

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.10866-10867 OF 2010

IN THE MATTER OF:

MOHD. SADDIQ (D) THROUGH LRS.

...APPELLANT

VERSUS

MAHANT SURESH DAS & ORS. ETC.

...RESPONDENTS

STATEMENTS OF O.P.Ws

PAPER BOOK

**VOLUME-I
(PAGES 1-250)**

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**KAMLENDRA MISHRA
ADVOCATE FOR THE RESPONDENT/STATE OF UTTAR PRADESH**

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

OOS NO. 5 OF 1989

BHAGWAN SHRI RAM
VIRAJAMAN AND OTHERSPLAINTIFFS

VERSES

RAJENDRA SINGH AND
OTHERSDEFENDANTS

STATEMENT OF O.P.W. 1
MAHANT PARAMHANS RAM CHANDRA DAS

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ALLAHABAD LUCKNOW BENCH LUCKNOW

OOS NO. 5 OF 1989

BHAGWAN SHRI RAM
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VERSES

RAJENDRA SINGH AND
OTHERS DEFENDANTS

BEFORE COMMISSIONER (NINTH ADDITIONAL DISTRICT
JUDGE, FAIZABAD)

(OTHER ORIGINAL SUIT NO.5/89)
ORIGINAL SUIT NO.236/89)

BHAGWAN SRI RAM VIRAJMAN
AT SHRI RAM JANMABHOOMI
AYODHYA AND OTHERS..... PLAINTIFFS

VERSUS

RAJENDRA SINGH AND
OTHERS DEFENDANTS

Plaintiff No.1, Mahant Shri Ram Chandra Das, Digambar
Akhara, Ayodhya, aged 90 years solemnly affirms on oath
as under:

My place is Shri Panch Ramanandi Akhil Bhartiya Ani
Digamder Akhara, Ayodhya. I was born in Singhipur Village
of District Chhapra in Bihar State. I came to Ayodhya at the

age of 14-15 years after leaving home. I am a Sadhu of Ramanandi Sect. I am Shri Mahant of All India Shri Panch Ramanandi Digamber Ani Akhara as well as Shri Mahant of Digamber Ayodhya Akhara, Baithak; A person eligible to become Mahant is called Shri Mahant and a person, who is only Mahant, is called Mahant Shri. We consider Ramanandi Sect as eternal. Shri Sita Maharani is considered to be our first Master (Acharya). Shri Ramanandacharya is our Acharya of medieval period. There is a verse (shloka) in the holy books of our Sect. Which says 'Sitanath Samarambhambam Shri Ramanandadi Madhyamaman Awadacharya Pariyantam vande Guru paramparayay'.

Ramanand ji was born about seven Hundred years ago on 7th day of month of Magh Krishan in the holy city of Prayag Birthday of Shri Ramanand ji is celebrated every year with great fan-fare. Main sect of Shri Ramanand ji is Shri Math in Kashi and his philosophy is that of Vishishta Advait (qualified non-duality). My sect is known by the name of Shri Ramanandi Sect. There are seven main Akharas of Ramanand Sect. Their names are Shri Panch Akhil Bhartiya Shri Ramanandiya Digamber Akhara, Shri Panch Ahkil Bhartiya Nirmohi Akhara, Shri Panch Akhil Bhartiya Nirvani Akhara, Shri Panch Ahkil Bhartiya Khaki Akhara and Shri Panch Ahkil Bhartiya Santoshi Akhara, Ahkil Bhartiya Niralambi Akhara, and Shri Ahkil Bhartiya Ramanandiya Maha Nirvani Akhara. All these are main seven Akhara of Ramanandi Sect.

The seats of all the above Akhara are situated in Ayodhya. Sect. Of Digambar Akhara is situated opposite Dant Dhawan Kund near Tulsi Udyan (old). Sect. Of Nirmohi Akhara is situated at Ram Ghat adjacent to the

boundary of old temple of Shri Raghav Ji. Sect of Nirvani Akhara is situated in Hanuman Garhi, Ayodhya. Beside, seats of all these seven Akharas are situated at different places in India, i.e. Nasik in Maharashtra, Ujjain in Madhya Pradesh, Jagannathpuri in Orissa, Ganga Sagar in Bengal, Kapil Muni Ashram, in South India at Tirupati Balaji in Andhra Pradesh and Ayodhya, Chitrakut, Vrindavan in Uttar Pradesh.

'Ani' means that when there was no electoral system in the world even then democratic election system was prevalent firstly among these Akhara and has been continuing since then. Our history, i.e. history of our Akhara is based on four 'Kumbh' places. Since the beginning of tradition of Kumbh festivals in India, there has been a tradition of our Akharas and priority is given to these Akhara in taking bath during the Kumbh. They are divided by the name of 'Ani' in three parts. The names of these 'Ani' are Shri Panch Ramanandiya Digambar Akhara, Shri Panch Akhil Bhartiya Ani Akhara, Shri Panch Akhil Bhartiya Nirmohi Akhara. This bath is traditionally known by the name of 'Shahi Snan' (i.e. Royal Bath). At times, Nirvani Akhara is in front of the procession and at times in the back of the procession. When Nirmohi Akhara is in the front, then Nirvani Akhara remains behind and when Nirvani Akhara is in the front, then Nirmohi Akhara remains in the back and Digambar remains in the middle of the procession, Digambar Ani keeps the treasure of both the Anis (formations) i.e. keep the fund.

Kumbh festival takes place at four places, i.e. Prayag, Hardwar, Nasik and Ujjain. There are four categories in every Akhara, which relates to the period of Akharas becoming Nagas. According to the jargon of 'Akharas' the

name of the first category is called as 'Shailiko' Hardwari, Ujjainia, Sagaria and Vasantia. There are only two periods for becoming 'Nagas', i.e. Hardwar Kumbh and Ujjain Kumbh, where, at present, there are seats of Akharas. Time of Kumbh is decided according to 'Panchang' (almanac) and there are Nagas on the basis of that. During the period of Kumbh, title of 'Nagas' is awarded, where sitting of 'Akharas' are organized. There are seven nomenclature thereof, i.e. first is 'Yatri', second is Chhoda, third is 'Murethhia', fourth is 'Hauranga', fifth is 'Naga', sixth is 'Atit' and the seventh is 'Maha Atit'. All the seven names are given after admission in Akharas and according to the work and ability. Mostly, arms training and education of Holy Scriptures is imparted in these Akharas and every Akhara has its own flag as its symbol. This flag is called 'Nishan' in the language of Akhara. There is no priority particular system of education in Akharas. Followers of all the four sects stay in the accordance with the oath of the Akhara. Oath is called 'RAKAM', according to which bias in among sect and Gurudwara is prohibited. Master and disciple (Guru and Shishya), enjoys equal right when they sit together as Panch and when we move forward in a unified manner in a war. The weapon, which is used to disperse the crowd, is called 'Ani'. The sharp edged part of the weapon is known as Ani. Eighteen (18) Vaishnava Akharas are included in these three 'Anis'. There are seven Akharas in Nirvani Ani, nine in Nirmohi Ani and two Akhara in Digambar Ani. Mediation between those 18 Akharas is being done by Digambar Akhara. Every Mahant of these Akharas is not appointed in accordance with the disciple tradition; they are selected through election system. Akharas are also of two types; one is Ramanandi Akhara and other one is Shyamanandi Akhara. There are seven Ramanandi Akharas and nine Shyamanandi Akharas. These

eighteen Akharas, taken together, constitute three anis in united form. Mahant of all the three anis will be Shri Panch Ramanandi. Their main function is to give ruling about bath at the time of 'Kumbh Snan' (bath). The Sadhus, who have the seven appellations, in the Akharas are imparted training in use of arms as well as teaching of religious books. I have acquired knowledge of only Sanskrit literature and Hindi literature. Besides, I have received education in Patna in Bihar, Vidya Sagar in West Bengal. Sampurna Nand University (formely Queens College) in Uttar Pradesh. I came into contact with Digambar Akhara, Ayodhya about 35 years ago. Before joining Digambar Akhara and after coming to Ayodhya, I used to stay at chowk situated at Ram Ghat. I have donated this place to Ram Janambhoomi Trust. At present workshop of the trust and my Ram temple are situated there. Major Sect of devotees of the Ram is Shri Ramanand Sect and in fact, it is the only Sect, which is devoted to the devotion of Ram. This is the largest sect of northern India. According to principle of Acharya Shri Ramanand, people of all places and castes can become members of this Sect and no difference is made on the basis of education and caste. Shri Ramanandacharya was the first Acharya who did not make any distinction between Harijans, Girijans and Hindus and Muslims. Among his disciples, Kabir Das was a weaver, Ravi Das a Harijan, Dhanna was a Jat and Namdev was of Tailor caste. Ravi Das, who was a disciple of Ramanand ji was accepted as her teacher (Guru) by queen Mira Bai, who belonged to Rana dynasty . The followers of this Sect do not discriminate between Hindus and Muslims and according to the teachings and principles of Vaishnav Sect they got absorbed in Bhakti Ras. Vaishnav Ramanand, Nimbark Sect and Madhva Sect are connected with my Sect only. That is the reason why Bhartendu Harish Chandra, in one of his

verses said, "crores of Hindus can be sacrificed over these Harijan Muslim devotees". The name of Kabir, Rahim, Raskhan, Bibi Taj, Nazir and Kasim Mian is included, with their biographies in religious book like Bhaktamal. Their names, along with their life stories, have been given in Bhaktamal, which shows that this Sect is the most progressive sect of the modern age,. A number of devotional works of poetry written by those Muslim saints have been included in the holy books of Hindu Vaishnav literature.

Lord Shri Ram, who is supreme almighty 'Brahm', the Controller of the whole universe and preceptor of propriety, such Maryada Purushottam Shri Ram is the adorable of our worship. People of the world are divided in two categories. One, who believe in God and the other, who are non-believers. Then there are two kinds of people who believe in God, One who worship formless God and the other, who worship God having a form. There is no difference of opinion between the two types of believers on the point that there is one God. Both systems of worship are followed among the Hindus. Maharishi Dayanand did not believed in idol worship. We, according to the principle of Acharya Ramanand, accept both type of worship of formless God as well as God having a form. I have complete faith in Lord Ram and Ramanandi sect has deep faith in him.

As far as birth of Lord Ram is concerned, Ramayan, written by Valmiki, occupies first place. We treat each and every sentence of Valmiki Ramayan as History and Veda. A book of Ramayan by Valmiki is placed in front of me. The said is a copy of Valmiki Ramayan is published and certified by Gita Press, Gorakhpur. Things are written about the incantation of Lord Ram are acceptable. Whatever has been written about other characters of Ramayan is

acceptable about that character. All these things are not acceptable qua to all characters. By other characters, I mean king Dashrath, Queen Kaushlya, Queen Kaikyee, Shri Hanuman, Sugreeva, Kevat, Shabri, Jatayu, Ayodhya, Mithila, King Janak, Maharani Sita, Queen Urmilla, Queen Mandavi, Queen Shrutikirti, Vashistha, Vishwamitra, etc. Among these characters, the first place is occupied by Shri Ram Chandra Ji. Among these characters, Shri Ram Chandra Ji is the main hero. According to Ramanand Sect Jagatjanani Sita is accepted as the main heroine among the characters of Ramayan. In this connection, it has been written in Valmiki Ramayan that actually it is the character of Sita Ji which dominates the entire Ramayan.

According to my belief there are four main things in this regard – name, form, deeds and place. In our Sect, one these things are considered as constituent parts of all blissful God and are actually treated as one. By name is meant the name of Lord Ram. Literal meaning of Ram according to shastras is that which. In order to acquire information about someone; it is necessary to have information about his name and about the place where he lives. It is mentioned in Valmiki Ramayan that Lord Ram was born in Ayodhya. Description of Ayodhya has been made in Vedas, Upanishads, in codes (Samhitas) and in eighteen Puranas, in Smritis; and in recognized works of Sanskrit literature of Bharat. In all these, Ayodhya has been accepted as the birthplace of Lord Ram. This is the same Ayodhya, which exists at present. Lord Ram was born here. In all the above – mentioned, Hindu religious books, this fact has been clearly mentioned referring to the boundaries. I have before me document No. 107/5, it pertains to Skandh Puran and in its chapter relating to the importance of Ayodhya, there is a clear reference in this

respect. Birthplace of Lord Ram and 'Garbh Grah' is at the disputed place only, where Ram Lala exists at present.

The birthplace of Lord Ram, which I am pointing out, is described in holy books pertaining to worship of Lord Ram as well as in other Hindu religious books.

History of Ayodhya is old as well as expedient, which is divided in many part on the basis of the administration and time, i.e. Ayodhya of Satyuga, Ayodhya of Treta Yuga, Ayodhya of Dwapar Yuga, and Ayodhya of Kaliyug. Ayodhya of the time regime of Hindu Kings, Muslim Kings and emperors, Ayodhya from the time of East India Company to the time of end British rule and Ayodhya of Congress rule. History of Ayodhya can be told of which for most is Ayodhya of Buddhist period and Ayodhya of the period of Vikramaditya. Ayodhya has many synonyms like Ayodhya, Satya, Para, Aparajita, Saket, etc.

Since the time I came to Ayodhya, I have always seen people going for 'Darshan' (Glimpse) at seven places at Ram Janam Bhoomi, Hanumangarhi, Nageshwarnath, Saryu, Chhoti Devkali, Badi Devkali, Laxman Ghat, Sapt Sagar, situated near Chhoti Devkali, and Kanak Bhawan temple. These seven places are unchangeable and their location cannot be changed, which means that one place cannot be built at the place of other one. Mani Parvat is a famous place, but is different from these seven places. There was an idol of Lord Ram at Ram Janam Bhoomi. There was Sita's kitchen also. As per customs there was a special hall by the name of Ram Janam Bhoomi and on all the pillars and statues of many Gods and Goddesses here engraved there on. Apart from statues. That place was also worshipped, which was said to be the birthplace of Lord Ram and where the Lord Ram has appeared. There was a platform also, known as the platform (Chabutra) of Ram

Lala and a hut of straws, in which priests of Nirmohi Akhara used to do worship and offer food, etc. to the deity of Lord Ram.

During the period of my stay in Ayodhya, in 1934 during the rule of Britishers, some dispute took place between Hindus and Muslims at the place, where a mosque is said to have existed at present where in the top of the so-called hall was broken. British Government imposed a fine of rupees eighty thousand which was paid by the local saints and Mahants by collecting the required amount. This broken top was repaired thereafter. The Muslim community did not carry out repair work. From 1934 to 1947, no obstacle was put in the way of worship. Since the time I came to Ayodhya, I never saw namaz being offered in the disputed complex. In this connection, several attempts were made and arrests were also made. Whenever attempts were made to offer namaz there, situation of conflict used to arise. I have never seen namaz ever being offered there. There was a door of iron bars in the courtyard of Ram Janam Bhoomi, which was installed with a view to stop cattle, etc. from entering into the place.

After the advent of independence, movement for construction at Ram Janam Bhoomi started and this purpose. Movement started for new construction at the place of dilapidated temple and for this thousands of Anusthan were made.

On 23rd December 1949, an idol of Lord Ram appeared in early hours of the morning. After the miraculous development at the place, where the idol was already installed, the idol installed on Ram Chabutra of Nirmohi Akhara was removed from there and installed in 'Garbh Grih'. I have regularly participated in the movement

for constructing Ram temple at the Ram Janam Bhoomi and of to independence movement for construction of Ram Mandir continued and in this regard delegation met several times with the then Prime Minister of India.

The activities of worship took on at this place regularly at that time. After the above development and after the installation of the idol in the Garbh Grih the performance of worship going on regularly. Even before this worship was going on regularly at this place. There was no interruption in my worship on 23rd December 1949 at the disputed site. Thereafter, several litigations were started during which prohibitory orders were passed.

A case was filed by one Shri Gopal Singh Visharad in the Court of then Civil Judge Shri Virendra Singh in this connection. The District Judge had prohibited the members of the Muslim community from entering within two Hundred yard around the disputed site. A prohibitory order for not removing the idol was passed in the main case filed by Shri Visharad.

As there were some deficiencies regarding court fees and notice under Section 80 of Civil Procedure Code, I filed a new case after removing the above deficiencies. The case filed by me was consolidated with the above case. After hearing the argument of all the parties, the interim prohibitory order was converted into a permanent one.

The worship at the above site has been carried out regularly earlier and is being done even now in accordance with the manner followed in Hindu Mathas and temple and other temples in Ayodhya. The receiver was appointed in this connection looked after the arrangement for worship. After the passage of years, a case was field by Muslim

Wakf in which I was made a defendant, and thereafter a case was filed by the Nirmohi Akhara. I do not know whether I am defendant in the case filed by Nirmohi Akhara or not. A lock was put on the Iron Gate installed at the disputed site by the policemen started living there. When the attention of the District Authority was drawn to the inconvenience being experienced in regard to having 'darshan' of the idol, then special facility for having 'Darshan' was granted to me and 28-29 other persons, indicated by me, and also to four priests. But people at large did not have this facility. Therefore at the time of arrival of the Chief Minister, Shri Vir Bahadur Singh to Ayodhya, his attention was drawn toward this matter. However when no assurance was not given. I declare of taking self immolation on next Ram Navami if the lock was not opened. Thereafter, on an application filed by one lawyer, Shir Paandey, an order for opening the lock was passed by the then District Judge and the lock was opened. A wave of enthusiasm spread among the Hindu masses and people from all over the country came to have Darshan I have not filed any Response in any writ Petition filed. Since then the lock is remained open.

At this stage, on demand of the learned counsel of the parties and the witness, the Examination in chief was issued. This proceeding will be held at 11.00 A.M. on 23.12.99

Verified the statement after hearing

Sd /-

Shri Mahant Param Hans Ram Chandra Das

22.12.99

The above statement includes the complete and accurate statement of the witness.

22.12.99

Date: 23.12.99

(In continuation of 22.12.99, Commencement of examination of P.W. 1 Shri Param Hans Ram Chandra Das on oath).

Witness was shown enclosure No.4 of the plaint. Witness told that it was a trust deed, which was executed by Jagatguru Ramanandacharya, Shivramacharya on 4 the day of moonlit fortnight of month Marg Sheersha of Vikrami year 2042. This paper was executed on 18th December 1985. On the backside of the page, it had been show to have been registered on 18.12.1985. My name has been mentoned at serial No.5 of page 4 on this document. By this, I had accepted to be a trustee. At Serial No. 7, the name of Mahant Ram Kewal Das of Nirmohi Akhara, Ayodhya has been mentioned as a trustee. He, like me is a life trustee. Quite a number of years have passed since the death of Swami Shivramacharya. Swami Shivramacharya was the head religious preceptor of this Trust. After his demise, I became the Head Karta and Dharma Karta of this Trust. I became its head according to the rules mentioned in this trust-deed. Today also I am the head of trust & Dharm Karta.

(Cross-examination by Respondent No.3, Nirmohi Akhara, through Ranjit Lal Verma, Advocate).

XXX XXX XXX XXX

I am Acharya in various subjects in Sanskrit. I had obtained the degree of Ayurvedacharya from Bihar State. Beside, I have obtained the degrees of 'Kavya Teerth', 'Sahityacharya', 'Sanskrit Panini' from the State of Bihar. I have received education below the 'Vyakaran Varg' from

queens College, Varansi. In the educational system prevalent in those days, there was no system of passing 'Prathama' and 'Dwitiya' Class examination in succession. I have, therefore, passed institutional examination of 'Prathama' and Dwitiya. I have obtained degree of Achary. I had appeared in the 'Prathama' examination in grammar in Queens College. I do not exactly remember at present as to years in which I passed with examinations. At the time of passing of first institutional examination, I was about 10-12 years old. I passed my final examination of Ayurvedacharya, between the ages 16-18 years. After passing the examination of Ayurvedacharya, I passed the examination of Kavya Teerth and 'Pranacharya'. I had also passed the examination of Vedantacharya. (At the time of being asked about educational qualifications, the Plaintiff himself raised objection).

I took examination for getting the degree of Vedantacharya. As far as I remember, I took this examination approximately in 1938. I took this examination in Ayodhya. I cannot exactly tell, what was my age when I took the examination of 'Vedantacharya'. Witness himself stated that presently he is 90 years old,. It can, therefore, be inferred as to how old I was, when I passed this examination. I appeared in the examination of 'Vedantacharya' after several years of passing the examination of 'Ayurvedacharya'. I had not studied Vedas before participating the examination of 'Vedantacharya'. I have studied Vedas and religion in Sanskrit. By the word 'Dharma' I mean by what can be acquired. Sanatan Hindu religion has ten components, i.e. truth, non-violence etc. are total ten components, which have been mentioned by Manu. According to Sage Kanad and other enlistment and achievement of bliss is dharma. I After studding Manu

Smriti I taught it to other also. I cannot tell the exact number of verses (shalokas) of Manu Smriti. Manu Smriti has no chapters. I cannot say that Manu Smriti has 12 chapters and 2694 Shlokas. The statement of a Scholar of Manu Smriti would be authentic in this regard.

Dharma itself is the foundation or basis of Dharma. Just as God himself is the basis of God. There are four Vedas and six Vedang. These six Vedang include Nyay, Jyotish, Poorva Meemanas, Uttar Meemansa, Sankhya and Grammar. Vedas are interpreted with the help of Nirukt Kalp, Chhand, and education and 'Nirukta' are components of Vedang. Whatever Vedas says, is the essence of Dharma and the other books are 'Praman Granth, (i.e. means of acquiring understanding). Without the help of scriptures, it is not possible to understand dharma shastra and we can understand religious jurisprudence on the basis of scriptures.

There are eighteen 'Puranas' in Hindu dharma. By 'Shruti' we mean Vedas. By 'Smriti, we acquire knowledge of those things, which happened in the past, east's in present and going to happen in future.

Sruit means Vedas. Voice of god is included in Shrutis and its explanation has been given by different sages (rishis) is in Smritis. It cannot be said about the four Vedas as to which is the earliest one, because all the four Vedas are God gifted. The names of the four Vedas are: Rig Veda, Yajur Veda, Sam Veda, and Atharva Veda. There may be difference of opinion among the scholars as to which one is the earliest one. But according to me since all of them are God gifted, therefore, all of them are same age. In all the four Vedas, there is a existence of (Personification God). In Rig Veda, it is described as whole universe is within the God and there is description of formless God also. There is

description of temple in the Vedas. It cannot be stated as to which one is the first verse in Yajur Veda, because it has a separate system of division. Idols described in the Veda still exist at different places of India. 'Athato Brahm Jigyasa' is not the first sutra of Yajur Veda. In Vedas, apart from air and fire, the different forms of nature, besides formless Supreme Being, have been described and each has its own form.. Description of nature in Vedas is very comprehensive. For instance, 49 forms of air, are described as component of nature. Similarly, description of different forms of fire and earth has been given. All Vedas are authentic. Smritis are known by the names of Rishis (Sages). The sage in simpler form has presented very serious subject of Vedas. Therefore, the Smritis have been given the names of Sages. The oldest among the Smritis is Manu Smriti. Commentaries have not been written on Smritis. Sage Yogvalakya has not written any commentary on any Smriti. He has written a commentary on Vedas and there is reference to Yogvalakya Samhita in it. Yajñawalk was born much later than Manu; his philosophy is, therefore, treated as more nearest this time. Yajñawalk has described fourteen (14) pillars of religious. But if anything propounded by him is not in conformity with Vedas, then it is not acceptable. Apart from Katyayan, Panini and Patanjali, other parts of Smritis are in the form of verse. I have read history also. In history, I have read two old histories, i.e. Valmiki Ramayana and Mahabharata. Both Vedas and Puranas are eternal. Explanation of Vedas is there in the Puranas and Up-Puranas and sage Vyas resurrected them. After Vedas, the facts contained in them were explained later on through Puranas. It is wrong to say that idol worship started during the period of Puranas. Rather the fact is that the practice of idol worship is in vogue since Vedic times. It is incorrect to say that temple

of God and Goddesses were built only in Puranic (Mythological) Period. It is wrong to say that worship of Vishnu, Shiva and Shakti started in Puranic times. Fact is that they are being worshipped since time immemorial. There were large number of temples in Vedic period also. During Vedic period also, there were temple of different Gods and Goddesses in Ayodhya. Since its existence, there have always been temples in Ayodhya. In Vedic period there were twelve temple of 'Jyotirlingas' I treat this period also as Vedic and Puranic Period.

Adi Shankercharya is the exponent of monism (Advaitvad). Period of Adi Shankercharya coincided with Buddhist period. During the period of Adi Shankercharya also, old Vedic and Sanatan religion were prevalent. Buddha was born before Shankercharya. Shankercharya controverted the philosophy of Buddhist. Buddhist religion was evolved in India. During the period of Buddha, Monasteries were established in different parts. Adi Shankercharya established monasteries at four places. Monasteries were in existence even before the time of Adi Shankercharya. Shankercharya founded only four monasteries at four places. There was a monasteries of Sage Bodhayan in Bihar before the times of Shankercharya. This monasteries is situated at some place in Darbhanga District and I have seen it. I cannot say how much earlier than Shankercharya was this monasteries established. All sects recognize this Bodhayan monasteries. There cannot be any existence of any monasteries without a temple. There is an idol of Lord Narayan in Bodhayan monasteries. On its right side, there are pictures of ten incarnations of Lord. Shankercharya had a religious debate with Mandan Mishra. It is incorrect to say that Shankercharya had opposed the rituals. Rather the fact is, that in his book, Prabodh Sudhakar, he had described

all the three aspects knowledge, action and worship. In those times, books were written on leaves of Bhoj tree, and some scholars used to memories them.

Shankercharya has given description on both systems of worships of formless and form God. Shankercharya cannot be called a disguised Buddhist because his views were very clear. Ramanujacharya was not born during the lifetime of Shankercharya. His period comes later to shankercharya. The principle of Shir Ramanujacharya is that of Vishisht Asvaitvad (Qualified non duality), in which Supreme Being and Nature are considered as eternal. Lord Narayan was the contemplative deity of Ramanujacharya. Shri Ramanand was born much later than Ramanujacharya. Philosophy of Ramanand is that contemplative of his worship is Lord Narayan and the holy book is Valmiki Ramayan. Hierarchy of Acharyas of Ramanujacharya and Ramanand is separate. Both subscribe to the philosophy of Vishisht advait. Ramanand was born in North India and Ramanujacharya was born in South India. In comparisons to Advait philosophy, the popularity of Vishisht Advait was less or not much popular rather both scholars of thought enjoyed almost equal recognition. Procedure of worship of Ramanand and Ramanujacharya were different according to their sect. Procedure of workshop for different Gods are different in both the sect. During the time of Ramanand, lakhs of Monasteries were established. I cannot imagine a Monasteries without a temple. During the medieval period, sect after the name of Ramanand got established. The sadhus following its teaching were known as Ramanandiya sadhus. The well-known Monasteries of Ramanandi sect is in Kashi. He was not a Mahant of any important Monasteries. Their work was to establish Monasteries at different places. No division took place in Ramanand sect and different kinds of sects were not prevalent. Temple of

Ramanandiya Sect are situated in different places, such as Ayodhya, Varanasi, Mathura, Gujarat, Punjab etc, that means that are situated all over the Bharat. In accordance with the system established by Ramanand, worship in all the Monasteries of Ramanand Sect is performed in the same manner. According to first regular arrangement, the rules prescribed for Ayodhya, do not apply to all the temples of Ramanandiya Sect situated in different places. There is a distinction among the Ramanandiya Sadhus according to tilak (mark on the forehead). There are two sects on the basis of 'tilak' they are Vedi and Lashakari. The founder of Lashkari Sect is Bala Nand ji who's 'Math' is situated in Jaipur. There is no 'sakhi' sect in Ramanandi Sect. But emotion of friendship is one of the emotions under worship, just like emotions of servise, peace, and friendship. Actually emotion of friendship is an emotion of love, which is a reflection of lover and beloved. The worship or follower of friendship emotions suffix the word 'das', 'sharan' etc and other words after their names. Under friendship emotion, God and living being are considered as lover and beloved.

The supreme deity of Ramanandi sadhus is Lord Ram. This transcended being is Shri Sitaram Ji Surasaranand Ji was one of the prominent disciples of Ramanad Ji. One of the twelve prominent disciple of Ramanand Ji was Surasaranand. Balanand Ji was a disciple of Anubhavanand Ji. Akharas were organized by Balanand Ji. Balanand Ji's time was about 400 years ago. Balanand ji organized the Akharas to protect the temples and Maths from the attacks of foreigners because foreign invaders had been destroying the temples the Maths. Arms training was imparted even before Balanand Ji, but during his life time, it was implemented throughout the country. Training for the use of sword, scimitar, archery and guns were imparted during the

times of Balanand Ji. Canon installed at Hanumangarhi is a proof thereof. During the period of Balanand Ji, the whole system from giving admission to disciples to the managing of Akharas was established in democratic way. The entire proceeding of Akharas were recorded and because of predominance of Punch in the Akharas, they were called Panchayati Akharas. Akharas were run in accordance with the decisions of the Panchas and the decision of the Panchas, were accepted on the basis of majority opinion. Akhara is not known as Math. Position of the akhara is paramount and there are several Maths under it. Hanumangarhi is not a Panchayati Math, but a Panchayati Nirvani Akhara. There are four bands in Panchayati Nirvani Akhara. The four bands are Sagaria, Basantia, Ujjainia and Haridwariya respectively. Hanumangarhi is one of the seat of Nirvani Akhara and all the four bands manage it jointly. In other akharas, there is shally or saini category, who becomes Naga sadhu at the time of Haridwar Kumbh, is called Hardwariya and who comes from the side of the Gangasagar is called Sagaria and who comes from Ujjain is called Ujjania and the person who becomes Naga after coming from any of the four direction, is called Basantia. The names of two bands are related to two Kumbh sites namely Haridwar and Ujjain whereas the names of the other two bands are not related to any Kumbh site. There can be several 'Jamaat' (group) in a band. 'Jamaat' means the name of the group under which that 'jamaat' travels; and that name is given to the said "jamaat". Hanumangarhi is not a Akharas, it is a prominent seat of Nirvani Akhara. Hanumangarhi is under Nirvani Akhara and above mentioned four bands are there to manage it. Hanumangarhi is not bomb khalasa. The deity of Hanumangarhi belongs to 'Satyuga'. The system of 'jamaat' and Patties (bands) is not prevalent in every akhara. In my

own Digambar Akhara, there is no band. Barring Hanumangarhi there is no system of bands in any other Akhara. In Ayodhya, there are number of temples under Nirvani Akhara. Only a Mahant of Nirvani Akhara can tell as to which of the temples in Ayodhya are under the Nirvani Akhara. Hanumangarhi does not look after management of Rajgopal temple. There is a one 'Sarvarakar' (over all in charge) of Hanumangarhi and a Mahant each of all four bands. Each band has a separate Mahant. Above statement is true. There is no separate temple in every band. Hanumangarhi is the only temple for all the four bands. Mahant of every Akhara can give details of band of his Akhara. I can give details of my Akhara only..

Question:- Do you have knowledge of the practices followed in Akhara other than Digambar Akhara?

Answer:- Besides having knowledge about my own Akhara, I have knowledge about the practices prevalent in other Akharas also.

In Panch Ramanandi Akhara, a Sadhu of any age, after taking oath can join this sect. It is not necessary that a person of any particular age only can join it.

In all the Akharas, sadhus of every age group can join. In these Akhara, there is a tradition of education and no tradition of initiation. The tradition of devotee -disciple is followed. There is no distinction on the basis of Tilak in the Akharas. Any sadhu can become a member in any of the four Vaishnav sects after taking oath. In our language, this oath is called 'rakam'. Thus the tradition of devotee-disciple is prevalent in the Akharas. After taking 'mantra' from the Mahant of the Akhara, viz. after taking 'rakam' or after oath, a person can become a member of the Akhara. Similarly any person who have taken 'mantra' at any other

place would become member of Akhara. For becoming a devotee/disciple, it is necessary to get initiated. Either that person should have been initiated earlier, or if he has not been initiated by the Mahant of the Akhara, in that case it is necessary for him to be initiated. Without an accomplished spiritual teacher, a person cannot become a devotee-disciple. Mahabharat is history. It is not a Puran. All topics of Mahabharat are not acceptable to me. I give recognition to every character according to his conduct only. The shlokas and facts described in Mahabharat are not useful in today's world.

The views expressed by Yudhishtar in regard to 'Dharma' during the conversation between Yaksh and Yudhishtar, as given in Mahabharat, are not fully acceptable. In Mahabharat, Yudhishtar defined dharma as follows:

Tarko apratishthit truti vibhinnah
Na akvo abhimtam prmanam
Dharmasaya tatv nihit ghyang
Mahajano yain gat sa pantha.

This shlok had been uttered in context of a particular person and is not acceptable to all. In my view, the path followed by our ancestors is the right path for us.

Verified the statement after hearing
Sd/-

Shri Mahant Param'Hans Ram Chandra Das
23.12.1999

Typed by the stenographer as dictated by me in the open Court. For further cross-examination on 24.12.99 .Witness be present..

Sd/-

23.12.1999

Date 24.12.99

(In continuation of 23.12.99 commencement of statement on oath of P.W. 1 Shri Param Hans Ram Chandra Das).

"All may be Happy, all may be healthy" is not a principle of Vedant philosophy. 'All may be happy' all may be healthy is not been the fundamental principle of all the saints. Subscribers of Dwait and Vishisht Advait philosophy have not accepted this principle of all may be happy in uniform manner. It is a humanitarian principle. The basic principle of Advait philosophy is that God is one, and the principle of manosm has been recognized in this philosophy.

I have studied 'Brahm Sutra' written by Adi Shankracharya. Commentaries have been written on Brahm Sutra. I cannot say when it was written, because I was not born in the said era. I cannot tell as to what was the age of Shankracharya, when he wrote Brahm Sutra. I have heard the name of Kumaril Bhatt. Kumaril Bhatt did not inspire by Adi Shankracharya. Nobody motivated Shankracharya to have a religious debate with Mandan Mishra. Being world teacher (Jagad Guru), one has to have religious debates at different places. Kumaril Bhatt did not inspire Shankracharya to have a debate with Mandan Mishra.

(At this stage, Shri Abdul Mannan, Advocate raised an objection on the subject of cross-examination and said that keeping in view the points in dispute, there was no justification for cross-examination of this nature. The Plaintiff supported this. Under the decision of the Hon'ble court, on this point cross-examination is being recorded hereafter).

Shankracharya had religious debates with the followers of the Buddhism and other faiths and defeated

them. The philosophy of Vishisht Adait was propounded and founded by Bodhayan Later on both Ramanand and Ramanujacharya accepted it. The principle of Vishisht Advait is eternal, in which God and living being and nature is described. It is not that Ramanujacharya espoused this philosophy for the first time. Only historian could tell during whose regime Ramanand was born and lived. Both Ramanand and Ramanujacharya subscribed to the same philosophical principle, but their deities were different. The followers of Ramanujacharya Sect worship Narayan and Maha Laxmi and the followers of Ramanand Sect accept transcendental Brahm Shri Ram and Janaki as 'Acharya'. Followers of Ramanand sect, besides worshipping Ram and Sita, Worship Laxman and Hanuman also. At some places, in the temples of Ramanandi sect, idol of only Ram Lalla are installed and at some other places, idol of Ram and Janaki, or at some another places idol of all the four, i.e. of Ram, Janaki, Laxman and Hanuman are installed. It is not necessary that the idol of Ram Lala should be installed at some particular place only.

Idol of only Ram Lalla is installed at Ram Janam Bhoomi, because it is the birthplace of Ram. It is specially so, because of it being the birthplace. In other temples all the idols of Ram Darbar are installed. Besides Ram's birthplace, idol of Ram Lala is installed in the temple situated at the side of Kanak Bhawan, temple of Tapaswi Ji and in the temple of Rawat Ji in different forms.

Raghvanand Ji was the Guru of Ramanand Ji. There were twelve prominent disciples of Ramanand Ji, which include two disciples by the name of Ananta Nand and Surasara Nand. I cannot say with authenticity, whether Bala Nand was a disciple of Sursaranand Ji. However, it is

possible that he might be a disciple of Surasaranand. Anantanand, Bhavanand, Sukanand, Surasaranand, Narharianand are among the twelve disciples of Ramanand.

18 Akharas have been divided in the form of three 'Anis'. Ani means a group of several regiments and there can be a number of regiments in an Ani. The same practice and traditions, which were in vogue in the times of disciples of Ramanand ji are being followed even at present in the Akharas. The traditions of each Akhara, in respect of flag, are different. Similarly, the tradition of taking 'rakam' differs from one Akhara to another.

Duties of Mahant, duties and rights of Panchas are almost similar in all the Akharas. Practices and rule of conduct of some Akhara are in written form. Almost all the Akharas are registered and their rule and regulations are mentioned therein. Whether Nirvani Akhara has framed its rules and regulations, it may be known to the members of Nirvani Akhara only. I am not aware whether rules and regulations of Nirvani Akhara are published in a book form. It is possible that any such manual might have been published.

It 1949, Mahant of Nirmohi Akhara was Raghunath Das. During this period, i.e. in 1949, attachment took place. Mahants of different Akharas meet each other regularly. I had very close contacts with Mahant Raghunath Das. I did not get any opportunity of seeing him reading or writing.

In my Akhara also, traditions, customs and practices are in a written form. Whenever a Mahant is elected in a Akhara, he has to execute an agreement in favour of the Panchas. It is specially and prominently mentioned in the

said agreement that the property of that institution will neither be sold nor would it be misused and the Mahant will lead his life according to the code and practices of the Bairagi sect. Thakur ji (Lord) is not the owner of the property in all the Akharas. In some Akharas, Punchas are the owner of the property. As far as my Akhara is concerned, the ownership of whole of the property yests in Lord. There are a number of temples and seats under an Akhara.

Every Akhara is not a trust in itself; rather every Akhara is bound by the rules prevalent therein. Akharas is not collective form of Panchas. In Akharas, there is a separate provision in the form of a big unit to look after the management and a separate provision to look after the management at lower level. Small unit is responsible for the management of the property of the temple, but there is big unit who looks after the arrangement for groups traveling outside. The bigger unit selects the members of the smaller units. Members of the smaller units have some independent rights. There is division of work between big and small unit and generally they do not intervene in the work of each other. The bigger unit includes all the Punchs of the Akhara.

(Because of witness falling sick, cross-examination was adjourned at this stage).

Verified the statement after hearing

Sd/-

Shri Mahant Param Hans Ram Chandra Das

24.12.1999

Typed by the stenographer as dictated by me in the open Court; it contains the full details of the statement of the witness.

Sd/-

24.12.1999

Date 12.1.2000

Commencement of statement, on oath, of PW-1, Shri Mahant Param Hans Ram Chandra Das in continuation of 24.12.99.

How many branches are there in the Vaishnav Sect, it is a matter of confidence between the teacher (guru) and the disciple and this cannot be disclosed in a Court of law. Where there is direction to keep a matter confidential, then it cannot be explained with logic. It is necessary to keep it confidential. This principle was applicable to me even at the of Examination in chief. There are four sects of Vaishnavas and one of them is Nimbark sect. Among the four Vaishnav sects, there are ideological differences at the philosophical level. Other general customs and practices are similar. Worship and principles are two different things. How many 'dwars' are there in all the four sects, it is not a fact worth mentioning? The total number of Akharas in all the Vaishnav Sects is eighteen. The basic principle of Shri Sect is not the basic value of Shri Ram, because there is a difference between principle and basic value. The three 'Anis' are in existence since the time immemorial. It cannot be told as to when 'Anis' were established because they are from time immemorial Anis existed even before the times of Ramanand. It is wrong to say that anis was established during the times of Sursaranand, a disciple of Ramanandji.

By Digambar is meant a person, who is covered by directions only. I cannot tell whether definition of a 'Digambar' is given in any verse or not. A person, who is always remembering the name of his deity, can also called Digambar.

I can define the word 'Nirmohi', but it can better be asked from a person belonging to 'Nirmohi' Sect. The learned counsel quoting a verse asked its meaning from the witness. The witness said that its meaning may be asked from a member of Nirmohi Akhara. The following verse was read to the witness:

Svasya dehartish putra vishr grahadshi
Moho he nirtoyasmat sa nirmohi uddhrath

Witness said that the verse was not authentic.

The most outstanding work of Shri Ramanujacharya is Anand Bhashya. I cannot tell the number of books written by Shri Ramanandacharya. Shri Vaishnava Mahalatya Bhaskar has also been authored by him. The book titled 'Ramarchan Pathati' was written in Sanskrit before the advent of Shri Ramanandacharya. His dispel, Surasaranand asked ten questions from Shri Ramanandacharya. The subject matter of those questions was spirituality. I do not know whether they were compiled or not. It cannot be told as to how many questions were asked by Surasaranand from his guru and when. Being a disciple, he must have asked a number of questions on different occasions and have got their answers.

Nabha Das was the author of Bhakt Mal. Nabha Das was not a grandson disciple of Anantanand. He was a disciple of Agradevacharya. Guru of Agradevacharya was Krishna Das Paihar. Krishna Das was a disciple of Anantanand.

There is no mention of customs and practices of Akharas in Bhakta Mal. Only the stories of devotion of devotees are compiled in it. Customs and practices of each Akhara have been compiled separately. At the time of

Kumbh, sadhus of total eighteen Akharas get together and their conference is held. Customs and traditions of all the Akharas are different. On some points, there is similarity and on others, there is difference. Seven Akharas, which have been mentioned above, are situated in Ayodhya.

Question: Are the customs of these seven Akharas similar or not?

Answer: This is a meaningless question, as while describing the customs of 18 Akharas, I have already told about this.

It cannot be disclosed as to what are the similar points in the Akharas situated in Ayodhya, as it is a confidential matter. What is the difference between the customs of the Akharas is also a confidential matter.

The Panchnamas written by Digambar Akharas do not give description of all the customs and practices of the Akharas.

I joined Digamber Akhara about 35 –36 years ago. During this period, I became Mahant. When I became Mahant, then an agreement was executed and it was registered. Panchas hand signed the registry. Mahant of every Akhara executes an agreement in favor of member – panchas of the executive committee. This system is followed generally in all the Akharas. I cannot tell about the system followed in each Akhara for making disciples, as this is disclosed at the time of making disciple.

The word 'chhoda' (left) which has been mentioned during examination – in – chief regarding names, is actually the word 'chhora' (young boy) which has been wrongly recorded as 'chhoda' (left). I am unable to answer any

question about this word 'chhora' as it is a confidential matter. I can define the word, but as it is confidential, I cannot define it in here public. When a person becomes a member of Akhara, then he is apprised of the meaning of the word 'chhora'. I am unable to explain any of the seven names, which I have mentioned, as they are confidential. It can be told to a disciple only. In regard to the above seven names, I had stated that these names are given keeping in view the work, capacity and ability of every disciple. But it cannot be disclosed here as to what are these functions and abilities, as this is a confidential subject.

At this stage, the learned counsel of the Plaintiff, Shri Vireshwar Dwivedi, Advocate raised an objection that all the above leading questions are irrelevant to the issues regarding which the statement of the witness was taken and they cannot be asked during cross-examination. This procedure was adopted under provisions made vide Order – 26, rule 163 A of Civil Procedure Code. Further, cross-examination if being recorded in compliance of the decision of the Hon'ble Full bench of the court in regard to questions being relevant.

It is not possible to tell about abilities. I am unable to tell about Nirvani Akhara, about whom information may be sought from a member of Nirvani Akhara. I often go to the temple of Nirvani Akhara, i.e. Hanumangarhi. I don't think it proper to answer any question about Nirvani Akhara, because that question can be asked from a member of Nirvani Akhara. Besides Hanuman Ji temples of other Gods and Goddesses like Ram Janaki, Lord Narsimh is situated in Hanumangarhi. When I go to Hanumangarhi, then apart from 'darshan' of Hanuman Ji, I have darshan of other Gods and Goddesses. I have 'darshan' of these God and

Goddesses, because idols of those God and Goddesses, which are installed there, have been installed after consecrating them. The idol of Gods and Goddesses, which are installed there, are consecrated since the time Hanumangarhi temple was established. There are idols of different God and Goddesses, but their number is not fixed. There are Hundreds of temples under Digambar Akhara. This is the position about other Akharas also. Members of all the 18 Akharas have fraternal relations with each other. Akhara is a big organization and there are temples also, under it. All the Ramanandi temples, which are situated in Ayodhya, are under Akharas. There is no separate existence of any Ramanandi temple independent of an Akhara. I have not counted the number of Ramanandi temples situated in Ayodhya.

Mani Ram temple is connected with Digambar Akhara. Mahant of Mani Ram cantonment (Chhavani) is appointed according to guru-shishya tradition. He is not appointed through election. The system of appointment of Mahant, which I had mentioned in regard to other Akharas, does not apply to Mani Ram Chhavani. This system does not apply to sects but applies to Akharas according to name. Management of any place are not managed according to Panch-system and the whole management is under the control of the Mahant. There are Mahants in sects and there are Mahants in Akharas also. In temples, the position of the Mahant is supreme and in regard to Akharas, the position of the Panchayat is Predominant, but in certain matters, Shri Mahant has some personal right and they are over riding effect in some matters. In other matters, decisions of Panchas are to be accepted. There Shri Mahant are Sarvarakar in Akharas. I have already explained the difference between Sarvarakar and Shri

Mahant. The offices of Sarvarakar and Shri Mahant can be held by a single person and there can be two separate person holding these offices. In Akharas, one person can be Sarvarakar and another person can be Mahant. In sects Mahant is all in reference to place. In all. In there can be a Sarvarakar in addition to a Mahant. Often there are Sarvarakar in trust property. Trust is a very commonly used word. I can tell its Hindi equivalent, but I will not tell it here, as the question about it is being asked deliberately. Wakf refers to other divine property. In extra divine property, there are Sarvarakars. The duties of Shri Mahant of a Akhara is not only confined to giving discourses and grace the sect, but dissemination of training and religious preaching is also included in his duties.

Arms training is imparted in Akharas only and not in seats(place). Old Arms are exhibited in Akharas on special occasions. Arms like battle-axes, swords, arrows are kept generally in all Akharas in safe custody. Tasi Ji ki Chhawani is an independent place and is independent for its management, although it has been recognized by Digambar Akhara recognizes it. I cannot tell which year, according to Christian era, I first came to Ayodhya. However, I was about 15-16 years old at that time. My teacher for Deeksha (imitation) was brahmachari Shri Ramakishor Das Ji. I took imitation from him at Janaki Kund in Chitrakut. I got this initiation before I came to Ayodhya. Digambar Akhara had a sect in Chitrakut also. My guru belonged to Digambar Akhara. When I came to Ayodhya for the first time I stayed in Digambar Akhara only. I first came to the Chhavani of Ram Kinkar Das Ji. When I first came to Ayodhya to the Chhavani of Ram Kinkar Das, then the Mahant was there. At that time, my guru Mahant of Digambar Akhara was there. Chhayani of Ram Kinkar Das

was part of Digambar Akhara. Ownership of that place was independently in the hands of the Mahant of that place, but Digambar Akhara recognized that place. There was a temple in the Chhavani of Ram Kinkar Das, where idols of Shri Sita Ram, Laxman Ji and Ram Lala were installed. The property of the Chhavani of Ram Kinkar Das was vested in the name of Mahant. Ownership was not with the idols. At that time the Mahant of that place was the owner of the property of Chhavani of Ram Kinkar Das. There are many religious places in Ayodhya, where the ownership of the property does not vest in the deity but in the Mahant. When I first came to Ayodhya, Janardan Das Ji was the Mahant of the Chhavani. Chhavani of Ram Kinkar Das was not situated opposite the Chhavani of Tapasi Ji, but was situated on the route of 'Parikrama' after eight or ten temples. Nirmohi Akhara is situated beyond two temples after the place of Tapasi Ji at southwestern corner. Actually, this temple is situated one temple after the place of Tapasi ji. Seedhipur temple is situated adjacent to the wall of Chhavani of Tapasi Ji. I do not know who was the Mahant of Nirmohi Akhara, when I came to Ayodhya for the first time. I cannot say whether Mahant Raghubar Das, who was Mahant of Seedhipur, was Mahant of Nirmohi Akhara or not.

When I first came to Ayodhya, then first Hindu-Muslim riot, which took place, was in the year 1934. What was my age in the year 1934, can be calculated with reference to my age at present, which is 90 years. But I do not remember what was my actual age in 1934. I got the post of Mahant of the place of Ram Kinkar Das ji after the death of my guru. My guru died about 10-12 years after I came to Ayodhya. I got this post of Mahant under guru shishya tradition. Disciples of place are only those, who are initiated by the guru. There is no need for a 'mahajjarnama'

to be executed for this. I inherited all the property i.e. temple, house, cash of that place owned by Ram Kinkar Das. Whatever I inherited, it was because of my being the Mahant of that place. Extra divine property cannot be sold, but this property can be transferred to a place connected with that place. During 1934, my guru was the Mahant; I was not Mahant at that time. After the riots of 1934, I got the office of Mahant during 1942-45. During the period starting with my arrival for the first time in Ayodhya till I became Mahant. I had been visiting regularly to different place.

I was in Ayodhya in 1934 at the time of riots. I do not remember the month during which riots took place. I also do not remember the season. At present, I cannot remember whether there was any fair or festival when riots broke out. That was not the time of 'Panchkosi Parikrama'. During 1934, top of the disputed structure was broken. The cause of riots was breaking of the top of the structure. It is wrong to say that the cause of riots was cow-slaughter. Cow-slaughter never took place in Ayodhya. I am not aware that cow-slaughter was banned in Ayodhya in 1912. I am not aware that slaughter of cattle was banned in the route of Panchkosi by the order of the Viceroy. I cannot tell the names of all the persons, who were prosecuted in connection with the happenings of 1934. I do not know who were the five persons against whom prosecution was launched in the Court of additional District Judge in connection with incident that took place in 1934 and the persons who were acquitted, as they could not be identified. I also do not know that all the persons, who were prosecuted against in the Court of Additional District Judge were acquitted. There is a village named Shahjahanpur adjacent to the 'gurukul' situated on the route of

'Parikrama'. I do not know that an incident of cow-slaughter took place in Shahjahanpur village on the day of Parikrama. I do not know that after the incident of cow-slaughter in Shahjahanpur village, people of Hindu community looted the homes of persons belonging to Muslim community and they were beaten and killed. During riots, a large number of sadhus were arrested but their number was about five hundred that I cannot tell. A fine of Rs. Eighty thousand was imposed by the Government in connection with the breaking of top of the building situated at the disputed place. This fine of eighty thousand rupees was collected from several people on personal basis. It is not a fact that this amount was collected by the sadhus of Ayodhya and paid to the British Government. In 1934, I did not possess all the degree, which I do now, but even at that time, I was a scholar of Sanskrit. At this stage, in connection with a question asked from the witness, Shri Ranjit Lal Verma, advocate filed a notice issued by the District Officer of Faizabad. Photocopies of this document were also submitted along with the document and the document was shown to the witness. I cannot say whether or not any general notice was issued to the Hindus of Ayodhya in 1934 in connection with the happenings that took place during 1934. It is wrong to say that compensation for demolishing the dome was not recovered and amount of compensation was recovered from every Hindu of Ayodhya.

The top, which was pulled down in 1934, was pulled down before my eyes. When the top was being pulled down, I was present at the disputed site. The sadhus and saints and people of Ayodhya broke the top. There was a crowd of thousands of people collected there. A very huge crowd was present there. The process of demolishing the top started early in the morning and it continued till evening. In

1934, there were, arms and instruments for demolishing the building, in the hands of people who had pulled down the top. In 1934, people of all the Akharas were present at that place. at that time, the Mahant of Hanumangarhi was Shri Sita Ram Sharan Das and Mahant Raghubar Das, Shri Mahant of Big Chhavani was Shri Kaushal Kishore Das and Mahant of Mani Ram Chhavani was Shri Ram Shobha Das. Mahant of Digambar Akhara was Shri Janaki Das. During the incident of 1934, half of the top (middle top) was broken. Half part of middle top was broken from all the four sides. Excluding the middle top, no other part of the building was broken. The process of breaking the top continued for a considerable time. I kept going from and coming to the place and also participated in that work. I cannot say as to how many hours were taken in breaking the part of top. The broken part of the top fell down on the ground. I cannot say as to exactly how much time after pulling down the top, it was reconstructed. As arrests were made thereafter and the repairs were made after that. I had seen the construction when the broken top being reconstructed. I cannot exactly tell as to how much time elapsed between the demolition and reconstructions of the top. I had seen the top being reconstructed. I go to that place daily. I am not aware of the identity of the laborers who reconstructed it. I cannot tell the number of persons engaged in this work or the community, which they belonged to. I do not know as to which employee of the British Government was present when it was being constructed. There was no idol of Ram Lalla under the top when it fell down. Worship was performed on the ground under the top. There were statues of God and Goddesses. On the pillars under the top and people used to worship them. There were statues of Shri Hanuman Ji and other Gods among these statues. There was no pillar under the

middle top. Below the middle top was the place of delivery where Lord Ram was born. Place under the middle top was in the form of 'Garbh Griha', I consider that place and the area around that place as 'Garbh Griha'. Area under all the three domes and the whole area of 'Parikrama' was under 'Garbh Griha'.

The bath of the 'anis' of Akharas at the time of Kumbh is called 'Shahi' (royal) bath. I know the tradition of the Mahants of my Akharas. I do not know which persons of Vridavan Akhara participated in Samvat 2006. I cannot tell as to who was the Mahant of Nirmohi Akhara in Samvat 2006. Mahant Radha Mohan Das Digambar is not a Mahant of the tradition of my Akhara. He was a Mahant of Nasik Digambar Akhara Vaishnav. I cannot say whether or not Shri Ram Khilawan Das was Shri Mahant of Nirvani Akhara in Samvat 2006, but he was Shri Mahant of Nirvani Ani. I am not aware of any resolution passed by the Akharas in Samvat 2006. In the temples of Ramanandi Sect, a person of any caste or religion can be appointed as a priest, provided he is a Vaishnav. I have myself appointed a Harijan as a priest in a temple. After initiation in Ramanandi Sect, a person loses his caste. There is no distinction between 'sutradhari' and 'maladhari' in Ramanandi Sect. Every temple has own separate rules. The position of Hanumangarhi temple is also same in this respect.

Question : Is there any difference between 'sutradhari and 'maladhari' in Nirvani Akhara?

Answer: This may be asked from a person belonging to Nirvani Akhara. I cannot give any answer about Nirvani Akhara.

There is no robe in Ramanandi sect. Only after being informed by a person that he was a Raidas, I came to know

that he is a Raidas. It was not necessary to get information about his parents in this regard. I told my guru that I was a high caste Brahmin.

Verified the statement after hearing

Sd/-

Param Hans Ram Chander Das

12.1.2000

Typed by the stenographer in the open court as dictated by me The above statement includes the complete and correct statement of the witness. In continuation of this for further cross-examination on 13.1.2000 Witness be present.

Sd/-

12.1.2000

www.vadaprativada.in

Dated 13.1.2000

(In continuation of 12.1.2000 – commencement of statement, on oath, of P.W. – 1, Shri Param Hans Ram Chander Das)

There are Panchas, Sarpanchas and Golakis (treasurer) in every Akhara. The value of vote of Panch and Mahant is almost equal. But at some places, Mahants have some special rights and, therefore, the value of their vote is more. The value of vote of special right is equal to two votes. It is exercised at that time when number of votes on both sides is equal. In emergency, Shri Mahant can exercise special right in circumstances when due to certain reasons a decision has to be taken immediately and it is not possible for all the Panchas to attend. Emergency can be on an occasion of Kumbh, at a time of war, for expenditure or for some judicial process. Mahants get the decision taken in time of emergency, confirmed later on by the Panchas. Right of confirmation vests in the majority of the Panchayat. A Panch can vote for or against the decision taken during emergency. The customs and practices followed by Ramanandi sadhus are notified in Government gazette, but all the customs are not included therein. I do not know whether or not the customs of Bairagi sadhus were recorded in the settlement of 1861. golaki means a treasurer. Golaki is a term used in the Akharas. Panchas, Golaki, disciples and sub –disciples for different temples of Akharas are appointed by Shri Mahant. Shri Mahant has also a right to remove a Panch or appoint a new Panch in his place. Those temples of Akharas, which are situated at places other than Akharas, are managed by Shri Mahant. Account of income and expenditure of the

temples, situated outside the Akharas, are maintained by the Golaki of the original Akhara.

By temple, I mean a 'devayatan'. In ordinary, a place where idols are installed after consecration is called a temple. After consecration, it is considered that the God, whose idol has been installed after consecration is present there in person. There is a procedure and ritual prescribed in Holy Scriptures for consecration. That person, who gets idol consecrated, is called a founder, because even a family man can do consecration, but such a person cannot be called a founder. 'Yajman' is called a person, who gets an idol consecrated. A Yajman can get an idol of deity consecrated in his own land or in a temple land. If an idol is being consecrated in the property of another person, then naturally the prior approval of that person has to be taken. It is not possible to get an idol consecrated in the property of another person without taking the permission of the person. If an outsider gets a temple constructed or an idol consecrated there, then the ownership of the land of that temple will vest in the deity, but from the point of view of management, the ownership and the right of Mahant will stay intact. By virtue of being Shri Mahant of Akhara, the right of the person holding the office of Mahant, in the ownership of property will remain intact. In the event of getting elected as the Mahant of the Akhara, the ownership of the property of the Akhara remain vested in the Akharas, but from the point of management, this vests in the Mahant also. But if the Mahant acts against the customs and accepted tenets, then in that event, he can be removed by the Panchas.

The oath, which is administered to a person when he joins the Akhara and in which context, I have used the term

'rakam', is a confidential matter and as such, I cannot tell anything about it. Oath is also administered, before a person becomes a 'Naga' and such person, who had earlier taken oath, is made a 'Naga'. It is necessary for a person to be a celibate when he takes the oath for becoming a 'Naga'. 'Avyahat' and celibate are not equivalent terms. By 'Avyahat', we mean a person, who cannot be stopped. Meaning of celibacy (brahmcharya) is very comprehensive and it is not confined to semen (veerya) only; it denotes a person who resides in 'brahm' (the universal being). It is not necessary for a person to be celibate before he becomes bairagi, because a family man can also become a bairagi after getting 'deeksha', the oath administered to Nagas is not publicized.

It is essential that worship and 'arti' be performed regularly at scheduled time after an idol is consecrated. At some places, arti is performed twice, at other places, three and at some other, five times. In all big temples, arti is performed five times. Arti is not performed five times in all the Akharas. In most of the temples arti is performed two times and in some temples, five times. First arti is performed early morning arti, second arti noontime arti. At morning and night arti is performed at time of offering of food to the deity and in addition, last arti is performed at the time when deity goes to sleep. It is known as 'shayan' arti. In a temple arti is not performed by Shir Mahant, but by the priest. Bells are rung at the time of arti. It is not necessary that only Punchas of the temple should ring bells. Generally the servants (Sevak) of the temple do this work. All the rites and festivals related to the deity whose idol is installed are performed and celebrated as prescribed in scriptures. Money is required to be spent on the rituals of worship, recitation, and food offerings etc. this expenditure

is met also from the amount of offerings made by the devotees. Offerings are made in the form of cash, food and clothing and different kind of gems and stones. Amount of offerings is not kept with the Golaki. Golaki has only limited amount at his disposal. Other property received in offering is kept in the treasury of the Akhara. The Golaki maintains accounts of every kind of property received in offering. Priest and Golaki are always in the temple. Therefore, apart from Mahant, these two people have knowledge of details of offerings. Arti is not performed according to the tradition of Akhara.

Question :-According to Ramanandi Bairagi Sect, there are five artis Mangala Arti, Shringar Arti, Rajbhog Arti, Evening Arti and the fifth Shayan Arti. What you have to say about it?

Answer:- Early morning time arti is called Maangala Arti. Then the arti performed after bath, worship and clothing and wearing of jewelry is called Shringar Arti. The Arti performed after offering of food is known as Bhograg Arti. And the arti performed at night at the time of putting the deity to sleep is called Syayan Arti.

Name of guru of Ramanand ji was Raghavanand. Whether or not Dewalanand or Madhavanand were disciples of Sursaranand, this I will not be able to tell. Narahari Das belonged to Ramanandiya Sect. Narhari Das ji was guru of Tulsi Das ji who was author of Ramcharitmanas. After having observed the killing of Kronch (curlew) bird, Valmiki, the first poet, composed the first verse, which is as follows:

“Mahant nishad pratishtha swamgam shashvati sama

yatkroch mithunadekmvdhi kammohitam”

Valmiki Ramayan is treated as fifth Veds and as such, it has a much wider acceptability. Valmiki Ramayan includes some such happening, which took place after the book was written. Besides, it is acceptable it mentions some contemporary happenings. Valmiki was gifted with divine vision. As he was gifted with divine vision because of a boon given by Brahma, he described in the book, authored by him, happenings seen by him through his divine vision.

After the Ashwa-Medh Yajna, which was performed by Shri Ram, divine vision of Valmiki did not exhaust. It is wrong to say that the later incidents, which have been mentioned in Valmiki Ramayana, are based on hearsay. Valmiki had described the events, related to Luv and Kush, which took place after the Ashwa-Medh Yajna, on the basis of his divine vision. Valmiki Ramayan was written during the lifetime of Lord Rama. I can tell you the length of a 'Yug' after consulting books.

Question :-Whether the period of a 'Yug' has been divided into four periods i.e. Aditya Kal, Kritika Kal and Antim Kal?

Answer:- Yug, year (samvatsar), Manavtar, Ayan, month, fortnight, season, day, night, prahar, ghatika, date, etc. have been fully determined in Indian astrology. Their definitions have also been given therein.

Question:- Did you attend any seminar or conference on the subject of birth place of Ram, where scholars

stated that Rama was born 1.85,58000 years ago.

(Shri Vireshwar Dwivedi raised an objection on the round that the question was not relevant).

Answer :- Anything in a seminar is a matter of debate, until it is supported by the scriptures.

Valmiki Ramayan was written much before Buddhist era and Dashrath Jatak story given in Buddhist Literature is not acceptable to me. Only a Buddhist scholar can give information about the period of Jatak stories. Whether or not it was three Hundred years BC, only a Buddhist can say.

I have heard the name of Max Mueller, a Western, and scholar of Vedic literature. I do not agree with the view of Max Mueller that Vedas were written three Thousand years ago.

Valmiki Ramayan is not divided into chapters, it contains seven Kands and it has been described in 'sagas' (chapters).

It has been mentioned in Valmiki Ramayan that the first king of the world had founded city within an area of eighty four 'kps'. Manu was the first son of Brahma. In the beginning of universe, Manu had founded Ayodhya on a direction of Brahma. Manu did not demand from his father, Brahma, a place for himself to live. He himself founded Ayodhya; there was no question of his requesting Brahma for a place to live. I have studied 'Rudryamalak'. It is that Brahma had himself founded on his chakra Ayodhya and then gave it to Manu to live. There are divergent views among the authors of scriptures (Shastras) as to whether or

not Brahma sent Vishwakarma to built Ayodhya. Whole of the universe was created on the direction of Lord Vishnu and Ayodhya is also included in that. If Lord Vishnu had sent sage Vashsht to built Ayodhya, what objection can I have about it.

I have studied Vashisht Samhita. According to Vashisht Samhita, Ayodhya has several names. According to Vashisht Samhita, merely by having 'darshan (Glimpse)' of Ayodhya, sins of seven births are destroyed. I firmly believe in this statement

Ayodhya is the best among the seven puris (cities). It is thought that Ayodhya occupies the top place among the seven puries. There is mention of Ayodhya in Athatva Veda. In every Puran, including Skand Puran, there is mention of Ayodhya. Rudraya Maliya is not a book, rather its name is Rudya 'malkiya'. The correct name of this book is Rudraya Malak. In this book, Lord Shankar has described the importance of Ayodhya. Rudraya malak is an authentic book. In it, there is mention of 152 holy places, three 'Parikramas' and seven rivers in Ayodhya. There are places of salvation in Ayodhya, but the whole of Ayodhya is provider of salvation, its every place is a place of salvation.

Question:- Ayodhya is a city where Manu lived. In the south of this Ayodhya lies Nandigram Bharatkund, in North is holy Saryu River, in west lies Guptar Ghat and in East Bilva Hari Ghat?

Answer: According to Valmiki Ramayan, boundaries of Ayodhya are not confined only to these places. Ayodhya lies within an area of 84 kos.

The full name of Ayodhya was Uttar Koshal also. It is wrong to say that Ayodhya was destroyed several times. Rather the fact is that Ayodhya was never destroyed.

Directed by Brahma Ji and founded by Manu, Ayodhya is still there. Vikramaditya did not reconstruct it, but he resurrected it. The various holy places under Ayodhya were not discovered by Vikramaditya, rather the important places which were there in Ayodhya since times immemorial are still there.

Saryu River lies in the North of Ayodhya. King lehhwaku was the son of seventh Manu. I believe in the genealogy of king Dashrath and Ram in the lineage lehhwaku dynasty, as given in Valmiki Ramayan. lehhwaku was a king of Sun dynasty. Sage Vashishta prayed to bring Saryu and Saryu originated from the eye of Muni Vashisht. I accept fully the fact, as described in Purans, that Brahma kept the two drops, which fell from the eyes of Lord Vishnu, first in 'Kamandal' and then in Mansarovar from where Saryu originated. I agree with this whole narration which has been described in Puran. Sage Vashisht brought Saryu from Mansarovar and that is why it is called Vashisht also. Brahma had a son by the name of Gharaghar, the Ghaghra river takes its name after him. Saryu lies in Ayodhya in the shape of a bow. Saryu is known on its East and West side as Ghaghra river. Saryu lies in the North of Ayodhya. In this connection, there is a reference in Ram Charit Manas that "uttat dishi bahi Saryu pavini (i.e. Saryu river flows in the North)". This is an authentic statement about the location of Saryu river. There is a statement in Ramayan, i.e. Ram Charit Amanas regarding the importance of Ayodhya that "Avadh puri mam puri suhaisini (The city of Avadh is my dear city)" which makes it clear that Ayodhya is the birthplace of Lord Ram. It has also been mentioned here that people living here are very dear to me. The place, where a person is born, is called his birthplace. It has also been mentioned in Valmiki Ramayan that the land of my birth is dearer to me than Lanka, which is built of gold,

because birthplace is superior even to heaven. Places connected with characters mentioned in Valmiki Ramayan, i.e. Bhagawati Sita, Vibhishan etc. are still situated in Ayodhya like Kanak Bhawan and Vibhishan Kund. I cannot say that the places situated in Ayodhya after the names of characters of Ramayan are places beyond human memory. They are places related to post -Manu period. There is place by the name of 'Sahasra dwara' at Saryu River, which takes its name after Laxman Ji. The names of Tamsa River, Bhardwaj ashram, Ganga, as mentioned in Valmiki Ramayan, are still continuing. Various holy places connected with Lord Ram like Chitrakut, Rameshwaram, Dandakarnya, etc. as still they're as before. In Rameshwaram, Shiva was installed by Lord Ram himself, Shiva is also worshipped in the temple of Ram. It has been stated in Ram Charit Manas that I cannot like that devotees of mine even in my dream, who is enemy of Lord Shiva. Mani Parvat is situated in the south of birthplace of Ram. Various 'ghats' of Saryu, named after the names of different males & female characters of Ramayan, are still situated there. The temple of Nageshwar Nath was resurrected by Kush, the son of Lord Ram, I am not in disagreement with this story mentioned in Puranas that Lord Ram gave a pebble to Kush, which fell in Saryu river and which was received by a snake girl (Nag Kanya) and later on, in that connection, Nageshwar Nath temple was established by Kush. But as Nageshwar Nath is counted among the twelve 'Jyotirlingas' therefore in my view Nageshwar Nath was situated before it was established by Kush.

Lord Shiva had to come himself as Nageshwar Nath to protect his devotee. I do not differ with this belief. Treating temple of Nageshwar Nath Mandir as the center, Vikramaditya resurrected different holy places of Ayodhya.

Resurrection of Ram Janam Bhoomi on Ram Mohalla was also done in that connection. Ram Janam Bhoomi is situated at an elevated place or on a plateau or a castle. There is a seat of Hanuman Ji on the East and that of Nala and Neel in the South. The faith of Hindus of the entire world over towards Ram Janam Bhoomi Sthal is similar to that of Muslims towards Kaba. There is only one Ram Janam Bhoomi temple in whole of the world, whereas there are thousands of temples of Lord Ram. Bharatkund is situated in the south of Ayodhya. Bilvahari Ghat is situated at a distance of 14 kilometer in the east, where temple of Bilvahari Mahadev is situated. King Dashrath was cremated at Bilvahari Kund after his death. Bilvahari Kund, which I have mentioned above, is actually Bilvahari Ghat. It has been mentioned in Puranas that Mandavi, wife of Bharat, had preyer there for fourteen years and she used to drink the water of Saryu. This place was known earlier as Mandala gram and is now know as Madna gram in its corrupt form. On the basis of different places situated in Ayodhya after the names of characters mentioned in Valmiki Ramayan, I have to say that the disputed place is Ram Janam Bhoomi.

A number of wars were fought during the last five hundred years after Balanand Ji over Ram Janam Bhoomi. There was rule of Muslims rulers over Avadh province for about two hundred and fifty years during these five hundred years. I cannot tell for exactly how much time Ayodhya remained under Muslims rule. During this period of about four hundred and fifty years before the advent of freedom, first there was Muslim rule and then British rule. The kings, who invaded India before Babar, indulged in looting and went back thereafter. Babar had also come to India with the intent of looting and plundering.

Shyamanad Ji, who was Mahant of Nirmohi Akhara, undertook a relentless struggle for Ram Janam Bhoomi. I am not aware whether the forces of Nirmohi Akhara, together with the army of Queen Jairajkumari, fought a war for Ram Janam Bhoomi. It is, however, a fact that the members of Nirmohi Akhara, together with the members of other Akharas and the whole of Hindu community, struggled for Ram Janam Bhoomi. It is wrong to say that Shyamanand Ji first installed Ram Lalla at Ram Chabutra, but even earlier Ram Lalla was always seated (Virajman) there. Ram Chabutra and the idol of Ram Lala is eternally there. There was cave temple on both sides of Ram Chabutra. There was a small silver – mounted wooden temple placed on it. There is the famous place of Sita koop on its east. In the north of the disputed complex, there is a road and there is a place by the name of Sita Rasoi in the north thereof and which is in existence even today. There is a place known as Gudar. There used to stay a saint, who used to wear tattered clothes and because of that he was called Gudad Bab. Birthplace of Ram, Sita Rasoi and Ram Janam Bhoomi are recorded separately in the documents. I had not examined any paper of 1912, while filing the suit in 1950. I do not know whether the name of Raghubar Das referred to in the case of 1885. There could be number of persons by the name of Raghubar Das. I had heard that Narottam Das was Mahant of Nirmohi Akhara. There were four footprints and different appliances used in kitchen in the north of Ram Chabutra. These footprints were connected with Ram Janam Bhoomi. Ram Janamsthan is not connected with the place of Sita Rasoi.

Photo Nos. 56 and 57 of the coloured album, which has been filed in suit No. 4/89, and prepared by the Archaeological Department of Uttar Pradesh in respect of the disputed place, was shown to the witness by Shri Ranjit

Lal Verma, advocate, cross-examining him. After looking at the photos, the witness stated that it appeared to be photos of Ram Chabutra. In the photo No. 57, cave temple is showing. There appears to be a silver -mounted wooden temple on that Chabutra. In photo No. 56, the temple appeared to be covered by a thatched roof. On being shown photo Nos. 70, 71 and 72, the witness said these photos were of footprints and Sita's kitchen. Photo Nos. 70 to 72 pertain to the place in the north of the inner side of the disputed complex. The outer part of the disputed place, when the building existed, was divided in three parts. There was door in the east and north of the outer side. On being shown the photo Nos. 44, 45 of the same album, the witness said that there appears to be the eastern gate in the outer side. In photo Nos. 44 and 45, the words 'Ram Bhoomi Nitya Yatra' are written on a stone. There were stones installed in different places of Ayodhya much before I came to Ayodhya. The above stone, fixed at Ram Janam Bhoomi, was one of them. Numbers had been written on these stones. There was 'Prikrama' around the outer side. There was a wall two and half to three feet after 'Parikrama' on the western side and there was an very big trench thereafter.

Picture No. 20 of album of black and white pictures prepared by the Archaeological Department of Uttar Pradesh and filed in oos 4/89 about the disputed site was shown to the witness. The witness, after seeing the picture, said that there is a figure of a lion on both sides of the upper part of the gate. Then picture Nos. 37 to 42 of the coloured album was again shown to the witness. After seeing it, witness said that a picture of peacock has been painted on the northern gate. Then picture No. 58 of the coloured album was shown to the witness. After seeing it, the witness said that it is about the cave temple. The

statues of Ganesh and Shanker, which are installed on the eastern – southern corner of the platform (Chabutra), have been shown in these pictures. The above pictures include the picture of Nandi and Lord Shankar also. After seeing picture No. 61 of the coloured album, the witness said that it is a picture of above – mentioned Gods.

Verified the statement after hearing

Sd/-

Shri Mahant Param Hans Ram Chander Das

13.1.2000

In continuation for further examination on 14.1.2000

.Witness be present.

Sd/-

13.1.2000

www.vadaprativada.in

Dated 14.1.2000

(In continuation of 13.1.2000 – Statement, on oath of P.W. – 1, Shri Param Hans Ram Chander Das)

(Pictures Nos.68 and 69 of coloured album of pictures of disputed site prepared by the Archaeological Department of Government of Uttar Pradesh were shown to the witness.) Then the witness said that in picture No. 68, 'maulshri' tree situated inside in the eastern side has been shown. In picture No.69 tin shed is shown over the 'varan' sign. In picture No. 37 of black and white album 'maulshri' tree in the eastern side has been shown. In picture No. 38, 'chhati puja' place has been shown. There was a store constructed in the east and north of the 'maulshri' tree. Priests and 'Golakis' of Nirmohi Akhara used to live there.

Consecration of idols (Pran –pritishta) are of two kinds. Consecration of moveable idols and consecration of immovable idols. Movable idols are brought out on special occasions but non moveable idols are not removed after consecration. It depend upon the resolve (Sankalp) of the persons, getting the idols consecration, whether the idol is being consecrated as a movable or immovable one. Throne is required both for movable and immovable idols, but after its installation. The difference between movable and immovable forms of idols is only that the movable idol can be removed on special occasions, but it is not possible for immovable idol. But there is no difference in the matter of importance between movable and immovable idols. Movable idol is as important as an immovable one. There is no difference in shape between movable and immovable idols. Immovable idols can be bigger or smaller than a movable idol. Movable and immovable idols can be placed

together. Movable idol are called festival idols. Festival idols are removed from their place on the occasions of 'Sharad Purnima', 'Shravan Jhula', 'Teej' and 'Rath Yatra' etc. and taken in a procession to the site of termination of the possession. Then they are brought back and installed at their original place. Definition of movable form has been given in Skand Puran. According to Skand Puran and even otherwise, the idol of 'Shaligram' is always in a movable form and there is no need of even consecration them. It is considered as self-consecrating. Shaligram is not considered as an idol of Lord Shanker. Rock of Shaligram is considered to contain the idols of twenty-four incarnation of God. The rock of Shaligram is considered to be the idol of that particular God whose mark is inscribed on it. Marks of 'conch' and 'chakra' of Lord Vishnu, and marks of Matsya Avtar, Kurma Avtar' and 'Parshu Ram Avtar are found in the rock of 'Shaligram'. On the basis of these marks, it is determined which particular incarnation is that rock of Shaligram related to. Saints take them the rocks of Shaligram, seated on throne, during their pilgrimage. The rock of Shaligram is, therefore, considered to be a form of movable idol.

Nobody is enthroned in Nirvani Akhara. In Hanumangarhi temple, persons are installed on the throne. It is not, that the persons installed on the throne do not go from their sect, i.e. from the premises of Hanumangarhi to other places.

Question:- Is the Maant of Nirvani Akhara different from the Mahants of other Akharas and is the person installed on the throne of Hanuman temple different?

Answer:- Mahant of Hanumangarhi Nirvani Akhara is installed on the throne, but there is only one Mahant of the 'ani' of All India Nirvani Akhara.

I am Shir Mahant of my Akhara and also the Mahant of Ram Janaki temple under the Akhara. It is not necessary that there should be separate Mahants for the Akhara and for the temple under the Akhara and for the temple under the management of the Akhara.

Question:- Whether Mahant Sita Ram Das, gaddi-nashin of Hanumangarhi, whose name was mentioned in your statement, was Mahant of Nirvani Akhara at that time?

Answer:- He was Shri Mahant of Hanumangarhi temple under the Ayodhya sect (laithak) of Nirvani Akhara, but he was not Mahant of Nirvani Ani Akhara.

During 1934, Shri Sita Ram Das was also Shir Mahant of Nirvani Akhara, Hanumangarhi. There is no separate of Kapil Muni temple of West Bengal, under Nirvani Akhara. It is managed by Hanumangarhi Nirvani Akhara. I know Shri Baldev Das Ji is connected with Nirmohi Akhara. He was also Mahant of Naqa Mujpuma, Hanumangarhi and a priest of Ram Janam Bhoomi Chabutra. Mahant Bhaskar Das who is a disciple of the same Baldev Das Ji is present in the Court. He also used to perform worship on Ram, Janam Bhoomi Chabutra. Ram Lakhan Das was 'Golaki' of Nirmohi Akhara I know him. Raja Ramanandacharya was a student of Mahant Raghunath Das of Nirvani Akhara.

Visual enclosed with the plaint of lawsuit No. 5/89 was shown to the witness. Map No.136A/6 filed with the Other

Original Suit No. 1/89 was shown to the witness. Sita Koop and Sumitra Bhawan temple is situated in the south of complex. Sumitra Bhawan temple is the temple of Laxman Ji the incarnation of Shri 'Shesha Nag'. I do not know, who was living in Sumitra Bhawan. I used to go to Sumitra Bhawan temple regularly, but I cannot say who was the priest there. There was an idol of Lakhan Lal, the incarnation of 'Shesha Nag'. I had faith in the idol and I used to have 'darshan' thereof. There were also tombs arounds the disputed complex. These tombs are known by the names of Sages Angira, Lomush, Markandey, etc.

I do not remember how old I was, when I went to have 'darshan' of Ram Janam Bhoomi for the first time. I come Ayodhya when I was 15-16 years old. When I came to Ayodhya for the first time, then I saw all the places shown in the map enclosed with the report of the commissioner of Original law Suit No. 1/89. I know Gopal Singh Visharad. When his suit was filed, his counsel was Chaudhary Kedar Nath, Advocate. My suit was filed one or two months after his suit. Chaudhary Kedar Nath also filed my suit, Advocate. Section 3 of the Other Original Suit No.2/89 was read by the learned counsel during cross-examination. Witness told that the facts mentioned in Section 3 are correct. May be I was disposed on December 23, 1949 and because of that, the above suit could not have been filed by me immediately. Shri Gopal Singh Visharad received the interim prohibitory order the day on which his suit was filed. The boundary mentioned in the suit of Gopal Singh is correct. The Chabutra and the storeroom mentioned in the eastern boundary, is the same Chabutra, which belongs to Nirmohi Akhara. Adjacent to the place on Northern side, where the words Sita Rasoi are written, was the place where appliance of kitchen were kept and also the place of

Chhati-Pujan and the place of footprints. The priest of this place belonged to Nirmohi Akhara. The things shown in the details of property in the Other Original Suit No.2/89, are the same which were shown in the suit filed by Shri Gopal Singh Visharad. The boundaries of the property in both the suits are similar. My suit and the suit of Gopal Singh Visharad were being proceeded together. After the departure of Chaudhary Kedar Nath, Advocate to Allahabad, Shri Pindi Das Goswami Became my counsel as well as of Shri Visharad. Shri Gopal Singh Visharad, who was himself an advocate, was not pleading my case. My case was being pleaded by Pindi Das Goswami or, in his absence, by four-five other advocates, who were my counsels. I filed notice under Section 80 of Civil Procedure Code through Shri Chaudhary Kedar Nath, Advocate. Shri Gopal Singh Visharad had filed an affidavit on my behalf in my suction on the death of a respondent: the number thereof is Other Original Suit No.102/1-A in the Other Original Case No.2/89. After the counter-statement of the Respondents was filed, I filed a reply to that, which is marked as paper No. 78A-1.

At the time of filing the suit, I came to know that the inner part of Ram Janam Bhoomi had already been attached before my filing the suit. A proclamation was also made under Section 145 of Criminal Procedure Code in this regard that if any concerned party wanted to raise any objection, it could do so. A notice was published in this regard in newspaper also. I did not file any objection under Section 145 of Cr.P.C, because some civil cases were already pending. Chhavi Ram Das, Baldev Das etc. who belonged to Nirmohi Akhara and Hanumangarhi used to attend the proceedings under Section 145 of Cr.P.C. I was regularly in touch with the proceedings under Section 145

of Cr.P.C. The list of the property attached was prepared and I came to know about it. Photo of list of attached included in the papers connected with the proceedings under Section 145 of Cr.P.C. were shown to the witness. After seeing the photo, he said it included two idols of Ram Lalla, six idols of God Shaligram, two feet tall throne made of silver and idol of Hanuman Ji and at serial Nos. 4 to 11, there is mention of equipment of courtiers of Gods and dresses of Ram Lalla. At serial No.15, details of the building, which has been attached, have been given. Within its boundary, place of chhati, footprints have been shown in the northern side, fallow land and 'Parikrama' has been shown in the south. Ram Chabutra and courtyard of the temple has been shown in the east and 'Parikrama' and open place has been shown in the western side. These details are correct. Babu Priya Datt Ram, Chairman of the Municipal Committee was the first receiver. In the paper of the proceedings under Section 145 of Cr.P.C., counter statement of Baldev Das and Abhiram Das is enclosed. It is from page Nos. 101 to 103. I have obtained the affidavits of M. Hasan, M. Umar, Azimullah, Latif, Mohammad Ahsam, Abdul Sattar, Ramzan, Ausaldar, Abdul Shabbu, Abdul Razzaq, Abdul Jalil and Pir in the case of Gopal Singh Visharad and filed their attested copies. Original affidavits are enclosed in the papers related to the proceedings under Section 145 of CPC. I have seen them. It has been stated in these affidavits that a part of the mosque was destroyed during the riots of 1934 and strife kept on going in this regard between Hindus and Muslims and because of this no Muslim ever to observe namaz in this mosque after 1934. In the challan report filed by Ram Dev, SHO of Ayodhya under the proceedings under Section 145, which is enclosed as paper No.A-126, Abhiram Das, disciple of Jamuna Das, Ram Bilas Das, disciples of Balram Das, Sudershan Das,

disciple of Govind Das, Ram Sakal Das, disciple of Saryu Das, Brindaban Das, disciple of Ram Ballabh Sharan, Ram Subhag Das, disciple of Pohari were as accused. Among them, Ram Subhag Das is alive, who is Mahant of temple Ratan Sinhasan. After the launch of civil suit, the proceeding of this case was discontinued.

Third suit was filed by Nirmohi Akhara in 1959. During the year 1961, a case was filed by the Sunni Central Board. All those four cases were combined together. Issues were framed in the Court of Civil Judge of Faizabad and statement (of counsels) were taken in the above court. At the time of framing of issues, Shri Sarvajit Lal Verma, advocate, appeared on behalf of Nirmohi Akhara and Shri Pindi Das, Advocate on behalf of Gopal Singh Visharad. No. Progress was made in the case during the period the case was being heard in Faizabad. Often, applications for being made parties in case were being disposed or dates were being fixed for hearing.

Before attachment, Hindus had been going to 'Garbh Griha' without any restrictions for having darshan. Idols of Lord Shaligram, Hanuman Ji and Ram Lala were installed there. People belonging to Nirmohi Akhara never obstructed any Hindu from going to 'Garbh Griha'. Members of Nirmohi Akhara used to manage 'Garbh Griha' before attachment.

What should be the shape and form of a temple has been prescribed in the scriptures. It is not necessary for a temple to have a top (shikhar). It is essential that there be 'Parikrama' in a temple. 'Shikhar' of a temple may be like a dome. The number of 'shikhar' can be one or more than one or four to five. In every mosque, there is a minaret. There

was no graveyard in the east or south of inner or outer of Ram Janam Bhoomi. The 'samadhis' situations in the northeast and south of Janam Bhoomi are those of sages and seers. The path for going to eastern gate of Janam Bhoomi passes through Sita Rasoi, birthplace and Sakshi Gopal temple crossing and then comes from south and take turn to west. I consider the outer and inner part of Janam Bhoomi and the land around it as workswable. The whole place, being the birthplace of Lord Ram, is a symbol of belief and faith for me. In October 1991, the then Government acquired the 'Garbh Griha' and other land and it was told that the purpose of acquiring the land was that as a result thereof, it would become easier for 'pilgrims to have 'darshan'. But the purpose was not to acquire the birthplace. On 10th October 1991 and thereafter, bricks, stones, cement, etc. was collected near the dilapidated temples and during this process of construction. Sheshavtar temple was constructed and foundation of Ram Dwar and Ram Chabutra was laid and a 80 feet wide road was constructed.

Question:- Land was acquired by the then Government of Bhartiya Janata Party for the purpose of maintaining cleanliness of the holy sand of the birthplace and for constructing urinals and toilets. Did it not hurt you?

Answer:- I had no objection to acquiring of land for the purpose of providing facility to the pilgrims for having darshan without affecting the sanctity of the said place.

The Government of Bir Bhadaur Singh had acquired 42 acres of land. This whole land was taken on lease for 99 years. For this purpose, revenue amounting to one rupee

was taken. Ram Janam Bhoomi Nyas took the lease of this land. I am President of this trust. Ram Janam Bhoomi Trust had relations with Vishwa Hindu Parishad and these relations will remain so in future also. Vishwa Hindu Parishad is not the managing committee of the Nyas. The managing committee of the Nyas comprises of Dharmacharya and reputed family men.

Question:- Is Vishwa Hindu Parishad the guiding Board (Marg darshak mandal) of Ram Janam Bhoomi Nyas?

Answer:- No. All the activities of Ram Janam Bhoomi Nyas are carried out by the trustees.

I do not remember exactly when Ram Janam Bhoomi Nyas was established. But it was established in context of Ram Janam Bhoomi movement. By this movement, I mean the movement for the liberation of Ram Janam Bhoomi. This movement has been going on since about 1980. It is wrong to say that my participation in this movement is only on paper and superficial. Not a single sadhu has died during this movement, but it does not mean that this movement does not enjoy the cooperation of sadhus.

Question:- During the 18 years of this movement, no sadhu has died, though only family men died.

Answer:- Family men are inspired by the Sadhus. It is not possible for the family men to act without the inspiration of sadus.

Ashok Singhal was manager of Ram Janam Bhoomi Nyas. I do not know whether he is a party in the suit in which I am giving evidence. Triloki Nath Pandey is my power of attorney. He is not an employee of Hindu Vishwa Parishad. In this regard, Shri Vireshwar Dwivedi objected

that there was no organization by the name of Hindu Vishwa Parishad. The name of the organization is Vishwa Hindu Parishad.

I can not exactly tell when Vishwa Hindu Parishad was established. Whether my power of attorney, Triloki Nath Pandey has any connection with Vishwa Hindu Parishad, only he can tell. Shri Pandey lives in Kar Sewakpuram. Triloki Nath Pandey is my whole time dedicated worker.

Question:- Have you seen your attorney Triloki Nath Pandey reading and writing or signing?

Answer:- I have seen him reading and writing those things, which are required to be written in connection with the work of the trust and in connection with the cases in regard to Ram Janam Bhoomi. I have not tried to recognize the signature of Shri Pandey. I fully believe that he will do the right things on my behalf. I do not know the name of the father of Shri Pandey. Shri Triloki Nath Pandey might have submitted an affidavit in connection with the application for injunction submitted on my behalf in regard to statement being given here. Triloki Nath Pandey is pleading the case on behalf of Ram Janam Bhoomi Nyas. The suit of Nirmohi Akhara against Ram Janam Bhoomi Nyas and Ashok Singhal is pending in the Civil Court of Junior Judge of Faizabad. There is no question of identifying the signature of Triloki Nath on the regarding statement, given by Triloki Nath, on oath in case No.5/89, because I have never doubted him. Triloki Nath Pandey has submitted a statement on oath on behalf of Ashok Singhal is working president of Vishwa Hindu Parishad. A booklet

by name of constitution and statement of income and expenditure of Ram Janam Bhoomi Nyas, was shown to the witness. I do not know, from where the booklet has been published. I was working President when this book was published. Margharsh'ak Mandal (Board of Guides) of Vishwa Hindu Parishad comprises of dharamacharyas (religious teachers). Working Committee of Vishwa Hindu Parishad does not intervene in the affairs of the Nyas.

Verified the statement after hearing

Sd/-

Shri Mahant Param'Hans Ram Chander Das

14.1.2000

In continuation for further cross-examination on 16.1.2000.
Witness be present.

Sd/-

14.1.2000

Date: 16.1.2000

(In continuation of 14.1.2000 – commencement of statement, on oath, of P.W.-1, Shri Param Hans Ram Chander Das)

Witness was shown Photograph no.154/5 and photo no.2 filed with the report of Commissioner (Bashir Ahmed, Commissioner) in Original Suit no.1/1989 and also Photograph No.154/4, photo No.6 and Photograph No.155/9, Photo No.1 Photo No.6 is related to front portion of northern gate of outer side of the disputed place. Staircase for going to the northern gate has been shown in photo no.2. Eastern gate has been shown in photo no.1.

Adi Shankaracharya had established four 'maths' which are respectively Badrika Ashram, Shringeri, Goverdhan and Sharda Math. At these four places of pilgrimage, he appointed his principal disciples Padmapad, Hastamalak, Sureshwar and Alaka for the purpose of management. With further disciples of these four disciples, began the tradition of Dashnami Sanyasis. Among these Dashnami Sanyasis are Teertha, Ashram, Ban, Aranya, Giri, Parvat, Sagar, Saraswati, Bharati, Puri. Sanyasis of Teertha and Ashram nomenclature are connected with Sharda Math. The seat of Bharti, Ban and Aranya Sanyasis is Goverdhan i.e. Puri, which is situated in the eastern part of India. Giri, Parvat and Sagar Sanyasis are connected with Jyotirmath Badrikashram. Similarly, seat of Saraswati, Bharati and Puri Sanyasis is in the south. Shringeri Math is situated at Jangabhadra in south India. According to Manu Smriti, only Brahman can become sanyasi of Dashmani sect. This is the rule according to Shruti also. According to Nirnay Sindhu, persons belonging to other two castes, who

wear 'shika' and 'sutra', can also become sanyasis. The entry of persons, belonging to Shudra caste, as snayasis in Dashnami Sect is prohibited. In Ramanandi Sect, there is not restriction on persons of any caste to become a sanyasi. There is a great deal of difference between the sanyasis of Ramanandi Sect and those of Dashnami Sect in the matter of system of worship, conduct and beliefs. Paper no.111C/1 filed on 14.1.2000, was shown to the witness. There is mention of Shri Swami Shanta Nand Ji Maharaj, Shankracharya of Jyotirmath at serial No.2 of its page No.2. He is a Dashmani Sanyasi. At serial No.3, the name of Mahant Aavidya Nath ji is mentioned, who belong to Nath Sect. After the constitution of Ram Janam bhoomi Nyas, it was registered. I am accepting the facts given in this book. The Nyas had no immovable property at the time of its constitution. I cannot say as to how much movable property was shown in its name at the time of its constitution. I do not remember the year, during which the Nyas was constituted. Nyas was probably registered in Delhi, but I cannot exactly say where it was registered. My name is also included among the persons listed at page no.2 of the above book and I had also signed at the time of registration. I did not go to the office of registration. I had seen the paper regarding the registrar of the Nyas, but at that time, I did not notice whether all the ten persons, who names are mentioned at page no.2, have signed it or not. But I believe that all of them have signed it because no one among them has denied it so far. I am the working president of the Nyas. I was elected in Delhi after the death of its first President. The first President, Shri Shivaramacharya died at Golaghat in Ayodhya. I do not remember the year, in which Shri Shivaramacharya died. He had died before the demolition of the building at the disputed place. There is no evidence or proof available

with me, in which the first President had criticized the Nyas or had severed his connection with it. It is wrong to say that the first President of the Nyas had criticized it or had severed his connection with it. I have not read any statement in the newspapers to the effect that the first President of the Nyas has criticized it or said anything about severing his connection with it. It is wrong to say that I was appointed as the working President because the first President of the Nyas had become disenchanted with the activities of the Nyas or because he had severed his connection with it. I am, at present, full time president of the Nyas. Even during the life time of the first President, the registers and records of the proceedings of the Nyas were with the Secretary of the Nyas, Shri Ashok Singhal. By Secretary, I mean Manager. Even when the first President of the Nyas was alive, all the registers and necessary papers, connected with the Nyas, were kept by its Manager, Shri Ashok Singhal. I almost attended every meeting of the Nyas which was held when its president was alive. At that time, the register of proceedings was signed by the President only, but the attendance register was signed by every member of the Nyas. The register of proceedings is signed by the President only, it is not signed by any member of the Nyas. Agenda register is signed by the members. If any member is not available at that place, he is informed through a registered letter. After sending this information, the relevant postal receipt is kept by the office of Secretary. When I became the working President, I did not receive all the registers and papers connected with the Nyas, because all these registers and papers are kept in the office. All the papers are not always available with the Manager; they are available in the office situated in Ram Krishan Puram, Delhi. Meetings of the Nyas were held in Delhi, Prayag, Hardwar and Ayodhya.

Meetings of the Nyas were held after December 6, 1992, but I cannot tell the actual number thereof. More than one meetings are usually held during a year, as and when required. I have attended almost every meeting held after December 1992. Ram Kewal Das severed his connection with the Nyas after December 1992 and therefore, he did not attend any meeting held thereafter. As far as I know, Ram Kewal Das did not remain a member of the Nyas after December 1992. He is the same Ram Kewal Das, whose name is mentioned on page 2 of the book referred to in the statement given today.

I do not remember whether Ram Kewal Das attended any meeting of the Nyas held before December 1992. I know Ram Kewal Das very well. He was Mahant of Nirmohi Akhara. I do not know whether or not he is Mahant at present. I do not know whose disciple Pahalwan Dharmadas is, but I know that he is Mahant in place of Mahant Abhiram Das, of Hanumangarhi. Siya Raghava Sharan, whose name is mentioned on page 4 of the book related to the constitution of the Nyas, fought the case for Nirmohi Akhara and he had won it. I do not know what was the position of Siya Raghava Sharan in Nirmohi Akhara, whether he was a Panch or Sarvakar or in which other capacity he was. I cannot exactly tell since when I have been observing Siya Raghava Sharan Das performing worship at the 'Chabutra' of Ram Janam bhoomi. I cannot tell even on the basis of estimate as to what was the age of Siya Raghava Sharan Das when I first saw him, but he was young, when I first saw him on Ram Chabutra. I cannot say, what was my age at that time. I cannot tell, during which year the locks of inner side of Ram Janam bhoomi were opened. I do not remember the year during which foundation stone was laid. After the opening of locks, I did

not go to Ram Janam bhoomi because I have vowed that till this place does not fully come under the ownership of Hindus, I will not go inside it. I had taken this pledge after the announcement of self-immolation, but I cannot tell exactly the year when it was taken. This can be seen from the records. I had made the announcement of self-immolation only once, but it was repeated several times. I had made the announcement of self-immolation with the purpose that because of locking of doors Hindus were obstructed from having 'Darshan', the locks should, therefore, be opened. During one year before the locks were opened, I had announced that if locks were not opened by Ram Navami, I would immolate myself. The announcement of self-immolation was only about unlocking the doors. I had vowed even before the first announcement of self-immolation that till the disputed place does not fully comes under the ownership of Hindus, I will not enter inside the Ram Janam bhoomi. In this connection, the witness immediately said that as he could not hear the question correctly, I had told that I had said that the announcement regarding the ownership was made before the announcement of self-immolation. However, the fact is that I had taken this pledge after the announcement of self-immolation that I would not enter Ram Janam bhoomi till the disputed premises does not come under the ownership of Hindus. I had given this statement regarding ownership five-seven or eight days after the locks were opened. During the period since I first came to Ayodhya to the time I took the above pledge, I was regularly having 'Darshan' of Ram lala on the Chabutra. I did not count the idols which were there in the idols. There were idols of all the four brothers; I do not remember whose else idols were there, but I used to have their 'Darshan'. The idol of Ram Lala was made of eight metals. I cannot tell, even on the basis

of estimate, the actual height of the idol of Ram Lalla. I cannot tell whose idols were there besides the idol of Ram Lalla, but whichever were there, they were all festival idols. The prominent idol was that of Ram Lalla. The prominent idol of Ram Lala was in the form of 'Laddoo Gopal'. It was an idol of 'Laddoo Rabhav' sitting on his knees and there was a 'Laddoo' in his hand. I used to have 'Darshan' of Ram Chabutara, 'Shashti Pujan Sthal' and foot-prints with equal reverence.

I cannot say whether the outer portion of the disputed structure was attached due to internal disputes of Nirmohi Akhara or whether or not it was attached several times. I do not know when the outer portion was attached in October 1951 but I know when the inner portion was attached. This suit of Raghava Sharan Das was against Nirmohi Akhara, but I do not know by which court it was decided. I cannot say on what ground Siya Rahgava Sharan Das won the case. I do not know whether Siya Rahgava Sharan Das is alive or not. Ram Chabutara would have been handed over by Dharam Das to Ram Janam bhoomi Nyas through some deed. But I do not know whether it was handed over by donation or by any deed. I do not know the date on which Chabutara was handed over by Dharam Das. I think that Dharam Das handed over the Chabutara to the Nyas after the opening the locks. Dharam Das handed over the Chabutara to the Nyas before the foundation stone was laid. Auditorium (Katha Mandap) would have been handed over by Dharam Das through some deed. I have not seen this deed. An agreement was executed in regard to the portion of place which I had gifted. It was not registered. I had gifted temple of Sita Ram and land connected with it through an agreement. This land and temple was inherited by me from my guru, Shri

Ram Kishore Das ji and its founder was Ram Kinkar Das Ji. After seeing paper no.9C-1/39 of Original Suit No. 3/89, the witness said that his signatures were affixed thereon and there was mention in it of his going out. it was written on 13.2.52. I can myself accept the gift, given by me, as President of Ram Janam bhoomi Nyas. On page 8 of my statement, I have made a reference to Ayodhya of Congress period. Similarly, there has been an Ayodhya of BJP period. Because there was congress rule in that period, therefore, I mentioned Ayodhya of congress period. In 1991, BJP came to power in Uttar Pradesh with absolute majority. The period of Ayodhya I referred to was on the basis of party Government. By that, I mean not the Government in the state, but the Government in the Centre. Ancientness of the places relating to Hindu religion is the basis of Hindu religion.

Question:-Old temples are neither demolished nor removed. What you have to say about it?

Answer:- When an old temple gets dilapidated than for the purpose of its renovation, it is removed and resurrected and worship is performed on the newly constructed place.

By recitation of 'mantras' permanent places like foot-prints are removed and they are re-installed by recitation of 'mantras' at the newly constructed place but the deities continue to remain there. There is a system prevalent in Hindu Sanatan Dharma of consecrating the idol of deity. Pran Pratishtha is performed according to the book titled 'Dev Pran Pratishtha' published by Venkatesh Press. The method of Pran Pratishtha is not only that, which has been prescribed in Matsya Puran and Devi Puran. There are other methods also. Devi Puran is a Up-Puran. There is no Puran by the name of Devi Puran. Its correct name is Devi Bhagwat Up- Puran. I have no need no to read Brihad

Samhita. The original form of Pran Pratishtha is in Samhitas not in Vedas. Vighneshwaranand of Andhra Pradesh has written a critique on the commentary of Yagvalakya. There should be 'adhivas mandap', 'snan mandap' in the ceremony of Pran Pratishtha. Sankalp Mantra and Utsarg Mantra is recited thereafter. (Hawan)- Afire sacrifice is performed after that. Havan is performed after Pran Pratishtha. It is wrong to say that Pran Pratishtha is performed after 'havan'. But the correct way is that after Pran Pratishtha and after acquiring full divinity, havan is performed. Minimum of 24 hours and maximum of three days are taken in performing Pran Pratishtha.

After the collapse of building of Sheshavatar temple, the old temple was resurrected. By resurrection, I mean renovation of temple by strengthening the foundation and reconstructing the walls in the event of the wall and foundation of temple getting dilapidated. There is a big idol in Sheshavtar temple, which was there in Sumitra Bhawan. This idol is of Sheshavtar Shri Lakhan Lal Ji. Sheshavtar temple has been constructed by Ram Janambhoomi Nyas. I was not hurt by removal of foot-prints which were there on the Ram Chabutra, because the old construction was removed so that new structure could be built in its place. I do not remember whether or not the foot-prints were of marble. I cannot say whether the appliances of kitchen were of marble or wood or what material they were made of. I have always considered the inner part of 'Garbh Griha' as a temple. Temple was not demolished on 6th December 1992, rather its walls were removed for its resurrection. First, its top was removed. Walls, being very old, were pulled down by the Kar Sewaks. I was also present at that time.

No criminal case was instituted against me before 1968. It is wrong to say that my history sheet was opened in the police station before 1968. As far as I know, there is no case pending against Digambar Akhara. No suit is being prosecuted in relation to Digambar Akhara in the Court of Additional Junior Civil Judge No.1. It is wrong to say that Bhartiya Janata Party and I too are involved in this whole movement in order to derive benefit out of the name of Lord Rama. This is also wrong to say that I am associated with the Ram Janam Bhoomi Movement after having been inspired by Bhartiya Janata Party. I was elected a member of the legislature from Ayodhya on the ticket of Jan Sangh. I am associated with this movement before the birth of Bhartiya Janata Party. I cannot say that the erstwhile Jan Sangh is the present Bhartiya Janata Party. I had been district President of Bhartiya Jan Sangh for 10 years.

I was never associated with Rashtriya Swayamsewak Sangh, but I had regards for it. I know Shri Devaki Nandan Aggarwal since he has joined Vishwa Hindu Parishad. I do not know whether or not Shri Aggarwal was Vice-President of Vishwa Hindu Parishad.

By the miracle, which I have mentioned to have taken place in Ram Janambhoomi, I mean the intense light which was seen at Ram Janambhoomi. But this light was not natural light, it was a divine light. I have not seen the miracles, which took place after the death of Kabir Das and during the life of Rama Nand ji, but I have heard about them. The divine light, which I have referred to above, was seen by the common people. It is wrong to say that I have come to give this evidence on behalf of Devaki Nandan Aggarwal under the pressure of Vishwa Hindu Parishad.

(Cross-examination being done by Ranjit Lal Verma, advocate on behalf of Respondent No.3, Nirmohi Akhara concluded). Appear after lunch.

Verified the statement after hearing

Sd/-

Paramhans Ram Chandra Das

16.1.2002

www.vadaprativada.in

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Dated 16.1.2000

(Cross-examination on behalf of Respondent No.3 concluded. Shri Zafaryab Jilani started cross-examination on behalf of Respondent No.4)

Witness stated on oath that-

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On 6th December 1992 at the time of demolition of the structure at the disputed site, in addition to myself, L.K. Advani, Murli Manohar Joshi, Uma Bharati, Mahant Aavidya Nath, Vinay Katiyar and other respected persons were present at the dispute site. At that time, slogans of 'Ram Janam Bhoomi Ki Jai', 'Bajrang Bali Ki Jai', were being raised. The slogan 'Ek dhakka aur do, Babri Masjid tod do' (give one more push and demolish Babri Masjid) was not being raised at all. I did not hear this slogan being raised at the place where in 1980 foundation stone was laid and earth-worship ceremony was performed. We were sitting at that place. This place was situated inside the 'Garbh Griha' under the dome at a distance of about 100 yards. On 6th December 1992, I had reached there quite early in the morning at about 7.00 A.M. and remained there upto about 3.00 PM. After that I started collecting material for the treatment of people who were wounded and I remained in the hospital till 7-8 PM. When I reached, then the idols situated in the Ram Chabutra and the idols situated within the temple of Ram Chabutara were there at their place at that time. Suddenly, the crowd of Kar sewaks lost balance. When people climbed on the dome and started demolishing it, then the priest took away the idols and went outside. At that time, there were three to four priests and this has been the number of priests since the very beginning. I do not

know the names of priests who took the idols outside the priest, who took the idols outside, was appointed by the receiver. The priest took the idols out and sat in the courtyard opposite the eastern gate and placed the Lord there along with the throne. This place was in the north of Ram Chabutara. Idols placed under the dome and one rock of Shaligram were taken out by the priests. Both the idols were of Ram Lalla, one big and one small idol of Sita Ji was not among the idols placed under the dome. I do not remember whether idol of Hanumanji was there or not. After the leveling of the place, the idols were placed at the same place, from where the priest had removed and took out the idols. On that day, idols were placed there at about 7-8 in the evening after leveling of the place. Dome and the whole structure was demolished within 6, 7, 8 hours. All the three domes had been pulled down by 4 O'clock. During the demolition of the dome, police did not intervene, because what could the police do on account of a crowd of lakhs of people. People climbed on the dome at about 7-8 A.M. in the morning and had started the process of demolition. Then the witness said the process of demolition had started before 10 in the morning. Advani and Joshi were asking people with folded hands to leave as their Kar Sewa has finished, but people responded by saying that they (the people) request them with folded hands that they should leave themselves. Advani, etc. left that place about one-two hours after the beginning of the process of demolition because their requests were having no effect. Nobody said that do not demolish the temple because the people said that first demolish the structure situated there for the construction of temple. Nobody said that it was already a temple and, therefore, do not demolish it. In my opinion, there was no prior plan in the minds of Advani, Murli Manohar Joshi or in my own mind to take this action. This

action was taken suddenly by the Kar-Sewaks. No prior decision was taken in this regard. We did not have even the slightest inkling that the building would be demolished on that day in this manner. I do not know that in the suit of Devaki Nandan Aggarwal, this relief has been sought that permission be granted for new construction by demolishing the structure situated at the disputed site. Ram Janam Bhoomi Nyas, of which I am the President, never took the decision that new construction be made after demolishing the structure situated there. Only the priest can tell about the whereabouts of the idols which were placed on the Chabutara, which was situated outside. I do not know anything about them as I was in the hospital at that time. Chabutara, which was situated outside the inner courtyard, was also demolished. This Chabutara was in the outer courtyard. The wall built at the disputed site, which I built of mud and where idols are installed, was built on the night of 6th December. This wall is about 20 feet long and is of about the same width. This wall is made of earth or of mud-bricks. I have not seen it from a very close quarter. There is a sheet of cloth over it. I do not know the priest who placed the idols on that wall on 6th December, because those priests are appointed by the receiver. Among the priests, who work there at present, I know one of them whose name is Satyendra Das. He lives in our neighborhood. I do not know anybody else. I do not know since when Satyendra Das has been a priest. The stones which were fixed in the pillars or in the wall, were taken away by the Kar Sewaks and placed at the place where they are placed now. I do not know whether there was any plan to remove them. I have not counted the number of stones which were fixed in the walls or pillars and were removed and placed at their present place and I have not seen the place where they are placed now. I had seen them

when they were fixed in the walls or pillars, I have not seen them thereafter.

I had mentioned in my statements about the wars fought over disputed birth place (disputed building). These wars took place between Hindus and Buddhists and between Hindus and Muslims. These wars were not fought between Hindus and Jains. These wars between Hindus and Buddhists were fought during the period of Buddhist rulers, i.e. about 2000 years ago. After the victory of Kalinga, Ashoka became a follower of Buddhist religion. I have heard that wars were fought between Hindus and Buddhists during the reign of Ashoka also. There is a dispute whether Ashoka ruled before or after Vikramaditya. The Vikramaditya, whom I refer to in the context of Ayodhya, reigned before Ashoka. The temples built during the regime of Vikramaditya were not demolished during the reign of Buddhist, i.e. during the reign of Ashoka because Buddhists could not demolish them. The temple built during the reign of Vikramaditya was not demolished during reign of Ashoka, although war were fought between Hindus and Buddhists over that. Buddhists had never any special attachment with the disputed place and nor they have now. There was confrontation between Buddhists and Sanatani Hindus because of ideological differences; there was no other reason. There was no predominance of Buddhists during Buddhist period in Ayodhya nor were they in majority. There were big Sanatani temples in Ayodhya and Buddhists were jealous of them. Because of that wars were fought between Hindus and Buddhists in Ayodhya. Buddhist period spanned from Buddha to Ashoka. I do not know whether it continued thereafter. I have not done any research of historical facts in this regard.

I do not know whether Muslims started living in Ayodhya about one thousand years ago. I do not know anything about any king of Baharaich by the name of Suhail Dev. I am not familiar with the name of Syed Salar Masud Gazi. I have heard his tomb is there in Baharaich. Muslim rulers ruled India for about six-seven hundred years. Muslim rule continued till 1857 but this rule was not over the whole of India. During Muslim rule of seven hundred years, wars were constantly fought between Hindus and Muslims over the disputed place. No war took place in regard to the disputed site before Babar. Wars started taking place over the construction of the disputed site since the time of Babar. Wars took place, because Muslims wanted to take possession of the temple and demolish it. First, Mir Baqi, a commander of the army of babar tried to demolish the temple situated at the disputed place. Mir Baqi demolished the temple, but only half of the temple was demolish and half of the temple was saved. After demolished, Hindus used to reconstruct it. Muslims never succeeded in building a mosque over there. During the times of Mir Baqi, three 'shikhars' had been broken but Hindus built them again. Only 'shikhars' were broken. Old pillars remained situated in their place as before. I have heard that gems and precious stones fixed in the temple were plundered and taken away by Mir Baqi and his army men. Mir Baqi fought with Hindu organizations, because there was no king in Ayodhya in those days, who could fight. Smaller kings helped those Hindu organizations.

Verified the statement after hearing
Sd/-

Mahant Param Hans Ram Chander Das
16.1.2000

In continuation for further cross-examination on 17.1.2000.
Witness be present .

Sd/-
16.1.2000

Date: 17.1.2000

(Commencement of statement on oath, of PW-1, Sri Param Hans Ram Chandra Das, in continuation of 16.1.2000)

(Further cross-examination is being done by Shri Zafaryab Jilani, Advocate)

After the first battle with Mir. Baqi, 75-76 battles took place as I have heard and mention of these battles has been given in the records. I have read about those battles in a book titled 'Ram Janambhoomi Ka Itihas'. This book has been written by Valmiki Prasad Vikat. This book was written after 1949, when people needed information in this regard. Valmiki Prasad Vikat belonged to patliputra situated in the State of Bihar. He was also a famous poet. He was a person of a leader type. He was also a freedom fighter. But he did not do any job of teaching in any school or University. He is not alive today. He died about 8-10 years ago. I am not in position to say whether that book is available with me today, but this book can be made available if an effort is made. I cannot say exactly the number of pages but approximately it had 100-150 pages. This book titled 'Ram Janambhoomi Ka Itihas' written by Radhey Shyam Shukla, mention of battles has been made. This has been the latest written book. Shri Radhey Shyam Shukla resides in the neighborhood of Ram Janambhoomi. Shri Radhey Shaym Shukla is a journalist. He is connected with a special newspaper of Maharashtra. Prior to that, he was in Jan Morcha. The book written by Radhey Shayam Shukla contains almost as many pages as are there in the first book. I cannot say whether the book written by Radhey Shyam Shukla is available with me or not, but the book can

be made available, if searched. This book also mentions the same number of battles as was given in the first book. The number of people, who lost their lives in these battles, has been given. There is a mention of saint-martyrs. It has been mentioned that about ten thousand sadhus lost their lives. Then reference made by me about the saint-martyrs pertains to these very saints who were buried. I do not know whether the ten thousand saints, reported to have died and buried thereafter, died in the first or second battles or in how many battles, but it is well known that ten thousand sadhus laid down their lives in battles fought for Ram Janam bhoomi. The last battle took place on 6th December 1992. I had heard about these battles from my grandfather and guru and I know this on the basis of legend which is well known. No action of Hindu-Muslim riot took place after 1934 and before December 1992. It was a pitched battle. I cannot say as to how many Hindus or Muslims died in the riots of 1934. As far as I know, no Hindu died. Mostly Muslims had died. I cannot say as to how many Muslims died, whether their number was 10-20 or 100-200. I only know that during that conflict mostly Muslims had died. I do not know that after Babar and before 1934, when the battles were fought. I have given above the number of battles which were fought. I cannot say where those Muslims were buried, who died after Mir Baqi and before the year 1934. They were not buried near the disputed place. May be, they were taken out or thrown in Saryu river, because whenever there arose an occasion of burying the corpse of a Muslim, the possibility of outbreak of communal riot used to arise. There is no grave and there has never been a grave of Muslim within a range of a hundred yards in the eastern, northern or southern side of the disputed building. I have always heard it called by the name of 'Sant Shahida'. It could be that some body

may call it 'Ganj Shahida'. I am not aware that any grave of a Muslim was demolished in 22nd December 1949, because even at that time, there was no grave there. There are graveyards situated at other places in Ayodhya. I cannot give their number. But as dispute was raised again and again, Hindus agreed in respect of certain graveyards where corpses of Muslims might be buried there.

There is no mention in Ramcharitmanas, authored by Tulsi Das, regarding the demolition of the temple during the period of Mir Baqi, but Tulsi Das has criticized the regime of those days. There is no mention of the demolition of temple in any writing to Tulsi Das, because he was not living in the period when the temple was demolished. Tulsi Das began writing Ramcharitmanas in Samvat 1631. I do not know which Christian year it was. There was rule of Akbar, when Ramcharitmanas was composed. The time of Babar was earlier than the time of Akbar. But it is a matter of history as to how many years earlier it was. Goswami Tulsi Das has criticized in his writings the reign of Akbar. Tulsi Das has written his biography. His biography has been written by Beni Madhav Das, who was his contemporary. In that biography, there is a mention of Tulsi Das having been arrested by Akbar. Some portions of Ramcharitmanas were composed in Kashi and some portions were composed in Ayodhya and it was published in Ayodhya. I consider Ramcharitmanas, published by Gita Press, as authentic. But I consider Ramcharitmanas, published by Ramayani Ram Balak Das, as most authentic. There is some difference between the text of both the books. But I consider 258 C-1/4 also authentic. I do not disagree with the story of Ram's life as given therein. After couplet No.3C in Uttar Kund on page No.587 of document No.258C-1/4 of Ramcharitmanas, it is written that

"jadhpi sab baikunth bakhana, ved puran vidit jag jana, avadhpuri
Ram priye nahi sou yeh prasang janat sab kou, janam bhoomi
Mam puri suhavini, utter disi bahi sarju pavini"

There is a clear mention of Ram Janam bhoomi in this 'chaupai (verse)'. The Ram Janam bhoomi, which has been referred to above, includes the mention of Ram Janam bhoomi temple. Except in this couplet there is no reference to any war in regard to Ram Janam bhoomi. After Ramayan of Valmiki, Ramcharitmanas is the most important poetic work in Hindi poetry. The most prominent commentator on Ramcharitmanas in 20th century was Karuna Sindhu of Janaki Ghat, whose real name was Ram Charan Das. Another important commentary, 'Manas Piyush' has been written by Anjinandan Sharan Ji. No definite period of Ram Chandra Ji has been given in Ramcharitmanas, because he is considered eternal. It has been mentioned in Ramcharitmanas that he incarnates in every 'Kalp'. A 'Kalp' is composed of four 'Yugas'. I cannot say as to how many 'Kalps' have passed. I do not know as to how many times all these four 'Yugas' have passed. At this stage, the learned counsel, who was cross-examining, demanded that answer pertaining to this may be recorded in a question-answer form.

Question:-How many times four yugas in a 'Kalp' have passed till now?

Answer:- Answer to this question can be given by the authors of almanac, scholars of astrology. I cannot answer this.

Question:-How many 'kalps' have passed till now?

Answer:- Only a scholar of astrology' who is author of almanac, will be able to tell about it.

Question:-Have you any information as to how many yugas and kalps have passed till now?

Answer:- I can tell this only after consulting the almanac. I cannot tell this today. According to Manu Smriti, there are 17,28000 years in Satyuga.

According to Manu Smriti, time-span of Satyug is 17,28000 years, that of Treta Yug is 12,96000 years, of Dwapar yug 8,64000 years and of Kaliyug is 4,32000 years. Kaliyug is going on these days. According to this, birth of Ram Chandra Ji would have taken place lakhs of years ago. Rule of Ramachandraji continued for ten thousand years. Period of fourteen years of exile in forests is included in these ten thousand years. There is no dispute in this regard among the devotees of Lord Rama. The period 'Adi Manu' is earlier than that of Ramachandraji. The period of 'Adi Manu' starts with the beginning of Satyuga.

Question:-How many years earlier is the period of Adi Manu than that of Ramachandraji?

Answer: I have not made calculations in this regard.

Question:-Did Adi Manu lived 18 lakhs years before Ramachandraji?

Answer:- I have not made calculations in this regard. Manu Smriti is earlier than the times of Ramachandraji. Vedas and Puranas are earlier than the times of Ramachandraji. These Vedas and Puranas are of a period earlier than that of Manu Smriti..They are eternal?

Question:-On which material, Manu Smriti, and Vedas were written?

Answer:- They were written on tad-patras, bhoj-patras, on pieces of stones and wood-boards. Vedas were memorized by the seers who envisioned them.

Vedas were not composed, they were not written by any human being. They were created by God. I do not know when Vedas or Manu Smriti were first Scripted. In modern times, Satawalekar has written a commentary on Vedas, which is considered as authentic. Shri Neelkanth Suri, a scholar of south India, has also written an authentic commentary on Vedas.

Question:-Are Vedas available anywhere in the world written wholly or partly on Bhoj-patras or wood-boards, as was the practice of writing in ancient times?

Answer:- Different Ved-mantras inscribed on stones fixed in old temples can be seen even today. I have seen such inscriptions myself.

Question:-Where are these old temple situated?

Answer:- Badri nath temple situated in Badri Nath. Triupati Bala ji temple in Tirupati. There is a temple of Lord Krishna in Udupi and the seat of Madhvacharya. Ved-mantras have been written on stones fixed in the 'maths' and temples of Ayodhya.

Stones of the temples on which Ved-mantras have been inscribed and which have been referred to by me, were affixed at the time of the construction of temples. Ved-mantras inscribed on copper plates are available in all the temples of Ayodhya and Vrindavan and the temples of Jagannath and Dwarka. In addition to these places,

inscriptions of some of the Ved mantras would be available in the temples of Nasik, Rameshwaran and all place of Hindu pilgrimage.

Question:-You have stated that Ved mantras inscribed on copper plates are available in the above-mentioned temples. How old are they? Are they one or one thousand to two thousand years old?

Answer:- I cannot say how much time has passed since those Ved-mantras were written in the temples.

Question:-Are all the four Vedas inscribed on copper plates or stones available anywhere in the world?

Answer:- I do not have any knowledge whether the whole Veda or any part thereof is inscribed on stone or copper plate.

I have read books written by Bhagwadachar, Neelkanth Suri, Satwalekar on Vedas. The books are authentic because Vedas themselves are authentic. I cannot say who was the sage who first got the knowledge of Vedas, because sages are also eternal. Sages like Sanwasnandan, Narad, Lomush, etc. first got the knowledge of Vedas. The sages who got knowledge of Vedas are alive even today because they are immortal. During the past one hundred years, sages like Narad, etc. have been appearing before one or the other devotee every year and they have been paying visits in Ayodhya. I have a glimpse of these sages every day by yogic vision. I have never heard any Veda-mantra from their mouth.

I received education of Vedas in Kashi. For receiving education of Vedas, I did not stay permanently in Kashi. I had been going to and coming from kashi frequently for

receiving education. I started receiving education of Vedas since the age of 20 years. I received education of Veds in kashi till the age of 23-24 years. I studied Valmiki Ramayan in Kashi. I got education of Valmiki Ramayan from Pandit Shri Ayodhya Prasadacharya of Balmukund mahadeshik Vidyalay, Swargadwar. I learnt Manu Smriti also in Ayodhya. I have knowledge of Vedas, Valmiki Ramayan and Manu Smriti. No person can claim to have full knowledge of these holy books; therefore, I do not have full command of these books. The name of Hindu Dharma is Vedic religion according to Vedas, Sanatan Dharma, Arya dharma, Brahman dharma and also Hindu Dharma. The foundation of all these is Vedas. If there is divergence of views of any point between the Vedas and Manu Smriti, then Vedas will be considered more authentic. There are ten different components of Hindu religion, which are: 1. Steadiness, 2 forgiveness, 3 endurances, 4. not stealing, 5. cleanliness, 6. control of sensual pleasures, 7. wisdom, 8. learning, 9. truth, 10. absence of anger. These have been the main components of Hindu religion in every age. There has never been any change in them at any stage. Truth has occupied the top most place among these ten components. There is no religion higher than truth. Truth is the highest virtue. Truth is foremost among ten components of Dharma. There are many more components of religion, in addition to above ten main components of dharma. In Manu Smriti, charity stands on equal footing with truth.

Question:- Has charity been considered the main religion; according to Manu Smriti in Kaliyuga?

Answer:- This is true, but charity is of many kinds.

According to Manu Smriti, penance was considered the supreme religion in Satyuga. In Treta Yuga, knowledge

has not been considered the supreme religion, but yajna was considered supreme. I agree with the facts, mentioned in manu Smriti, that knowledge is supreme religion in Treta yuga, but this does not propound the whole truth. There is no subject, which has not been described in Vedas.

Gita is one of the most acceptable and prominent religious books of Hindu religion. Lord Krishna taught Gita to Arjuna in the war of Mahabharat. The times of Lord Krishna was after that of Lord Rama. It was Dwapar yuga. There has been a reference to Lord Rama in Gita. I do not know when Gita documented for the first time. I cannot say whether it was compiled 1000 years or 2000 years ago.

About 8-9 years had passed by 1934, when I first came to Ayodhya. From the time, I first came to Ayodhya till 1934, I had been going to Ram Janam Bhoomi (disputed place) regularly every day. At that time, I used to go to that portion of the disputed place (building) where pillars were installed. There were two pillars installed at the eastern gate. I used to have 'Darshan' of them also. Statues of Gods were engraved on those pillars. Whether those pillars are stored in Ram Katha Kunj or not, I cannot say. Any material of the disputed site has not been placed at any place other than Ram Katha Kunj. Two pillars of black stone were installed inside the main building. Volunteer : that pictures of Gods were engraved on stones thereon. There was a statue of Hanumanji on one of the two pillars of eastern gate and the second statue was a broken one, which was also of some God or Goddess. There was a wall of iron bars after the main gate and there were three gates thereafter in the main building and pillars of black stones were installed in all the three gates.

Question:-What was the location of the pillars of black stones installed inside?

Answer:- There were four pillars in every gate.

There were statues of Gods and Goddesses in the four pillars in the southern gate. Some of them were clear and some were not. I cannot say that statue of which God or Goddess was engraved on southern gate or any other gate. Before 1934, I used to have 'Darshan' of Garbh Griha' situated under the middle 'shikhar' after Ram Chabutara. Besides, I used to have darshan of the statues engraved on the pillars and offer 'tulsi' leaves. There was no staircase constructed near 'Garbh Griha'. There was a line marked on 'Garbh Griha'. There was something built like an almirah near western wall and people used to offer worship-material there also and that place was also connected with the 'Garbh Griha'.

Suit No.1/89, Photograph No.10 of Document No.154/10, which was shot by Vasir Ahmed, Advocate, Commissioner, shows staircase type place in the northern direction. This throne was not there in 1934. Flower-garlands, Tulsi leaves, etc. were offered on the land of this place. These steps were constructed in 1949, after the seating of Ram Lala. Photograph No.9 of Document No.154/12, shot by the above mentioned Commissioner, is of Janambhoomi, where I used to have 'darshan' and make offerings; these stones were fixed in the western wall there, which are visible in the Photograph. Photographs no.11, Document No.154/14 and Photograph No.12, Document No.154/15, shot by the above Commissioner were shown to the witness. These are Photographs of the northern and southern side of the western wall of the same building. Photograph No.13, Document No.154/16 was

shown to the witness. The witness stated that Chabutara was not visible in it. Photograph No.8, Document No.154/11 was shown to the witness. This is a Photograph of the middle gate shot from outside. A stone is visible in it, which was there in 1934 also. Photograph No.4, Document No.154/7 was shown to the witness. In addition to that, Photograph No.7, Document No.154/10 was also shown to the witness. It was shot from western side of the disputed place. There is no western wall. There is no wall of this kind in the western part, as has been shown in the Photograph. There was no wall of this type even during 1950. Western wall was a simple one. It did not exist in the way it has been shown in the Photograph in separate parts. The whole of western wall was plain. I was told by priest Satyendra Das as well as by other persons that after the demolition of the disputed building, idols were placed at the same place, where they were installed earlier. At 8.00 PM, on the night of the same day when the building was demolished, I went there and saw the place where idols were placed. After returning from hospital, I came again at the disputed place at the time when worship and 'arti' was being performed.

After 'arti' on that day, I came back. I remained there for about one-two hours. At that time, there were about two and a half of three thousand to five or ten thousand people, besides priests. Photograph No.10, Document No.154/13, shot by the above Commissioner was shown to the witness. This is the same place where idol was installed earlier and the idol was again installed at the same place. This idol has been shown as placed on the Chabutara. The Chabutara was constructed again. The place where the idol is placed now was the place of 'Garbh Griha' in 1934 and earlier than that and in 1949 and even now.

Question:-What was the width of place, which you consider as Janambhoomi situated under the middle dome (shikhar) in 1934?

Answer:- I consider the whole place under the disputed building, the place under the middle dome and the are on its both sides as Janambhoomi.

Question:-Was the width and length of that place about 100 feet x 100 feet or more than that?

Answer:- I cannot say with certainty as to what was the width and length of that place. But I considered the whole place, including 'parikrama' as Janambhoomi and used to take a round (parikrama) thereof, treating it as Janambhoomi.

I consider that place as Janambhoomi, where Ram had taken birth. Birth had taken place in the delivery room in the place of king Dashrath. 'Garbh Griha' and delivery room is one and the same thing from the point of birth. What I mean is the place where Lord Ram had taken birth. I cannot tell about the length and width of the 'Garbh Griha' of the palace of king Darshrath. The palace of King Dashrath was situated within an area of 84 'kos' (Miles).

I consider the Chabutara (platform), where idols were earlier installed, also the part of Janambhoomi. My dispute with the Government was because of the reason that they were not allowing the idol to be installed in the 'Garbh Griha'. Since I had come to Ayodhya, it has been constant demand that the idol placed on the Chabutara, should be installed in the 'Garbh Griha'. I cannot tell how much, earlier before my coming to Ayodhya, this demand was being made. When I first came to Ayodhya, the Chabutara

was worshipped as Ram Janambhoomi. There was no idol in the 'Garbh Griha' at that time. The temple, situated beyond the road in the northern side of the disputed building, was worshipped as Janambhoomi and the idol in that temple was that of Lord Jagannath. The name of that temple was temple of Gudar Ji. I cannot say how old that temple is. There was no point in the temple of Janambhoomi being referred to in Valmiki Ramayan or Ramcharitmanas, because this temple was established by a saint whose name was Gudar Das. Gudar Das lived about two hundred to two hundred fifty years ago.

Verified the statement after hearing

Sd/-

Paramhans Ram Chandra Das

17.1.2000

In continuation of this for further cross-examination on 18.1.2000. witness be present

Sd/-

17.1.2000

Date: 18.1.2000

(Continuation of cross-examination of PW-1, Sri Param Hans Ram Chandra Das, on oath, by Shri Zafaryab Jilani, Advocate, in continuation of 17.1.2000)

I cannot say whether the road situated beyond Janambhoomi or the disputed place was constructed one hundred to one hundred fifty years ago. I do not know the number of place of birth or the disputed place as given in the Government papers. I do not know that whether it is the Bandobast (settlement) number or 'nazul' number, as are in usage in Ayodhya, of the place of birth and the disputed place. Similarly, I do not know under whose name is the disputed place recorded under 'nazul'. I do not know what has been mentioned about the disputed place and the disputed building in the gazetteer published during the period of British rule. Temple book written by Shri Radhey Shyam Shukla - Document No.107C-1/154 - was shown to the witness. The book was referred to in page 87-88 of the statement given on 17.1.2000. I cannot say whether the description given in the book about the battles, is correct or not. This statement made in the book is not correct that the temple was destroyed by Mir Baqi and a mosque was constructed by him in its place, because Mir Baqi could not destroy the whole temple, only a part thereof was pulled down by him. Mir Baqi had tried to build a mosque on the place of temple, but because of the strong opposition of Hindus, mosque could not be built on that place. Because of the strong resistance of Hindus, Aurangzeb could not demolish the temple. Aurangzeb demolished the temples of all other places, except the temples situated in Ayodhya, Mathura and Kashi. But he could not demolish the temples of these places because of the strong opposition of Hindus.

Movement for opening the locks was started in 1983. The facts stated in this regard in the book written by Shri Radhey Shyam, are correct. The temple of birth place situated in the north of the road, is not part of the 'garbh griha' of JanamBhoomi. Photo marked as paper No.107C-1/24 is of the pillars, but I cannot say whether these are pillars of building situated at the disputed site or the pillars of the place of birth. Photo No.95, 96, 97 of the album (black and white) prepared by the Archaeological Department of Uttar Pradesh, were shown to the witness. The witness stated that unless it is told that at what place of the disputed site were they situated, it is not possible to say anything about them. I cannot say whether or not are these photos of the pillars built at the disputed site. I treat disputed building as 'garbh griha'.

Question:-In addition of disputed building and the platform outside it, do you consider the land adjacent to it as 'garbh griha'. By other platform, I mean the platform outside the disputed building.

Answer:- 'Garbh Griha' is the place, where Ram Lalla is seated (Virajman) at present. Outer platform is outside the disputed place.

Question:-Is the platform (chabutra) situated in the outer courtyard, outside the disputed building not part of 'garbh griha' (according to the witness)?

Answer:- Outer platform is not part of the 'garbh griha'. Had it been part of the 'garbh griha', then there would not have been any dispute regarding the installation in the 'garbh griha' of the idols placed there. There was no dispute regarding the outer platform.

Question:-On which book or authority is your belief based that 'garbh griha' is situated at the place in the disputed building, as indicated by you?

Answer:- There is a description of Janambhoomi in the Vedas. There is a 'mantra' in Atharva Veda which is as follows:

"Ushtchakra navddwara sadeva mi punah
Ayodhya
Tatsyam hiranmay kosh"

Which means that Ayodhya city is situated on eight 'chakras' and description of eight Gods of eight charkas has been given in Rudrayamlak. The related verse is as follows

Janambhoomi Hanumant Nagesh Saryu shivam
Lakshmna venu teerthbande hatak mandiram.

In this verse, description of God of first charka, Ram Janambhoomi has been given. The Ram Janambhoomi is not situated in Ayodhya at any place other than the disputed site. Therefore, I say that the disputed place is Ram Janambhoomi.

Question:-Is there mention of the so-called 'garbh griha' at the place, as indicated by you, in any scripture of Hindus other than the above-mentioned Atharva Veda and Rudrayamalak?

Answer:- There has been mention of Ram in all the scriptures. Ram's name and form, deeds and abode have been described in every scripture.

Even according to folk-lore and folk-songs, Ayodhya is the abode of Lord Rama.

It is wrong to say that according to say scripture, it cannot be proved at which place Ram Janambhoomi is situated. It is also wrong to say that mention of 'garbh griha' in Ram Janambhoomi has been made for the first time in twentieth century. I cannot say in which year Rudrayamalak was written. It is a compilation, in verse, of a large number of Veda-mantras. It is wholly authentic. I cannot say who compiled Rudrayamalak. I do not know whether it was compiled during the last one-two hundred years. Atharva Veda is one of the four Vedas. The fact stated above in any statement in correct that Ved-Puranas belong to the period earlier than that of Ramachandraji.

Question:-If Ved-puranas existed before Ram Chandra ji, then how could mention of Ramachandraji be made in them.

Answer:- Vedas-Puranas contain the description of the events of past present and future.

Question:-Is there any prediction in Vedas that birth of Ram will take place in future? Similarly, is there any mention of incarnation of Ram?

Answer:- There is mention about birth in Vedas. There has been a mention of birth of Ram and his deeds. (The Volunteer :) There is a verse in this regard, which is as follows:

Vede Ramayano Chaiv bharte bharatsharbh
Aadao madhye tathavante hari Sarvatragiyate..

It is wrong to say that the quotation, referred to by me is not part of the original Vedas and has been added later on.

Verse (shloka) No.5 and 6 of Valmiki Ramayan, which has been filed as Document no.261C-1/1 Valmiki Rmayan part first in other original suit No.5/89 was shown to the witness. These verse describe the same Ayodhya, in which is situated the Ram Janambhoomi, according to me. Verse No.13 of page No.42 was shown to the witness. There has been mention of the same Ayodhya in this verse also. In the description of Ayodhya given in this book, there has been a mention of some God, but there is no mention as to which God or Goddess it is about.

Question:-On page 69 of the above book, there is mention of birth of Shri Ram and also birth of others, which makes your statement, given above, as wrong?

Answer:- In verse 10 of this page, there is mention of birth of Rama. In verse-13, there is mention of birth of Bharat, in verse 14, there is mention of birth of Laxman and Shatrughna. There is no mention of Ram Janambhoomi in it. There was no dispute regarding this issue in that era..

Second part of valmiki Ramayan – Document No.261C-1/2 was shown to the witness. Is there any mention of demise of Ram and Laxman in it. Uttar Kand of Valmiki Ramayan is an interpolated part. It does not contain the story of demise of Ram, but of his disappearance. He came to Ayodhya from Saket Lok and again went back to Saket Lok from Ayodhya. There is no mention of death or of this mortal world in verse No.12 at page 820 of the above-mentioned book. There is no mention of demise of Laxman in verse No.17 at page

No.823. There is mention of his disappearance by yogic process and departure to heaven (swarga lok). The description of his disappearance, which has been given in the verses Nos.1 to 22 on the same book, means that he went to his lok (world) in his own body, description of disappearance of Ramachandraji at Guptar Ghat and of his last journey has been given on page number 829. This Guptar is still in Ayodhya and is known by this name even today. Guptar Ghat is situated at a distance of three Miles from the disputed site. According to my belief, the boundary of the palace of king Dashrath extended upto eighty four Miles, while Guptar Ghat is within the boundary of fourteen Miles.

Question:-Why there is no mention of Ram Janambhoomi in Valmiki Ramayan, in the way the Guptar Ghat has been mentioned?

Answer:- Guptar Ghat is a Ghat and Ram Janambhoomi was a part of the home of Ramachandraji. The mention of this home is there in Valmiki Ramayan.

Mahatma Gandhi, the father of nation, was a devotee of Ram. He was well-versed in Hindu religion. Mahatma Gandhi has not mentioned any God and Goddess of Ayodhya in any book. He has not mentioned Ram Janambhoomi or any place of pilgrimage of Ayodhya. I cannot say whether or not anybody among Vinoda Bhave, Dr. Rajendra Prasad, Jawahar Lal Nehru, Bal Gangadhar Tilak, Sardar Patel was a devotee of Ram. Similarly, I do not know whether Dr. Radha Krishnan was a devotee of Ram or not. But all these persons were theist, but I do not know which God or Goddess they had faith in. these people did not describe the disputed place as Ram Janambhoomi, but in the same way, they did not describe it as Babri Mosque.

This is completely baseless that after December 22, 1949, the then Prime Minister of India, Jawahar Lal Nehru had directed the Chief Minister of Uttar Pradesh to remove the idols from Babri mosque. Shri Krishna Kumar Karunakaran Nair was then the District Collector of Faizabad. He was an I.C.S. officer. Pandit Gobind Ballabh Pant was then the Chief Minister of Uttar Pradesh. I do not know who was holding the post of Chief Secretary of Uttar Pradesh at that time, whether he was Bhagwan Sahay or not. I do not know whether the then Chief Secretary to the Government of Uttar Pradesh had ordered the District Collector of Uttar Pradesh to remove the idol. After installation of the idol, section 144 of Cr.P.C. was imposed and the disputed building was attached under section 145. I do not remember the date on which this order of attachment was issued. I cannot say whether any FIR was filed against the persons who had placed the idol or whether or not my name was included among them. This FIR was against thousands of people. I was not arrested in connection with placing the idol, but I was arrested for violating the order prohibiting people from going there I remained in jail for about one month for violating the prohibitory order. Nobody was arrested for placing the idol. I do not remember the date on which idol was placed. The idol was placed probably in the year 1949.

Question:-What was the time of night when idol was placed?

Answer:- It was 'Brahm muhurt' when the idol was placed. 'Brahm muhurt' starts after 12.00 in the night, i.e. the 'Brahma muhurt' starts after 3.00 in the night.

Question:-How many people were present when idol was placed? Whether their number was 100-50 or 2000-3000?

Answer:- At that time, when idol was placed, the number of people present there, was in thousands. As many people as were present at the time of placing of idol, used to be present there everyday. A confluence was held there for eight-nine days before the day was installed there. By confluence, I mean recitation of Ramayan and non-stop recitation of the name of God. Ramayan was being read both in and outside the building. People were sitting inside the building as well as in the outer courtyard. At that time, there was no lock in the iron grills fixed in the walls. This lock was fixed suddenly a number of days after placing the idol. I cannot say whether this lock was fixed one or two months, or one year after the idol was placed. It is wrong to say that no recitation was held in the inner side of the disputed building on the night of 22nd December 1949. It is wrong to say that 'Namaz' of Isha was being performed on the night of 22nd December 1949. No 'Namaz' was performed there after 1934. It is wrong to say that the police of Ayodhya called the managers of the mosque at 10.00 PM on the night of December 22, 1949 and got the doors locked. It is wrong to say that at about 11.00 PM on the night of December 22, 1949, some 'Bairagi' sadhus entered the mosque with the help of staircase and placed an idol there. I do not know what report was lodged by Ram Dev Daroga in the police station in this regard. Among the persons,

who placed the idols, Abhaya Ram Das, Ram Sakal Das, Sudarshan Das were accompanying me. On 22/23 December 1949, I remained there till 7.00-8.00 in the morning. Police was already there and used to come there regularly. PAC came after wards. PAC came after December 23, 1949. Shri K.K. Nair, District Magistrate had come there when I was present. I did not have any talk with him. Shri K.K. Nair had also come inside the building. Even after December 23, 1949, I used to go inside the disputed building everyday. Even after 23rd December 1949, I have been regularly going to Ram Janambhoomi. Even after attachment, I have been regularly going inside the building.

The day the miracle happened, on that day after seeing the miraculous light, the idol was removed from the platform (Chabutara) and installed in the 'garbh griha' at about 3.00 O'clock during night.

Question:- At the time when the miracle, as stated by you, took place, were you inside the disputed building or in the outer courtyard?

Answer:- At that time, I was in the outer courtyard.

I cannot say even approximately how many days after the miracle took place, Shri Gopal Singh Visharad filed the suit. I cannot even say that it was filed after 20-22 days. I know about the proceedings of attachment made after the happening of December 22, 1949. I know about the suit under section 145 Cr.P.C. As far as I remember, I was not a party in the case lodge under section 145 Cr.P.C. As far as I remember, I did not come to the court during the

proceedings of that suit. I do not know, by whom the case of Hindus was presented. I do not even know, who presented the case of Muslims. I do not know, by whom the written statement or statements, on oath, were filed in that suit. At the time, when Gopal Singh Visharad had filed the suit, there was no restriction on worship and 'Darshan', but policemen had started intervening at the time when people used to go for 'darshan'. Shri Gopal Singh Visharad had, therefore, filed that suit. District Magistrate and City Magistrate of Faizabad might have attempted to remove the idols, placed on 23rd December 1949, and only then Shri Gopal Singh Visharad would have filed the suit. I came to know of this on the day, Shri Gopal Singh Visharad had filed the suit. When this suit was filed, I was not consulted. But I was not opposed to this suit. That there is some lacunae in the suit of Shri Gopal Singh Visharad in regard to notice under section 80, came to know one or two months after the suit was filed. After knowing this, this case was filed after consulting my lawyer. At that time, Chaudhury Kedar Nath, Advocate, was my counsel. I got this case filed through Chaudhary Kedar Nath, Advocate. While filing my suit, I did not get inspected the papers of suit under section 145 Cr.P.C and the suit of Gopal Singh Visharad. Till that time, when I filed my suit, I had been regularly going in the disputed building and doing worship there. Till that time, there was no lock on the outer wall (middle wall with iron bars). Till that time, there was no restriction on Hindus regarding going inside the building for worship and 'Darshan'. By that time, receiver had been appointed. Papers of Other Original Suit No.2/89 and plaint of Original Suit No.25/1950 were shown to the witness. The fact mentioned in section 3 thereof is correct. I do not remember since how many days, earlier was I indisposed before the filing of the suit, as almost fifty years have

passed since then. All the things written in the plaint are correct. Nothing has been written about the miracle in this plaint, because there was no need thereof. There is no mention of the idol placed on 23rd December 1949 in the plaint of this suit, because there was no need for this. I do not remember whether I had told my lawyer about the miracle, which took place on December 23, 1949. Witness again said that this news had spread among the whole public.

Chaudhury Kedar Nath was my leading counsel. R.P. Mathur was associated with him. At this time, I do not particularly remember whether I knew him or not. As far as I think the notice filed by me, before the filing of this suit, under section 80 of the Civil Procedure Code through Chaudhury Kedar Nath, might have been filed at the direction of Chaudhary Kedar Nath by his subordinate lawyer. The fact mentioned in this notice is correct that when I went to have 'darshan' on the day of Makar Sankranti I was stopped by the policemen. This notice and the facts mentioned in the Document No.23/1 of Original Suit No. 25/50 are correct. The five persons of the Muslim community, whom I made parties in my suit, had been insisting on performing Namaz and that is why I made them parties in the suit. I am not familiar with Farooq son of Zahur Saheb. I know Haji Mahboob Saheb, who is son of Haji Feku Saheb. I am acquainted with Mahboob Saheb, since he had started visiting me. I have been to his home several times. Most of all, I am acquainted with Hashim Saheb. Hashim Saheb has been taking the side of the mosque since the idols have been placed. After this suit, Nirmohi Akhara and Muslims filed suits. In the suit filed by the Muslims in 1961, I was made Respondent. In this suit, I

had filed my counter-statement 'alongwith Gopal Singh Visharad. Goswami Pindi Das was my counsel in this suit.

I have not learnt English. I cannot understand what has been written in English. All the things written in the plaint of the original Suit no.4/89 (other Original Suit) and in my counter-statement of 12.3.62 and 25.1.63, are correct. I did not consider it necessary to mention in the counter-statement the event of placing of idol on December 23, 1949 and the miracle that took place earlier to that. The suits, which were being prosecuted in Civil Courts, i.e. my suit and the suit of Gopal Singh Visharad were being proceeded with jointly. Then after the filing of a suit by the Muslims, all the four suits were being prosecuted together. Whatever statement might have been given by Goswami Pindi Das in the court, would have been given by him after consulting me. The joint order given in original Suit No.2/89 and 1/89 (Original Suit No.2/1950 and 25/1950) and order paper No.451/1 and 754/1A were signed by me and Gopal Singh Visharad. Whatever has been written in my statement is correct. This proceeding of the statement is of 7.3.62.

I myself and my lawyer had stated that Namaz was never offered in the disputed building after 1934. I do not consider the disputed building as a mosque before 1934. Namaz was never offered in the disputed building before 1934.

If in any Document before 1934, the disputed building has been shown as a mosque, then as a devotee of Ram, I consider that entry as wrong. I know Dharm Das, who is a member of my trust. I do not know whether or not he is a party to the suit which is being heard here. If in any of his

counter-statement, Darshan has had accepted 'masjid janam sthan', then I do not agree with it. If Devaki nandan Aggarwal has referred it as 'masjid Janamsthan'. I do not agree with him also. If Lord Ram ji refers the place as masjid, then I won't agree with it. At this stage, the learned counsel of Nirmohi Akhara, Shri Ranjit Lal Verma raised an objection that no question can be asked from the witness about a person who is a party in other cases. According to the learned counsel, the admission made by another person during the proceeding of another case, cannot be compared at this stage at the time of statement of the witness. In reply to this, Shri Zafaryab Jilani, the learned counsel of Respondent No.4, gave an argument that the question has been asked in regard to the plaint of the same suit in which the present witness, Shri Devaki Nandan Aggarwal and two other plaintiffs are being examined as witness and the question is fully relevant. In this connection, subject to the decision of the full bench, further cross-examination is being recorded. In connection with writ petition 746/86, my lawyer was Shri Puttu Lal Mishra and Senior Counsel Shri V.K.S. Chaudhury, advocate. I agree with the affidavit filed by me on 24.10.86 in connection thereof. All the facts mentioned in the affidavit of 25.9.86 are correct. All the things written in the affidavit of 24.10.86 are correct. Affidavit of 24.10.86 is in the form of a counter-statement.

Verified the statement after hearing

Sd/-

Shri Mahant Param Hans Ram Chandra Das

18.1.2000

In continuation for further cross-examination on 19.1.2000
Witness be present.

Sd/-

18.1.2000

Additional District judge, Faizabad

Date: 19.1.2000

(Continuation of cross-examination of PW-1, Sri Param Hans Ram Chandra Das, on oath, by Shri Zafaryab Jilani, Advocate, in continuation of 18.1.2000)

Photograph No.2, Document No.154/5 prepared by Bashir Ahmed Khan, Commissioner was shown to the witness. No grave is visible in this Photograph. Black and white Photograph No.20, prepared by the Archaeological Department, was shown to the witness. Photograph no.20, shown to me, is merely a photo of half the part. I cannot, therefore, say which part of the disputed place is this Photograph of. Photograph Nos.37 and 38 of the same album was shown to the witness. Photograph No.37 is probably the photo of the south-eastern corner of the disputed place. This Photograph is not of the whole portion of the disputed place. This is a Photograph of the place where Chabutara was situated and where there was idol of Lord Shankar. After seeing the Photograph No.38 of the same album, the witness stated that the picture is not clear, therefore, I cannot say which part is this Photograph of. I cannot tell which part of the disputed place is this Photograph of. Photograph no.39 is of the north-eastern part of the disputed place, where Kaushalya's kitchen has been written. Photograph no.37 of the colored album, prepared by the Archaeological Department of Uttar Pradesh was shown to the witness. This Photograph is of the northern part of the temple. This is the place where there was staircase. After seeing Photographs No.38, the witness stated that it is a Photograph of the northern part of the building. This is a photo of northern part of the temple. One portion of the door is visible. After seeing the Photograph no.39 of the same album, the witness stated that even this Photograph was not complete. In this

Photograph, a portion of door of northern part is visible. After seeing Photograph no.40, the witness said that photo was also of the northern door. After seeing Photograph no.41, the witness stated that this too is of the northern gate. After seeing Photograph no.42 of the same album, the witness stated that this was the Photograph of the right side of the door. As far as I understand, this is the door of a portion of the eastern side. In Photograph Nos.39 and 40, among the Photograph Nos.37 to 42, statues are visible. In other Photographs, some marks of the statues are visible. In photograph No.41, some writing is visible. In two Photographs, statues are clearly visible and which I have referred to above. Other Photographs are not clear. Photograph Nos.44, 45, 46 of the same album were shown to the witness. Photograph No.44 is of the eastern gate of the disputed place. In Photograph No. 45, praise (Stuti) is marked. It is a short shloka of Ramayana. In Photograph No.45, idol and its umbrella(Chhatra) over its head are visible. In Photograph No.44, stone of Ram Janambhoomi is visible. Photograph No.56 of this album was shown to the witness. Photograph Nos.57 to 60 were also shown to the witness. A tree at the south-eastern corner of the disputed place is visible. In Photograph No.5, three Sides of the temple are visible. Three doors of the temple are also visible and one door among them is very clear the temple are visible. In Photograph no.58, lower part of Ram Chabutara is visible. Photograph no.59 is the photo of a Chabutara of the southern part of the temple. In Photograph no.60, same thing is visible, which was visible in Photograph no.59. Photograph No.61 is that of an idol of Lord Ganesh and these idols are three in number. Photograph No.68 of the same album was shown to the witness; he said that this is Photograph of the part of the left side of the second door of the disputed place.

Photograph No.69 was shown to the witness. This Photograph is of some part of the disputed place.

Question:-Photograph No.69 is the photo of which part of the disputed place?

Answer:- This is a photo of kitchen of Kaushalya.

Photograph No.70 was shown to the witness. This is a Photograph of the northern part of the disputed place. This Photograph is not clear. They are of the north-eastern and southern part. Photograph No.74 was shown to the witness. After seeing it, it does not become clear whether the door is of the outer part or of the inner part, because all the doors are almost similar. Photograph no.75 was shown to the witness. It appears to be a Photograph of a temple, but this Photograph is not complete. This Photograph is of some part of the disputed place, but I cannot say of which part this Photograph is. Photograph no.84 was shown to the witness. It is a Photograph of gate of entry. There appears a broom-like thing hanging on it. But I cannot say what it is. Photograph No. 86 was shown to the witness. It is a picture of the gate but I cannot say of which gate. After seeing Photograph No.150, the witness said that this is a Photograph of some part of the temple on which a 'chhatra' has been affixed. This is a Photograph of the main deity of the temple, because 'chhatra' is placed over the head of the main deity of the temple. After seeing Photograph No.156, the witness said that this was the Photograph of the outer side of the dome (shikhar) at the time of entering the temple. It is wrong to say that this is a Photograph of the mats under the dome (shikhar) of Namaz, which were built on the floor. Witness suo motu said that namaz was never offered there, neither will it be offered according to his belief. Photograph Nos. 152, 154 and 155 are of the

disputed place. These Photographs are of the place below the 'shikhar'. As these Photographs are not complete, I cannot, therefore, say whether all the three Photographs are of the chabutra. After seeing Photograph Nos.45 and 46, the witness said that I cannot say whether or not they are of the same door, because all the door are almost similar.

Question:-Whether 'Kaushalya Rasaoi' shown in Photograph 39 (black and white) was called Sita Rasoi during 1934?

Answer:- Kaushalya Rasoi and Sita Rasoi were situated adjacent to each other. There was no line of demarcation between them. Rasoi means that place where food is prepared for offering 'bhog' to the Lord in the temple. This place got the name of 'Kaushalya Rasoi', because Kaushalya Ji would have prepared food there.

Question:-According to you, what was the size of the kitchen of Kaushalya Ji?

Answer:- This is symbolic of Kaushalya's kitchen. Its size at present is not the same as had been the length and width of the kitchen of kaushalya.

In Kaushalya's kitchen, rasoi of Kaushalya Ji and Sita Ji would have been one. Some time Kaushalya Ji and some time Sita Ji would have been preparing food at that place. There is Sita rasoi situated in janamsthan in the northern side of the road. There is Sita Rasoi constructed in every temple of Ayodhya. Kaushalya Rasoi is also under the 'garbh griha'.

On 6th December 1992, bricks and mortar were falling at the place of 'garbh griha', there was, therefore, no

question of going over there. I went there on 6th December 1992 at 8.00 PM at the time of 'arti'.

Question:-You had stated in your statement that you had taken a pledge that until that place comes fully under the ownership of Hindus, you would not go inside it. But on page 98, you have stated that you had gone at that place on 6th December 1992 where the idol was placed. Have you broken your pledge in this way?

Answer:- I have not broken my pledge, because I had 'darshan' of the idol of Ram Lala situated in 'garbh griha' from outside the temple.

I had 'darshan' at a distance of two hundred yards from the place where the idol was placed. At that time, there were very large number of people between the idol and me. All these people had come to have 'darshan'. I could have a view of the idol from where I was. I do not have any estimate of the size of the idol. I cannot say whether it was of one foot, two feet or how many feet. On the night of 6th December 1992, when I went there at 8.00 O'clock to have 'darshan', then a Chabutara had been built on which Ram Lala were seated, and at that time, 'arti' of Ram Lala was being performed. The floor of the remaining part of the disputed building had been broken.

Question:-Whether the Kaushalya Rasoi, footprints and the rasoi situated at its Chabutara had been broken and the appliance of the kitchen had been broken?

Answer:- All of them were removed for the purpose of resurrection and that place was not in same

condition as it was before and that place had been levelled. I did not see whether the floor of Kaushalya Rasoi was broken or not. The floor of Ram Chabutara had been broken. I cannot say whether the place of Sita Rasoi and footprints were hundred years old or one thousand years old; these place have been traditionally there. Appliances of kitchen were made symbolically of cement or earth and were painted. I cannot say how old were they. The idol placed in the cave temple was very old, but I cannot say how old it was. I cannot say whether the idol of Ram Lalla, which was placed on the Chabutara, was one hundred years old or one thousand years old. Chabutara was very old. I cannot say whether it was one hundred or one thousand years old. I cannot say whether the idols placed in the east and south under the tree situated near the Chabutara were one hundred or one thousand years old; in one of them, there was a figure of boar and this figure had been made in the wall. I cannot say how old was the store-room, situated in the north of the Chabutara. It is wrong to say that 'Moazzin' used to live at the place, which has been described by me as the store-room. On 6th December 1992, all the three 'shikhars' were demolished first, and the idol which was removed outside, were placed inside. After building a ten feet high Chabutara, the idol was placed thereon. Therefore, north-eastern and southern wall and gates were demolished and thereafter the floor of the disputed premises was also broken. I cannot say at what time the idol was again placed. When I reached, 'arti' was

being performed of the idol placed on the Chabutara. I cannot tell the time when the idol was placed again. I cannot say when this idol was placed again after 4.00 PM. Chabutara and 'garbh griha' are of equal importance, but 'garbh griha' is of very high importance. For me, every place where the idol of Ram Chandra ji is placed, is important. The idol, which was removed from Chabutara and then placed in 'garbh griha' was an already consecrated idol. It was not consecrated before me. Volunteer: that the idols which were placed on the Chabutara, had been consecrated much before he came to Ayodhya. This Chabutara was of a much earlier period much before he came to Ayodhya. No idol placed on the Chabutara was constructed after he came to Ayodhya.

Question:- On what basis are you saying that the idols placed on the Chabutara had been consecrated before you came to Ayodhya?

Answer:- All the persons of the sadhu fraternity used to say that these idols had been consecrated because arti and the ritual of offering of food (bhoga) to the idols were being performed since quite an earlier period. It is wrong to say that the Chabutara was constructed after 1855 and there was no idol there before 1949. I cannot say that in a case which was related to the Chabutara and was tried in 1885, it was held that as there was a mosque in the west of the Chabutara, a temple cannot be constructed on it. It is wrong to say that the place, which is described by me as

the 'parikrama' of the temple, was an embankment of the mosque. It is wrong to say that there was no road in the west and there was a graveyard there. The road in the north of the temple, was ten feet below the level of the building.

In the boundary of Ayodhya, as has been given in Vedas, Saryu has been described as having the shape of a bow. Saryu flows on three sides, i.e. north, west and east of Ayodhya. There was a forest in the south. I cannot say at what distance from Ayodhya, the Ganga and Tamasa rivers flows. I cannot say whether this distance is of 50 or 25 kilometers. Both the rivers are in the south of Ayodhya. While going to prayag from Ayodhya, Tamasa will come first. I cannot say whether Saryu River was flowing at the same place one lakh years ago, where it is flowing to-day, but Saryu River is the same one. Due to erosion, Saryu River has been changing its path, which is the nature of a river. Ayodhya was situated in Satyuga, Treta and Dwapar at the same place, as described in Vedas. It is wrong to say that there is no evidence of any trace of human habitation 2700 years ago at the place where Ayodhya is situated to-day. It is wrong to say that there is no historical proof of the existence of Ram Chandra ji.

Couplet (doha) No.32 of Bal Kand at page 55 of Ramcharitmanas, marked as Document no. 258C-1/4, was shown to the witness. Besides that, the 'chaupai' No.2 and 3 under this 'doha' was also shown to the witness. I accept the facts mentioned I four-five 'chaupais' under 'doha' 32A and 32B. The 'chaupai' after four 'chaupais' under 'doha' NO.33 was shown to the witness. I agree with this. Date of birth of Ram Chandra ji has been given in this. It has been

mentioned therein that Ram Chandra ji was born in Avadhpuri. But it is not certain at what place was he born. There is mention of Ram Chandra ji and other characters of Ramayan i.e. Dashrath, Ikshwaku, etc. in Rig Veda and Atharva Veda. Sita ji has been referred to as the presiding deity of agriculture. Such references are in Mahabharat too. It is wrong to say that there is no mention of place of birth of Ram Chandra ji.

I was not present at that time of attachment under section 145 of the Cr.P.C. I cannot say what articles were attached there. I did not give details in my statement of the articles attached under section 145 of Cr.P.C. The case of Gopal Singh Visharad was pleaded by the lawyer. I also used to go there regularly. I cannot say which documents were filed in the suit of Gopal Singh Visharad. These papers were filed by the lawyer. I did not file any papers in the suit of Gopal Singh Visharad.

I cannot say what was the cause of Hindu-Muslim riots which took place during 1934. I cannot say whether or not it is correct that the riots took place because of cow-slaughter, as has been mentioned in book – paper No.107C/54 – written by Radhey Shyam Shukla. When dome (shikhar) was pulled down during 1934, then the disputed place was not in possession of Muslims. This 'shikhar' was pulled down by Hindus. In 1934, wall was not demolished, some portion of the shikhar was demolished, because police provision was made soon thereafter. After imposing a penalty on Hindus, the British Government got it repaired. I do not know the name of the contractor, through whom the repairs were got done. This repair was done against my wishes. I do not remember whether I was present when Commissioner, Shri Shiv Shankar Lal went to

the disputed site for taking measurement. The well shown in the report of Commissioner Shri Shiv Shankar Lal, was situated at a distance of two hundred fifty yards from the disputed building and its name was 'Sita Koop'. I do not know about the urinal shown in the south of the disputed site in the report of Commissioner Shiv Shankar Lal, because there was no place in the south for urinal, there was route of 'parikrama', Shri Shiv Shankar Lal, Commissioner has filed his report and two maps. On being asked about the place marked as 'U' alphabet in the map, the witness said that he has not seen the map and he has never seen a urinal situated there. I have not seen the revenue records pertaining to the disputed building and its land. My lawyer might have seen it. I have not seen the Document myself that Janamsthan and Janambhoomi have been recorded separately in the revenue records. My lawyer had told me that Janambhoomi and Janamsthan have been separately recorded in the revenue records and my earlier statement on page 56 was based on this. I had stated on page 11 of my statement that the district Magistrate had prohibited the persons belonging to Muslim community from entering with 200 yards of the disputed building (premises). This statement was with reference to the District Magistrate of the year 1950. I have not seen any later order to this effect. I do not remember whether I had appointed Shri Narain Das Khatri as my advocate in the suit, which I have withdrawn i.e. suit No.25/50 (Original Suit No.2/89). Witness said himself that he had many advocates at that time. I might have appointed Shri Sarvajit Lal Verma, Shri Narain Das and Shri Krishna Lal Yadav as my advocate.

I had a meeting with Bir Bahadur Singh in 1985 in connection with opening of locks. I did not submit any

application for opening the locks through Shri Umesh Chandra Padey, advocate. Gate was locked illegally. Locks were affixed forcibly. I had been opposing it and I had announced self-immolation if the locks were not opened. It has been given in the book of Shri Radhey Shyam Shukla as to when Ram Janambhoomi Nyas was established. I am saying this on the basis of my memory that I had made the announcement of self-immolation after the establishment of the Nyas. Bricks procession (Shila Yatra) were taken out in whole of the country in the name of the Nyas. For the bricks, a contribution of twenty 'annas' was asked for, but there was no restriction if any person wanted to give more contribution. I do not know whether bricks of gold were donated; my treasurer might be knowing about it. I have no objection, if any person donates a brick of gold.

Question:-Has your Nyas received approximately an amount of Rs.9.00 crores through all these activities?

Answer:- Only the treasurer can tell about it or even I can tell after seeing all the relevant papers.

At present, an amount of about 11 crores of rupees is deposited with my Nyas for the construction of temple.

Question:-If the decision of the court goes against you, would you accept it?

Answer:- I do not absolutely believe that the case would be decided against me, because so far all the cases have been decided in my favour.

I will accept all the orders of the court, which are not against religion. The witness said himself that when a court gave the sentence of death to the patriots Sukhdev, Raj

Guru, Chandra Shekhar Azad, did the people of the country accept it? The court has the right to settle this dispute. I fully know that no court of India can give this decision about the disputed place that this is the Janambhoomi of Babar and not Ram Janambhoomi.

Question:- Can the idol placed at the disputed place be removed by the order of the court?

Answer:- It is a doubtful question. The witness asked the learned counsel, who was cross-examining, whether he was in collusion with the court.

It cannot be said as to who is the most learned scholar of Ramayan at present, as no one, having knowledge of this subject, can be described as greater or smaller on the basis of knowledge. Even illiterate person has knowledge about it.

Question:- Do you know of any historian who can give his opinion about Ayodhya and the disputed place?

Answer:- There have been many historians, who have given their opinion against Ramayan. Also, there have been such historians who have expressed their opinion about Ramayan. Lalla Ram Das Ji Gaur is one such historian, who has expressed his opinion about Ayodhya and Ramcharitmanas with authority. I have not heard the name of Babri Masjid. It is wrong to say that the statement given by me about the disputed place and the disputed building is false. This is also wrong to say that Namaz was being offered at the disputed building since the time of Babar till 22nd December 1949. It is also wrong to say that during this period, the disputed building was

never used as a temple. This is also wrong to say that I have given this statement because Vishwa Hindu Parishad and Ram Janambhoomi Nyas has made it a means of acquiring political power. It is also wrong to say that I have withdrawn my suit because I knew that I would lose the suit. It is wrong to say that even after the demolition of the disputed building, the disputed place still remains a mosque.

Shri Zafaryab Jilani concluded the cross-examination on behalf of Respondent No.4. The learned counsel, Shri Hasim Ansari started cross-examination on behalf of Respondent No.5.

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I consider Veda as a divine book. Veda is in its original form even today. Nothing has been added to or subtracted from it. This is also my belief that no fact can be added to and subtracted from it. Puranas have not been written by human beings. Vedas are studied with the help of Puranas and history.

Verified the statement after hearing

Sd/-

Shri Mahant Param Hans Ram Chandra Das

19.1.2000

In continuation for further cross-examination on 20.1.2000
Witness be present.

Sd/-

19.1.2000

Additional District judge, Faizabad

Date: 20.1.2000

(Continuation of cross-examination of PW-1, Sri Param Hans Ram Chandra Das, on oath, by Shri Mushtaq Ahmed Siddiqui, Advocate, in continuation of 19.1.2000)

Puran is not a commentary on Vedas. Vedas are authority in themselves. But in regard to Purans, it has to be seen whether they are in conformity with Vedas. Puranas are eighteen in number.

Question:-Which is the first one among the eighteen Puranas mentioned by you?

Answer:- In regard to Puranas, it cannot be said which was written first and which was written afterwards. Same is the position about Vedas.

All the 18 Puranas were prepared by 'mantra-drashta' rishis. One sage, who is said to be the incarnation of God, had resurrected the Puranas, but he was not the author thereof. Puranas were in existence before resurrection by Sage Vyas. Every Puran has many parts. Skand Puran has many parts, but I cannot say what is their exact number. There is a detailed description in Skand Puran of the significance of Ayodhya. But there is description of Ayodhya in other Puranas and in Vedas. I cannot tell under what name the significance of Ayodhya has been given in Puranas other than Skand puran. The Puranas, which are available today, are in the same form, in which they were resurrected by Vyas. As far as I know, there is no mention of Queen Victoria in the Puranas. If there is a Victoria Puran, it might contain reference of Victoria, but the Puran is not acceptable to me.

Worship (puja-archana) and ceremony of 'rajbhog' is performed in temples by the priests. Devotees after having 'darshan' of the deity, go back. Every temple has a different place for 'darshan', therefore, 'darshan' of the deity is done from a particular distance. There is no uniformity in all the temples in this regard. Jagmohan is that part of the temple, where program of music and dance are arranged to propitiate the Lord. The place from where devotees have 'darshan' of the deity is called place for 'darshan' (darshan sthal). The place, where a particular deity manifests itself, is called 'garbh griha'. The witness told that all these places, where there is an idol, are not called 'garbh griha'. The place, where a particular deity manifests itself, is called 'garbh griha'. It is not necessary that there should be an idol where a deity has appeared. That place, where an idol of a deity is installed and it is consecrated, is called 'Devayatan'. There is no minimum distance prescribed between 'devayatan' and 'darshan sthal'. It is determined according to the size of the temple. If the temple is a small one, then the 'darshan-sthal' will be near the idol, but some distance is always between the idol and 'darshan-sthal'. Apart from having 'darshan' in the temple, a devotee receives 'prasad', performs worship and recites prayers from holy texts. 'Path' means recitation of praise of the Lord. If the prayer is committed to memory, it can be done orally and if the book is available, it can be done by reading. Books regarding the deity are kept in the temples or the devotee takes it along with himself. I can explain the purport of 'archana' only to my disciple. 'Upasana' (worship) is a thing which is related to heart, but heart is not something which is separate from the body, therefore, it cannot be performed only by the body. It is wrong to say 'upasana' has no tangible form. 'Pranayam' is a tangible form of 'upasana' (worship), according to which

a particular process is performed by closing the nostril by the finger of hand. The tangible form of 'archana' cannot be disclosed here. It has a tangible form. The duty of the priest is to do worship (puja-archana) and arrange 'bhograg' etc. A person other than a priest has also the right of 'Puja-archana'. Rajbhog can be performed only by a priest.

I am familiar with the disputed place. I cannot tell about the length and width of the disputed place. I have not taken measurement thereof, I am not, therefore, in a position to give the length and width of the place. Before December 6, 1992, there were statues of Hindus Gods and Goddesses engraved on the pillars of black stone situated at the disputed place, where Lord Rama had taken birth; there was Ram Chabutara in front on which Ram Lala was 'virajman' (seated). There was a cave temple below. There was 'parikrama' in the temple and there was a banyan tree in the southern corner, where there were idols of Ganesh, Lord Shankar. Exactly opposite the wall, a picture of incarnation of God in the form of 'Varah' (boar), which is one of the 24 incarnation of God, was inscribed. In its northern part, was a Chabutara, where Lord was 'virajman'. Near to that was the residence of saints. On the eastern part of the northern door, Sita Rasoi, 'chauka', utensils and rolling pin (belan), etc. were built. There was a 'parikrama' round the last ramparts of the disputed place, as exists in every temple. There was 'garbh griha', the idol of Ram Lala was made of metal and the same Ram Lala is now 'virajman' in 'garbh griha' at present. Temple had three 'shikhars'. Twelve touchstones were affixed in it. There were four stones in each door. Two stones were fixed on eastern door. Pictures of Hindus Gods and Goddesses were inscribed thereon and devotees used to offer flowers,

garlands, sandalwood, etc. on them. Besides, there were Sumitra Bhawan, Sheshavtar temple. There was Sant-Shahida after five-eight-ten years near eastern gate of the disputed place. There was a picture of the proposed temple beyond that, where foundation stone was laid. In addition, there were some other things also. In addition to the places mentioned above, there were other places also. All the three shikhars were in the form of roof. The shikhars were built in form of the walls. There were shikhars and not roofs over the walls. There was temple under the shikhar, which was in the middle of the three shikhars and Ram Lalla was 'virajman' in that temple. The numbers of temples under the shikhars was not three. 'Ram Deewar' was built after I laid the foundation stone. Construction of Ram Chabutara was started thereafter. There were barbed wires affixed on the brick-wall of the outer rampart. I do not remember the length and width of Ram Deewar. Ram Deewar is still in existence.

Mulayam Singh was Chief Minister in Uttar Pradesh. It is wrong to say that a wall of barbed wires was built for the protection of the disputed place during his Chief Ministership. Barbed wires are fixed on Ram Deewar and they were got affixed by us. I do not know what is the height and width of the wall. I do not know about the height and width of the walls of the disputed building, which were in outer as well as in inner courtyard. I cannot make any guess about it. The size of Ram Chabutara, which was situated outside, was approximately equal to the size of the present meeting hall. There was a small courtyard within this courtyard. It was in front of building with shikhars. I cannot tell what was the length and width thereof. A wall of iron bars had been built beyond that and a gate was provided in it. There was a door in the wall of iron bars. There was a door in the

outer wall in the eastern part. There was also a door in the north. I cannot say what was the height of these gates. The height of the door on the eastern side was one hand more than the height of a normal person. I am stating this on the basis of estimate. The door of the northern side was a bit higher.

I know Dharam Das. Ram Chabutara was not donated by Dharam Das, but by Shri Ram Kewal Das, who was then Mahant of Nirmohi Akhara and was a member of my Nyas. Dharam Das had donated auditorium (katha mandap), where we had laid the foundation stone of the main gate. The auditorium was platform-like. All the revenue officials had told that the auditorium was the property of Dharam Das and there was no dispute about the transfer of his property.

I belong to Saran District of Bihar, which is known as Chhapra district. My father's name is Bhagwan Dutt Tripathy. The name of my guru with my name because this is the tradition among the saints. The name of my guru was Shri Ram Kishore Das ji, who had initiated me. His alias was Shri Ram Das. I am only his disciple, because deeksha guru (the master who initiates) is only one. I was about 12-13 years old when I became his disciple. I became a 'naga' at the time of Kumbh at Haridwar, before I became Mahant of Digambar Akhara. My guru used to apply sandal on the forehead and I also do the same. It cannot be explained here as to how many types of 'tilaks' are there. I cannot reply to the question whether tilaks are of two types or any other question related thereto, because it is prohibited.

Question:-You are bound to give evidence in the court in regard to tilak?

Answer:- As I have already explained, I am unable to tell anything about tilak. I know Shri Priya Dutt Ram, appointed as receiver in the suit under section 145 of CPC. He was chairman of the Municipal Committee and a reputed wealthy person of the district. He was MA in two subjects. He was a learned person. I cannot say whether or not he was a party in the suit of Nirmohi Akhara. He had a house in Faizabad. Whether or not he was an original resident of this place, I cannot say. Shri Ram Raksha Tripathi was a teacher in Ayodhya. I know Shri Siyaraghav Saran Das. He was a priest in the temple built on Ram Chabutara. In 1949, educated and rich persons lived in Ayodhya and that is the position even today. Gopal Singh Visharad used to live in 'Swarga Dwar'. He came to Ayodhya much later than I did. He was originally a resident of Samthar State in Bundelkhand. After December 23, 1949, people of Hindu community came forward in this matter. Apart from the above-mentioned receiver, Chaudhury Kedar Nath Advocate and members of Nirmohi Akhara came forward. During the period 1950 to 1958, nobody except myself and Gopal Singh Vishard became a party. Same was the position of Muslim community. After 6 December 1992, people celebrate this day every year. The name of this festival is the day of glory (Gaurav Diwas). As far as I remember, it is called 'Gaurav Diwas'. May be, some persons might call it a 'Shaurya Diwas'. Meeting is held on this day, processions are taken out, discourses are held and 'havan' is also performed. People from outside also come.

During this festival, those people are honoured, who have made special contribution in it. This honour is given in the form of flower garlands. Mahant Avaidyanath, former Shankracharya and founder of Bharat Mata Temple of Haridwar, Swami Satya Mitranand Ji Maharaj, Shri Ramayani Shri Prem Das Ji Maharaj, Shri Pandit Akhikleshwar Das ji Maharaj, etc. are among the many people who have been honoured. After 6, 1922 none of the political leader like Kalyan Singh, Murli Manohar Joshi, Uma Bharti, etc. have been honoured. I have also been honoured on this occasion. On every 'Gaurav Diwas', I am honoured with a flower garland. I know that the disputed building has been acquired thrice by the Government. After acquisition, all the rights of all the persons stand cancelled and vested in the Government. My right has not diminished by this acquisition, because my right has increased with the receipt of 42 acres of land on lease. After acquisition by the Central Government, the right regarding lease has terminated. The ownership of land of the disputed land vests at present in the receiver, the Commissioner of Faizabad. Even the ownership vested in the Commissioner is the ownership of Ram Lalla ji and even today the ownership vests in Ram Lalla and it will remain so in future also. Before the appointment of the Commissioner of Faizabad as receiver, the ownership of the disputed place vested in Ram Lala. The ownership of Ram Lala was absolute.

The movement of Ram Janambhoomi was being conducted for the resurrection of the dilapidated temple. Government was restraining from resurrecting the temple. There had been receiver of the disputed place earlier too, before the Commissioner of Faizabad was appointed as a receiver. That is why mention was made in the earlier statement about not getting the complete ownership.

Question:- You have just stated that before the appointment of Commissioner of Faizabad as receiver, the ownership of the disputed place vested in Ram Lala, whereas in the earlier statement, there is a mention of starting a movement for getting full ownership. Which of your statement is correct?

Answer:- Both of my statements are correct. Commissioner is a receiver of Ram Lala. He has a right to appoint a priest for Bhograg. The place is looked after by him. Commissioners keep on changing and they can be of any caste or religion and therefore, I had taken a pledge that unless Hindus get full ownership, I will not go into 'garbh griha'. Thus, both of my statements are correct.

Before the appointment of Priya Dutt Ram Ji as receiver, the disputed place was under complete ownership of Hindus and there was no restriction on anybody in offering 'Bhograg'.

Mohammad Hasim had filed a writ petition in the Lucknow Bench of Allahabad High Court against opening of locks. This writ petition was opposed by me. I had filed objection and an affidavit in this connection. I accept the objection against the writ petition and the affidavit. In

regard to the statement made regarding not filing any objection in the above writ petition on page 12 of my statement (attention of the witness was drawn towards this statement), I have to say that I had not filed any reply in any writ petition before opening of locks, but it is true that I had filed objection etc. in connection with writ petition filed by Mohammad Hasim after opening of locks.

The place, which I describe as 'garbh griha', is according to my belief and according to the belief of all Hindus, birth place of Ram Chandra ji. I consider that place, where on 23rd December 1949 idol was installed after removing it from the Chabutara, as birth place and I used to consider that place as birth place before the installation of the idol there.

Question:-Can that place, which you describe as birth place according to your belief, be 10-15 hands away on either side of the middle dome place?

Answer:- No. The place where the idol is placed, is an authentic place and the whole Hindu community believes in that very place. There is no scope of any doubt. There cannot be a distance of even two-four feet in the location of this place.

The basis of this belief is that Hindus have been having 'darshan' of this place as Janambhoomi since centuries.

In addition to this, there are several proofs which I have mentioned earlier. There were several idols of Ram Lala on the outer Chabutara after December 23, 1949. Among the idols, which were placed below the middle dome, after removing them from the Chabutara, was one

big and one small idol and both the idols were of Ram Lala. In 1950, Mian Zahur, Haji Saheb, Haji Fayak Saheb and my friend Munnu Mian were in Ayodhya. I cannot say whether or not Babu Bhola Nath Srivastava was my lawyer. I knew him very well. He was a member of the Board with me. In those days, there was only one Board at that time, Ayodhya was a board of Faizabad.

I used to feel anguished by the building that existed on the disputed place before December 6, 1992, because it was in a dilapidated condition. Hindus used to feel ashamed because the building that existed there was not in keeping with the dignity of Lord Rama. There was no question of shame in regard to the building standing originally there, as it was not a place of a mosque, while this was not position regarding other places. The place in the east and south of the disputed building is not the place of Ganj-e-Shahida; rather it is Sant Sahida. No corpse of any Muslim is buried there.

On December 6, 1992, when the disputed building was pulled down, pick-axes, sticks etc. were used as instruments of demolition by the Kar Sewaks. The number of appliances for demolition was very small in proportion to a very large number of people collected there. If all the people present there had appliances, there would not have left any place for them to stand on. Kar Sewaks had not brought these instruments from outside, they got them from Ayodhya. Most of the people of Faizabad and Ayodhya are devotees of Ram. Ram Raksha Tripathi and Priyadutt Ram were devotees of Ram. They were not opponent. Witness said again that he cannot say which deity they used to worship, but they believed in God. Ram Raksha Tripathi was a school teacher and a scholar of Hindi. He was not a

scholar of scriptures and Sanskrit. Ram Raksha Tripathi had no contact with the people outside the country. He was an ordinary citizen of Ayodhya and was a teacher in intermediate college of Faizabd.

Palace of King Dashrath was very big. He had a number of places for his use in Ayodhya. I can mark other places of the palace, apart from 'garbh griha'. It has been mentioned in Skand Puran that there was a jewel-studded throne and mansion of queen Kaikayee, and also the palaces of Sumitra & Kaushalya. In the portion relating to the significance of Ayodhya in Skand Puran, there is mention of different places of the palace of King Dashrath. I cannot exactly tell apart from garbhgriha where and in what direction was the place for sleeping. Kanak Bhawan was a place for sleeping. During the time of Dashrath, the place where he used to hear the grievances of his subject, is known as Ram Kachahari, which is situated in the east. I cannot say how far away it is situated from 'garbh griha', but that place is within the acquired area of the disputed place and is situated in the east.

I was sentenced to imprisonment under section 144 of Cr.P.C. I was given this sentence during 1950 when Jaikarannath Ugra was District Collector. This prohibitory order applied to both Hindus and Muslims. The prohibitory order was for restraining people from collecting into a crowd.

My statement that an immovable idol cannot be removed, is correct. Photograph No.129 of the coloured album prepared by the Archaeological Department of Uttar Pradesh was shown to the witness. He said that this was the photo of the then City Magistrate, Shri Guruduttar Singh. I cannot say whether or not there was picture of

Gurudutt Singh in the disputed place. Photograph no.117 of the same album was shown to the witness. He said that he was not certain whose photo it was. I cannot say which portion of the disputed place was this photo of. Photograph No.39 of black and white album prepared by the Archaeological Department of Uttar Pradesh State was shown to the witness. No number is written in it, only two fishes are visible. Photograph Nos.65 and 66 of the same album were shown to witness. Photograph No.66 is the photo of 'arghya kund' (a vessel used for offering libation to the deity). In Photograph No.65 a portion of the dome, a portion of mark of Swastika, some flowers and some portion of 'ayatan sthal' of deities are visible. I cannot say whether or not these pillars were situated on the disputed place, but they look like pillars of the disputed place. I cannot say where these pillars were situated in the disputed place. After seeing Photograph No.75 of this album, the witness stated that these pillars look like the pillars of the disputed place, but it is not clear in the Photograph. I cannot say which place of the disputed site they were situated at. A statue is visible, but it is not very clear. Photograph Nos.83 and 84 of this album was shown to the witness. A circular shaped thing is visible in it. But it is not clear what it is. It is possible that both these Photographs are of the floor of the disputed building, but some portion of the building is also visible in the Photograph. After seeing Photograph No.85 of the same album, the witness stated that lines drawn are visible in it. It is possible that it is a Photograph of the floor of the disputed place. It is wrong to say that the three lines, which are visible, indicate the place of offering 'Namaz'. Photographs No.97 to 100 were shown to the witness. In Photograph No.100, an ear of barley or wheat is visible. Figures of some Gods are visible in Photograph No.99, but

they are not clear. In Photograph no.97, an ear of grain or some flower can be seen and a thing like throne is also visible. In Photograph no.97, a whisk like thing can be seen. A thing like a flower-pot is visible. By 'gamala' is meant that pot, in which water is poured after giving bath to the deity. (This reply was given by the witness suo motu). I cannot say in which part of the disputed building were they lying. Photograph No.25 of the same album was shown to the witness. He said that without knowing that the Photograph was of which direction, it cannot be told that Photograph is of which place. After seeing Photograph Nos.29-30, the witness stated that they pertained to all the three gates of the disputed building. Whatever I stated earlier in respect of Photograph Nos.31, 32 is correct. After seeing Photograph Nos.35-36, the witness stated that these two Photographs and all other Photographs create confusion. A few of them are clear. Other Photographs are the photos of different places of the disputed building, and they show only some portion of those places. It cannot be said which portion of the disputed building are they pertained to. Photographs no.36 is the photo of a door of the disputed building and all the doors were alike. In Photograph No.37, there is a picture of umbrella (chhatra) like thing, which is usually over the head of an idol of a deity. Photograph no.35 is also a picture of a door of the disputed building. When Photograph No.31-32 was shown to him, the witness stated that he had already told about them. But his attention was drawn towards the fact that no question was asked about them, he said Photograph No.31 is about the portion below Ram Chabutara. In Photograph No.32, a door and a tree is visible and it pertains to the southern part of the temple.

On December 6, 1992, I was at the disputed place till 3.00 PM. People were removing the debris of the portion of

the disputed building which fell down after 10.00 AM, because all responsible people were there. I cannot say in which house, the debris of the disputed building has been kept. The relics found in the debris have been kept. I can show the list of all the articles, if demanded. After verification of the articles found in the debris of the disputed building, it was found that they were related to Hindu 'Maths' and temples. Remains of temple disputed building have been kept in Ram Katha Kunj Bhawan. Articles found on digging are also there. No other articles are there.

Counter-affidavit of the witness dated 24.10.86 in writ petition No.746/86 was shown to him. It carries my signature. It is a Document filed by me. Para No.2C of the counter-affidavit dated 24.10.86 was read by the learned counsel who was cross-examining. It is correct that Mir Baqi had demolished the temple and get the three domes (shikhars) constructed on the disputed building, but Hindus never accepted this. These three domes (shikhars) were pulled down time and again. I cannot say how many times those domes (shikhars) were fell down, but the disputed building could never become a mosque. In regard to para 4B of my affidavit concerning the installation of the idol in 'garbh griha' after removing it from the Chabutara, it may be stated that when an idol is removed from one place and then installed in another place then the place of the idol is called the place of appearance of the idol. In regard to the statement of Head constable, Abdul Barkat in the night of 22nd December 1949, referred to in Section D of the supplementary affidavit dated 24.10.86, filed in connection with the above-mentioned writ petition. I may state that this kind of miracle took place before him and he is, therefore, fortunate.

Question:-Have you got any paper with you about this statement of Abdul Barkat?

Answer:- I do not have any paper in connection with this. My lawyer might have some paper about it. It is wrong to say that Abdul Barkat did not give any such statement.

Attention of witness was drawn to the facts stated in Sec. 28 of counter-affidavit of date 24.10.86. The witness said that this is true. Similarly, the things mentioned in section 30 are also correct. Whatever was written in para 6D of supplementary counter-affidavit dated 24.10.86, filed in connection with above-mentioned writ petition, were read and explained to the witness. He said that his meaning by this Ganj Shahida is not by the place called Sant Shahida, about which I had stated earlier in my statement. It is possible that this place called Ganj Shahida may be situated somewhere else. I had given my statement about Sant Shahida. It is wrong to say that people of Muslims community have been regularly offering 'Namaz' in the building situated at the disputed place even after 1934 till December 22, 1949. This is also wrong to say that the disputed building has remained a mosque since 1528 till 22nd December 1949 and 'Namaz' was being offered there regularly. It is also wrong to say that during the above period 'jamati jamat' was being organized at this place. This is also wrong to say that there were no figures of Gods and Goddesses on the touchstones fixed inside the disputed building, but they were only for decoration. Disputed building stood on walls.

(Cross-examination on behalf of Respondent No.5 was concluded. On behalf of Respondent no.6, his learned counsel Shri Mohammad Nadim Siddiqui, advocate

accepted the cross-examination done on behalf of Respondent No.4 and 5. Learned counsel of Respondent No.7 to 10, Shri R.N. Tilhari, advocate stated that he is not to do any cross-examination. Nobody appeared on behalf of Respondent Nos.11 to 25 for cross-examination. On behalf of Respondent no.26, Shri Hafiz Mohammad Siddiqui, Shri Mohammad Salim Advocate, behalf holder Shri Sayyad Irfan Ahmed advocate accepted cross-examination done on behalf of Respondent No.4 and 5. Thus, cross-examination of all the Respondents of original suit No.5/89 concluded.)

Statement verified the after hearing

Sd/-

Shri Mahant Param Hans Ram Chandra Das

20.1.2000

Examination of above statement from page1 to 151 was recorded in my presence and on my dictation. It contains the complete and accurate account of the statement of the witness.

Sd/-

20.1.2000

Additional District judge, Faizabad