page No. 110 of the book were readout to witness, upon which the witness said these were taken from Rudryamal and Geography of Ayodhya has been described in these sloks. The sloks readout to me, first was regarding the Glory of Ayodhya and other three were regarding the Geography of Ayodhya. The fact written in slok No. 31, 32 and 33, are correct. Slok No. 31,is about the Nal-Neel at the south of Ramkot, which is correct. Nal- Neel were the name of monkeys, the incarnations of Gods. The word Nal-Neel here qualify the name of a place. He himself said these were installed in the fort. I have seen this tower recently. Nal-Neel fort is at height of ten-fifteen from the ground level. This fort is situated in the south of Ramkot. It is at a distance of three-four hundred feet from the

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disputed site. I have heard about Ramkatha Kunj but I have not seen it. At the time of my visit to Nal-Neel Tila, I did not pay attention toward Ramkatha Kunj. Slok No. 32 at page No. 110, refers "Guwaksho man vanaro". This is the same Gawaksh, which I referred in the statement given by me. The place by the name of Gawaksh is in the west side of the disputed Bhawan, not in the north. The point that it is in the north of the disputed place, is not correct. The Dadhiwatra, referred in Slok No. 33, is the same Dadhiwatra, which I referred above. This place is in the west of the disputed Bhawan. It was correctly mentioned therein. Slok No. 32, does not refer about the north side. But this place, known as Kuber Tila, was said to be situated in the north of Navratna.

Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

11.10.2004

I have dictated to stenographer who typed it in the open court. Furtherance to this, the suit may be listed for cross examination on 12.10.2004. Witness to be present.

(Han Shankar Dubey)

Commissioner

11.10.2004

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Before: Commissioner, Shri Han Shankar Dubey, Additional Distt. Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow

12.10.2004

D.W. 3/18 Acharya Mahant Banshidhar Das @ Uriya Baba

(Commissioner appointed by Hon'ble Full Bench Lucknow vide order dated 8.10.2004.)

(Furtherance to dated 11.10.2004, cross-examination on behalf of defendant No. 3/18, on an affidavit, plaintiff No. 7 in others origin4l suit No. 4/89 and defendant No. 5, Mohd. Hassim, in other original suit No. 5/89, by Shri Mustaq Ahmad Siddiqui, Advocate, continues.)

"Ayodhya Darpan" was not published by me, but by Bhagirath Brahmchari. I do not know from where it was published. The name of publishers was written in the book. Witness, on seeing the document No. 43 C- 1/4, "Ayodhya Darpan" filed in the court, said this is the same book, which I referred above. This book contain the history of Ayodhya in short but Geography was described in detail. The Geography described in the book is in agreement with the stones fixed at various places in Ayodhya, that's why I deemed the facts mentioned in the book, correct. These stone are the same about which I referred in the statement given by me that these stones were fixed by Britishers in accordance with the book kept in Sarswati Library. The facts, that Akbar has taken away the stones from the Ayodhya Fort, to Allahabad, are based on the writings on the stones kept in the Rishi Ashram of Allahabad Fort.

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The name of Allahabad Fort is "Akshya Vatt". In Ayodhya, there. was no other fort of King other than the Ramkot Fort. There is no other fort in Ayodhya other than this fort. He himself said that the present ruler has a fort. This fort is situated at the road leading to Gaunda from Faizabad. There are towers in this fort. I have not counted the number of towers. I cannot say about the numbers of tower even on guess. The thick pillars, installed for the strength of the fort are called towers. These towers are high in length, than the height of wall of fort. There are no idols of God/Goddess on the towers of the fort of King of Ayodhya. The fort of King of Ayodhya. was constructed with the help of General of Nawab of Lucknow. The ancestor of the present King of Ayodhya was the Military General of Nawab of Lucknow. So the Nawab made him the King of Ayodhya. The fort was constructed first and he was made the King of Ayodhya by Nawab later. The fort of King of Ayodhya was constructed during the time of Begum Hazrat Mahal.

I referred "Narad Panchratra" book in the statement given by me, above. This book was in manuscript. But has now been published from Bombay. This book is in two volumes. The reference about carrying the idols away from one place to another is in second volume. Karmkandi Pandits keep the book, 'Narad Panchratra'. But the shilp (crafts) part of the book is not published. So far no book has been published about the crafts concerning to temple construction. Craftsman keep the manuscript with them but they did not want it to published. There are two-three methods for construction of temple. I have tried to know about the present craft in vogue in northern India, but could not succeed. People in Orissa, Andhra Pradesh, Keral, Karnataka, Maysore etc. have the knowledge of temple constructions crafts. The art of constructing a

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temple is called craft. Craft technology contain the various methods for construction of temples. From the ages, there has been single technology for construction of temple. Technology of construction of temples differs state- wise. The difference in the technology is like the signature of persons differs from man to man. Among the technology, there are five chariots technology, seven chariots construction technology and eleven chariot construction technology. Craftsman uses their five, seven and eleven chariot construction technology. He himself said that he constructed the temple after consulting the craftsman. India was always ruled by the Rajputs from the beginning. After Rajputs, Muslims ruled India. The technology used during the time of Rajputs for constructing the temple were known to craftsman only. Even the King did not possess the knowledge of temple construction technology. Pandits used to performed the ceremony of installation of idol in the temple, so they do possessed little knowledge of this craft .

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Question: Whether there were different technology of temple construction were in vogue i.e. technology for temple construction in Northern India, technology for temple construction in south India, technology for temple construction during eleventh era and technology in seventh era.

(Upon this question, Learned Advocate, Shri R.L. Verma, on behalf of plaintiff in other original suit No. 3/89 raised an objection that so many questions are being asked in a single question, which creates confusion. These facts were asked earlier also. Hence being no relevance, it is simply wastage of time. Hence such question should not be allowed.)

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(Upon this question, Learned Advocate, Shri Ajay Kumar Pandey, on behalf of plaintiffs in other original suit No. 5/89, has raised an objection that the witness has .not told anything in his main cross-examination, in regard to the technology for temple construction and witness is not a specialist of the subject. Hence such question should not be allowed.)

Answer: Craftsman science is one but there is some difference is found in Handcrafts. The difference in technology cannot be named. The houses constructed now a days are not in accordance with the classical patterns and temples are also not constructed in accordance with the classical pattern.

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On 23rd December 1949 at about 8-9 A.M. some Muslims gathered near Mali Mandir, behind the disputed place in 70-80 numbers. Before that, there were no persons from other community. Mali Mandir is at a distance of hundred, hundred and fifty feet, from the disputed place and in the west side, at the road leading to Dorahi Kuan from Market, on the eastern side of the road. Situation, except the gathering of Muslims, was normal on that date. The entire drama was the creation of Ramdev Dubey. Ramdev Dubey has already constructed the tent there. He had beaten the Muslims in his tent. He had taken money from the Muslims. Wife of Ramdev Dubey was related to the Mahant Hanuman Das and he used to come to temple and as a result he came into my contact with Ramdev Dubey. Wife of Ramdev Dubey told me, that Ramdev Dubeji has taken Rs. 20,000, as a bribe from Muslims. With the result her son died and she asked me to persuade Ramdev Dubey. I talked to Ramdev Dubey. Upon

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which he asked. What I know about the money. I did not reveal anything. Ramdev Dubey has not followed my advice because he had a lust for money. Ramdev Dubey after taking money from Muslims had not taken their side. He cheated the Muslims.

I do not know, who was the than Distt. Magistrate of Faizabad because I was a student at that time. I have seen the person named Nayyar. But what post he was holding, I do not know. He was a Govt. Officer but what post he was holding, I do not know. During what period he was in Faizabad, I have no knowledge about it. He used to visit to Paramhans Dasrath's place, opposite to Kutra Police post. I have seen him there. I have no knowledge, whether he was a disciple of Pramahans or not But he used to prostrate in reverence before him.

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I have not counted the Muslims gathered at a place near the disputed palace on 23rd December, 1949. I have told only on presumption that they were fifty to sixty in number. It is not correct to say that they were only 10-12 in numbers. The statement given by the witness on 16.9.2004, at page No. 34, that "12-14 Muslims gathered there" was readout to him. Witness said that his statement was correct because in the beginning 12-14 persons had come there.

Three subject i.e. Karmakand, Upasanakand and Gyankand comes under Vedic literature. The policy to rule and politics in detail has been described in Vedic literature. These subjects were not described in length in Vedic literature. In Manusmirithi, Bhardwaj Smriti, Yagwalkya Smriti and Sandilya Smriti in Vedic literature, policy to rule and politics was described. He himself said all the four type of policy, Sam, Dam, Dhand and Bhed were

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described in it. Besides, the above four books, these policies were also described in the policy science written by Guru of Chandergupta, Chanakya. Chanakya policy is regarded as a policy part of Vedic literature. He himself stated that Chanakya has translated the ethics on to the language of common man, from ancient books. Ancient book, I mean, the above four books. There may be other book also, but I do not know.

The place called Ratna Sihasan in Ayodhya is situated in the south of Kanak Bhawan and is at the east-north corner of the disputed Bhawan. It is ancient temple. Ratna Sihasan Mandir falls within Ram fort. Ram fort I mean the fort constructed during the time of Ramchanderji in Ayodhya. I believe that Ratna Sihasan was from the time of Ramchanderji because coronation ceremony of Suryavanshi King used to take place there. Ramchander's coronation also took place there. I do not remember whether Ratna Sihasan was mentioned in Rudryamal or not.

Old Bargad tree is called Kalp tree. The trees referred in Purana are also called Kaip tree. These tree were described in Purana alongwith Geography of their places. There is no kalp tree in Ayodhya. There may be some one, but I have not seen it. I do not remember whether there is any reference of kalp tree in Rudryamal or not I am not aware whether Sita Bhawan is referred in Rudryamal or not and it is also called Kanak Mandap. I know only Kanak Bhawan. Ratna Sihasan is at a distance of 50 feet from Kanak Bhawan and a road in between. Ratna Sihasan Mandir is in the south of Kanak Bhawan. I do not remember whether there is a reference about the offerings of Ramchanderji and Laxman's idol in Gold or silver Rudryamal Granth or not.

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I do not know about Pak Sadan place in Ayodhya. I have not heard about it so far. I do not remember whether there is any reference about Sita-pak or Sita Sadan in Rudryamal or not. I have studied the History and Geography part of Rudryamal but I could not remember. Laxman and Satrughan were also born in Ayodhya. I believe that they were born in Keikei Bhawan. Witness again said that they might have born in Suniitra Bhawan. Birth place of Bharat and Satrughan has its own importance. I have no knowledge whether one get salvation by taking darshan of Bharat and Satrughan birth place or not in comparison to birth of Ramchanderji . There was no reference about it in Rudryama Granth because there is in detail, about Ramchanderji and a littie about Kush. Mantra part of Rudryamal contain the procedure for performing Puja of Ram, Laxman, Bharat and Satrughan.

Sita Koop is near the Janambhoomi in Ayodhya. It is at a east-south corner of the disputed Bhawan. I do not remember whether there is a reference about Sita Koop in Rudryamal Granth or not. I do not know whether there is reference about the importance of Sita Koop and its water in Rudryamal or not. I have seen the Sita Koop, have drunk its water but I do not know about its classic importance. I do not know from when it is there. It is an old koop and I have been seeing it regularly. I cannot say whether it is from the time of Tretayug or not. I do not know whether stones were fixed at Sita Koop, alongwith the other places or not. I have stated in the statement given by me about the places where I have seen the stones.

Slok No. 1, titled "Ratna Sihasan" at page No. 117 of Rudryamal written by Parini Pandey, filed in the court, through application No. 35(o)/2004 in other original suit No. 3/89, was readout to witness. Witness said this slok

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was from the Geography part of Rud The slok is correct but the Kaip. tree referred there in, was not there at that time. Slok No. 31 at page 126 of this book was readout to witness. Witness said this slok is from the Geography part of Rudryamal. The slok No. 65 at page 134 of the book and sloks written below this were readout to witness. Witness said that these sloks were taken from the Geography part of the book named Rudryamal Granth.

Slok No. 26, 27, 28 and 29 at page No. 174 and 175 of the book were readout to witness. Witness said these sloks were taken from the Geography part of Rudryamal. Hindi translation of slok No. 36, 37 at page No. 178 of the book was readout to the witness. Witness said that these sloks were taken from the geography part of the book named Rudryamal Granth. Witness, upon listening the slok No. 38 at the, same page said, this slok was also taken from the geography part of Rudryamal. Wherein directions were defined in well manner. The word "Janamsthanantu" used in, means near the Janamsthan. Sita Koop is in Agnikone. He himself said that it is fifth termination in grammar. Literal meaning of the word is birth place. This slok refer the birth place, which is at the disputed site. There was no mention of word Ram because repeating the one' word time and again grammatically is not correct.

Question: There is no need to write a word time and again, in the subject being discussed on and in the refer from a book. But if the subject matter is changed, it is necessary to put the name from the clarity point of view. What you have to say in this regard?

(Upon this, Learned Advocate Shri R.L. Verma, on behalf of plaintiff in other original suit No. 3/89, has raised an objection that since the only a part of the book was filed, such question cannot be asked because 'Rudryamal' is written on the Mahatamya of Ramchanderji. Moreover

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the question is not relevant and is causing unnecessary delay in the process of examination. Hence question should not be allowed.)

(Upon this, learned cross-examiner raised a counter objection that he was sorry to say that his learned friend has not followed the question. My question is not about any particular book. The question simply relates to the principle of literature.)"

(The above counter objection was answered that the question pertains to a part of the book. So the question in regard to its subject cannot be asked.)

Answer: The subject matter has not been changed. Hence it is not necessary to repeat the word.

Janambhoomi and Janamsthan are synonym and belong to Sanskrit language. In Hindi these words are used for the same meanings. Whether the word. Janambhoomi was used in Rudryamal or the word Janamsthan was used at, I do not know. There was a stone in Ayodhya, on which Janamsthan is written. He himself stated that there is a stone at the disputed site. There is a road in the north of disputed site. Stones might be in the temple, which is in the north of road. I have not seen the stone. I cannot say anything about the fact that word Janambhoomi was not used in the book Rudryamal Granth because I do not remember. In old times bow was the instrument for measurement, like today instrument meter, centimeter, feet etc. I do not know what was the length of bow for standard measurement. I will measure the distance in Ganesh, which was marked in bow. According to Rudryamal Lomas was at a distance of 100 bows from Janamsthan, which is equal to 1000 feet. According to this formula one bow is equal to 10 feet. 100 bows are equal to 1000 feet. The distance of Janamsthan from Lomas was written as 100 bows in Rudryamal. In Sanskrit the word Sat is used for 100. For 500, one will

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have to write Panch Sat in Sanskrit. I am talking about Geography of Rudryamal. I have studied it thoroughly but now I am an old man, so my memory is not good now. I have no doubt about that Lomas is at a distance of 100 bows from Janamsthan means at a distance of 1000 feet. There was a reference about the wife of Vibhisana in Rudryamal. Her name was written as Sarma. There was a stone upon her name in Ayodhya. This stone is in the north of Ramkot. There is no Sarma temple in Ayodhya. Only the stone is there. Vighneshwar is at the side of Sarma. There was a reference about Sanna in Rudryamal. For last 25-30 years, people started using Janambhoomi instead it Janamsthan. The word Janambhoomi was used in Ramcharitmanas. He himself. stated that Ramchanderji, on return from Srilanka, said, "Janambhoomi mam pun suwahan". There is a Janamsthan Mandir, constructed recently in Ayodhya. It was constructed two generation before. This temple also comes under Gudartar. My temple and others also comes under Gudartar. I do not know whether Situ Kitchen, is within Janamsthan Mandir or not. It is not correct to say that the people of Ayodhya and from all over India treat this Janamsthan Mandir as a birth place of Ramchanderji whereas the fact is this that disputed site is the birth place of Ramchanderji. It is not correct to say that I am giving false statement in this regard. It is not correct/to say that Masjid was constructed at disputed site in 1528 and Namaj was being performed there regularly upto the night of 22nd December, 1949. Destruction can be caused in a seconds and construction takes a long procedure. Mandir was destroyed, once during the time of Tuglak and once during the time of Meerbaki but its year is not known to me. The Bhawan at the disputed site was demolished on 6th December, 1992. It is not correct to say that there was no idol in the disputed Bhawan on the night of 22/23rd December, 1949.

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It is also not correct to say that the disputed place is still a Masjid. It is not correct to say that the priest of Ramchabutra used to give one laddu (sweet) each to the Namazee. I do not know that there were grave, on the three sides of the disputed Bhawan. It is not correct to say I am giving false statement that disputed Bhawan is a Mandir.

(Cross-examination, by Shri Mustaq Ahmad Siddiqui, on behalf of plaintiff No. 7 in others original suit No. 4/89 and defendant No. 5 in other original suit No. 5/89, concluded.)

(Shri Irfan Ahmad, Advocate on behalf of plaintiff No.6/1 and Shri Fazle Alam, Advocate, on behalf of defendant No. 6/2, has accepted the cross-examination conducted by Shri Abdul Mannan, Advocate, Shri Zaffaryab Zilani, Advocate and Shri Mustaq Ahmed Siddiqui, Advocate.)

(Cross examination on behalf of all defendants concluded)

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Statement read and confirmed.

Sd/-

Mahant Acharya Banshidhar Das

12.10.2004

I have dictated to stenographer who typed it in the open court. Witness is released.

Sd/-

(Hari Shankar Dubey)

Commissioner

12.10.2004

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