

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

OTHER ORIGINAL SUIT NO. 5 OF 1989
(REG. SUIT NO. 236/89)

Bhagwan Shri Ram
Virajman and others. Plaintiffs.
V e r s u s
Shri Rajendra Singh
and Others Defendants.

STATEMENT OF O.P.W. 9
DR. T.P. VERMA
Part I

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DR. T.P. VERMA

Part I

Before : Shri Narendra Prasad Commissioner appointed by
the Hon'ble Full Bench (Officer on special
duty/Additional District Judge)

Examination in chief by way affidavit under Order 18 Rule 4
of Code of Civil Procedural of Dr. Thakur Prasad Verma
(next friend of Plaintiff 1 & 2) O.P.W. 9 :-

I, Thakur Prasad Verma aged 69 years S/o Late Shri
Jagannath Lal Resident of 397 A - Ganga Pradushan,
Niyantaran Marg, Bhagwanpur city and district Varanasi
solemnly affirms and state on oath as under:

1. Plaintiff No. 3 of the above case Shri Devki Nandan Aggarwal expired on 8.4.2002 who was also next friend of Plaintiff nos. 1 & 2. After the death of Shri Devki Nandan next friend of Plaintiff nos. 1 & 2 Hon'ble special full bench vide their order dated 25.4.2002 appointed me as next friend/other friend of

Plaintiff nos. 1 & 2 and I have gone through the plaint and pleading and also the record of evidence was made available to me.

2. I did my post graduation in Ancient Indian History, Culture and Archcology in 1958 and obtained Ph.D. degree in Indian numismatics from Kashi Hindu Vishwavidyalaya, Varanasi. I also did post-graduate diploma in numismatics from the same university. The subject of my Ph. D. thesis was "The Paleography of Brahmi Script in North India from 2nd Century B C to 3rd Century A.D."
3. I had worked as a lecturer, vice principal in the Department of Ancient Indian History, Culture and Archcology of Kashi Hindu Vishwavidyalaya during 1967 to 1993 I retired in 1993.
4. During my tenure at Kashi Hindu Vishwavidyalaya I had worked as vice principal for about 5 months in DAV College, Varanasi. I also worked as Professor and Head of the Department of Ancient Indian history culture and Archcology during 1986 for about a month in Gurukul Kangri Vishwavidyalaya, Haridwar.
5. So far about 27 Research Scholars have worked for their Ph.D. under my guidance out of which 6 dissertations were on the Paleography.
6. I have held different positions in the executive committee of "Numismatic Society of India" for the last 20 years and I have also worked at different posts raising from Assistant Editor to Chief Editor for editing 18 volumes of the journal published by the society.

7. I have also been a life-long member of various academic institutions in India and have also held various positions therein. Even on this day I am associated with certain organizations like "Numismatic Society of India", "Indian Epigraphical Society", "Indian History and Cultural Society", etc.
8. I have also written the following books:- 'The Paleography of Brahmi Script in North India from 2nd Century B.C. to 3rd Century A.D.', 'Bhartiya Lipi Shastra aur Abhilekhki', "Puraabhilekh Sangrah", 'History of Ayodhya and Archives' (from Rig Ved period till this day). I have also edited 6 volumes of the journal "Shriram Vishwakosh" brought out by Bhartiya Itihas Sankalan Samiti, UP.
9. About 150 articles written by me on subjects like Science Script, archives, numismatics, history, art, etc. have been published in various research journals of repute in the country.
10. I was born in a Vaishnav family and have always been respectful and devoted to Lord Vishnu and his incarnations right since my birth. I have also a great reverence and regard for other deities like Lord Shiva, Durga, etc. Hindus do not believe only in idol worshiping but the places associated therewith are also revered like Kedarnath Mandir, Vishnupad Mandir, Gaya, etc. Similarly Shri Ram Janambhoomi is also a pious and sacred place.
11. Lord Shri Ram has been a historic men. Name of his father was Dashrath while the name of his mother was Kaushlya. Laxman, Bharat and Shatrughan were the

name his brothers. Lord Shri Ram had established an ideal in the society by way of his deeds and conduct and that is why he is called Maryada Purushottam. Shri Rama is an incarnation of Lord Vishnu.

12. Lord Shri Ram had descended on this Bharat land, itself. The entire Indian Literature unanimously declares that Shri Rama son of Maharaja Dashrath was born in Ayodhya. Ayodhya is not a imaginary place, rather it is a real city and so far as its geographical boundaries are concerned there is no difference of opinion in the Indian literature. It is an ancient city and mention of it is available in Vedas. In Athrva Ved and Taitreya Aranyak the human body has been described as a city of deities and it has been compared with Ayodhya. Had there been no existence of Ayodhya, such a simile would not have been given. This is the same Ayodhya located at the bank of Saryu river. We do not find the mention of any other Ayodhya or Saryu river in the entire Indian literature and Indian sub-continent.
13. The place in Ayodhya where Shri Ram was born has very special importance to Indians. The Indians and their countless generations have been worshipping this place for number of centuries and because of this uninterrupted tradition there is no question of forgetting this place or having any type of confusion about its location. 'This is the very place about which this suit is going on'. Many Indian, Persian and European writers have mentioned that during the Muslim rule at least three important Vaishnav temples were demolished and mosques were built thereon by the muslim rulers and these three temples were Shri

Ram Janambhoomi Mandir, Swargdwar Mandir and temple of Thakur of Treta. There has all along been a conflict with regard to Shri Ram Janambhoomi Mandir and Hindus have always been insisting to worship there. Even now they continue to worship there. The reason is that the temples of deities can be built anywhere and worshipping can start there after consecration of an idol but the place of birth can never be changed. That is the reason that the Hindus have a special insistence towards this holy Shri Ram Janambhoomi (place). Despite the fact that Shri Ram Janambhoomi Mandir was demolished and a mosque was forcibly built thereon, the devout Hindus continue to come in crowds to this place every year on the birth-day of Shri Ram falling on Chaitra Shukla (Ram Navmi). They perform parikrama-pooja and offer flowers and return with a throbbing expressed by European traveller Typhen Thaler in the words "the extracts of which are mentioned in document no. 107C1/96-108 in this suit. Document nos. 107C- 1/109 & 107C-1/110 by Martin are also a part of the suit".

14. History reveals that Ayodhya was devastated and settled again during its existence. There is a mention in 7/111/10 in Valmiki Ramayan that Shri Ram had devastated Ayodhya during his life-time and had ascended to Swarg alongwith the people of Ayodhya. He had placed his sons outside Ayodhya and directed them to look after the affairs. He had asked his elder son Luv to rule after building Shravasti (Sahet-mahet) capital. This is the place which remained the capital of Kaushal State till the period of Lord Buddha. Later on this was again the capital of Kaushal province (a province of Magadh Empire) during Maurya period. He

had asked his second son Kush to settle Kushawati city and rule thereon. It is now a part of Vindhya region which was later on known as Maha Kaushal also. It is also mentioned in Ramayana that after Lord Shri Ram Ayodhya would again be settled during the period of Rishabh. Rishabh was the first Tirthankar of Jains and is also called by the name of Adinath. There is an anecdote amongst Hindus that the credit of settling Ayodhya for the third time goes to Maharaja Vikramaditya of Ujjain who had built 360 temples in Ayodhya as has been mentioned in document nos. 107C- 1/10, 107C-1/28, 107C-1/35 and 107C-1/55 filed under this suit. There are a few who regard him as Maharaja Vikramaditya of garhwal dynasty who had annihilated the Shakas during 57 BC and had established Vikram Samvat and there are still others who hold him to be Chandragupta Vikramaditya of Gupta dynasty. Whosoever he might have been, it is certain that 360 temples were built, in which shri Ram Janam Bhumi was certainly included.

15. It is held that the modern convention of the temple built at the place of Shri Ram Janambhoomi had a beginning during this period only. The temples were demolished and their renovation also continued till the beginning of 11th Century AD. Salar Masood came here during 1032-33 AD and had demolished Janamsthal Mandir. He was killed on 14th June 1033 at the hands of Raja Suhail Dev during the Bahraich battle.
16. The inscription comprising 20 lines (stampage document no. 203C-1/9 filed in this suit) recovered from the debris of the disputed structure at Ayodhya

on 6th December 1992 reveals that the ruler of Saket division had built a very large and beautiful temple during the rule of Gaharwal Raja Govind Chand (1114 to 1154 AD). It was required to be constructed again because it had been devastated some 70-80 years ago but worshipping continued there even during this period. I have myself seen and deciphered the stampage.

17. This temple built by Raja Anay Chandra during 11th - 12th century (Gaharwal period) was again demolished by Mirbaki, Army Commander of Babar in 1528. Babar then left Mirbaki in Avadh and himself moved towards Gwalior. It is mentioned in Babarnama that on his return to this area after about 13 months, Mirbaki greeted him with his army.
18. I have co-authored a book entitled "History of Ayodhya and Archeology" (from Rig Ved period till this day) filed in this suit as document no. 289C-1 with Dr. S. P. Gupta. Only the last chapter no. 11 of the book has been written by Dr. S. P. Gupta. Everything written in this book are confirmed by me. I have mentioned the names of the books which I had consulted for writing the above book. The details mentioned in the book are based on history and not on any ill will or pressure.
19. In this suit on behalf of the Plaintiffs records, original books, cassettes, album, etc. have been filed along with list no. 107C-1/1 to 107C-1/9, 116C-1/1, 118C-1/1/A-B, 119C-1/C, 120C-1/1, 120C-1/4 to 120C-1/5, 121C-1/1, 189C-2/1, 254C-1/1-2, 255C-1/1, 258C-1/1, 259C-1/2, 260C-1/1, 260C-1/2, 260C-1/1, 288C-1,

286C-1/4A, 286A, 306C-1/1, 307C-1, which I fully authentic.

20. I have written an article entitled "Palaeographic evidence of the Ayodhya rock inscription" which was published in the journal "Itihas Darpan" which was filed as document no. 254C-1/3 in this suit.
21. I had visited Ayodhya for the first time in October 1992 in connection with a seminar conducted by Indian History and Cultural Society, New Delhi in which two resolutions were passed. The scholars who had participated in the seminar had put in their signatures in the list of participant. My name appears on serial no. 15 of this list which carries my signatures also. "The resolution, list of participants have been filed as document nos. 118C-1/129 to 118C- 1/135 in this suit" which I fully authenticate. It was only then that I had seen the disputed structure for the first time. Besides other facts I had also seen 14 pillars of Kasauti over which figures of Hindu deities were carved.

Lucknow

Dated: 31.10.2002

Sd/ -
Deponent
T.P.Verma

Verification

I Thakur Prasad Verma verify that details mentioned in paragraphs 1 to 10, 18, 20, 21 (excepting the portion within inverted commas) are true to my knowledge and that the details mentioned in paragraphs 11, 12, 13 (except the portion within inverted commas) are true to my knowledge based on literature and records, details in paragraph 16 are true to my knowledge based on literature and records and that paragraph 19, and paragraphs 13 to 21 (portions within inverted commas) are true to my knowledge based on

records.. No substantial fact has been concealed nor anything has been misinterpreted, may God help me.

Sd/-

Deponent

Lucknow

T.P.Verma

Dated: 31 .10.2002

I Ajay Kumar Pandey, Advocate; personally know Dr. Thakur Prasad Verma and he has signed in front of me.

Sd/-

(Ajay Kumar Pandey)

Advocate

31.10.2002

Solemnly affirmed before me on 31.10.02 at 10.10 am by the deponent Dr. Thakur Prasad Verma, who is identified by Shri Ajay Kumar Pandey, Advocate, High Court Bench Lucknow.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been read over and explained finally.

G. SRI VASTAV

Oath Commissioner

High Court, Allahabad

Full Bench, Lucknow

31.10.2002

Dated : 31.10.2002

O.P.W. 9 Dr. Thakur Prasad Verma

Before : Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD, Hon'ble High Court, Lucknow

(Appointed vide order dated 25.10.2002 of the Hon'ble Full
Bench in other Original Suit No. 5 of 1989)

Other Original Suit No. 5/89
Original Suit No. 236/1989

Bhagwan Sri Ram Virajman, Shri Ram Janam Bhumi and
others. Plaintiffs.

Versus

Rajendra Singh
and others. Defendants.

Affidavit of Examination-in-Chief Dr. Thakur Prasad Verma
aged about 69 years, son of Late Shri Jagannath Lal
Resident of 397 A-Ganga Pradushan Niyantaran Marg,
Bhagwanpur city and district Varanasi presented (Page nos.
1 to 9) and taken on record.

(Cross examination on behalf of Defendant no. 6 by Shri
Abdul Mannan, Advocate)

The witness stated on oath as under:

xxx

xxx

xxx

xxx

I have been a lecturer in Banaras Hindu Vishwavidyalaya from 1967 to 1993 and I used to teach numismatics and epigraphy and paleography i.e. archives and paleography. I used to take classes of history also. I have been teaching history and the above subjects in the said university right since the day of my appointment there.

I have taught history in the above university for about 25-26 years. Teaching of Ancient Indian History in the above university was limited to the year 1206. because The name of my department was Ancient Indian History Culture and Archeology. History is an account of events relating to rulers of the areas and their people, whereas culture depicts details of other activities also like their religious, cultural, artistic activities and also facts related to the culture and education of people. The cultural boundaries of the man cover all his activities. The activities cover his religious beliefs, economic programmes and activities related to his civilization. Delhi was not a center of power till the year 1206. It was during the period of Qutbuddin Aibak that Delhi became the capital of Sultan rulers. It is not that every ruler of India was called a Sultan. It is not correct to say that every king in history was called sultan, only Muslim rulers were called sultans, No Hindu ruler were intitled to be called as sultans. The Hindu rulers were addressed as Raja, Maharaja, Maharajadhiraj, Samrat, etc. Delhi was not habitated in the year 1206, rather it had been in existence for very long. The ruler of Afghanistan had appointed Qutbuddin as Governor of Delhi in the year 1206. I am not aware as to how long did Qutbuddin remain the Governor of Delhi. I have some knowledge of the post-Qutbuddin period but I cannot tell the name of the Sultan who succeeded Qutbuddin. This is incorrect to say that I am not conversant with the history of post 1206 period. At

the moment I do not remember the names of Muslim Sultans who ruled after the year 1206. After the year 1206 the Mughal Empire continued till the rise of British rule that is till the year 1857. The Mughal Empire ended with the rise of the British Empire. The Mughal period had started after the year 1500. It is mentioned that Babri Masjid was built in Ayodhya in the year 1528. I have read it that Babri Masjid was built in Ayodhya in the year 1528. All the mosques or temples or buildings are constructed on land and so was this mosque constructed.

Question: Was there nothing else near Babri Masjid?

Answer: There was a big temple at the place where Babri Masjid had been built.

Question: Were you present at the time of construction of Babri Masjid?

Answer: No please.

It is correct that neither I nor the learned advocate cross-examining would have been present at the time of construction of Babri Masjid. After construction of Babri Masjid Mirbaki Tashkandi, the army chief of Babar had got three rock inscriptions written in Persian language. One of the rock inscriptions which were got written by Mirbaki in Persian language was very well in place till the end at Babri Masjid, the two rock inscriptions had been misplaced earlier. Details of the rock inscriptions have been published with their translation in the Persian volume of Epigraphia Indica about which I have also made a mention in my book entitled "History and Archeology of Ayodhya". In the above I have written much more than the details of the rock inscriptions. Epigraphia Indica and History and Archeology of Ayodhya, both the books contain the details of all the

three rock inscriptions. All the three rock inscriptions were written in Persian language which indicate that it was a mosque. Volunteer: that in one of the rock inscriptions it was mentioned that it was a place fit for the arivals of angels.

Question: Is it a fact that the words "place for the arivals of angels" have been used as a proverb?

Answer: According to my interpretation, it should mean that it was a place where deities had descended.

Incarnation of deities was in the form of Rama as has been mentioned in Persian language which was understood by most of the government employees of that time.

Question: Were the persons other than government employees not conversant with Persian language?

Answer: Some of them understood Persian language while others did not.

I am not aware whether Urdu was their language or not. At that time i.e. in the year 1528 Sanskrit and Prakrit were also the languages which were spoken and understood by the people. During that time besides these languages Persian was also present and was spoken in India. The local and regional languages were also termed as Prakrit languages which represent all the above languages. The Persian knowing officers, rulers and employees of that time understood the above rock inscriptions. General people also partially understood it. In other words some people amongst the general public understood the rock inscriptions.

I had never seen any of the three rock inscriptions and had simply read about them. I had not read the rock inscriptions but had read about them. At this point of time I cannot tell as to how many lines were there in the rock inscriptions. As far as I recollect it was mentioned in one of the rock inscriptions that this grand building was constructed under the orders of Babar and that the name of Babar, prayers and command for him were mentioned in almost all the rock inscriptions. Arrival of Babar was not mentioned in any of the rock inscriptions. I am not at all conversant with Persian language. The books which I had consulted mentioned that the rock inscriptions had been written in Persian language. The books include in the Persian volume of Epigraphia of Indica and translation of Babarnama done by Mrs. Beveridge. Both the books contain peersian translation. Epigraphia Indica mentions that rock inscriptions were written on the command of Babar given to meer Baaki. Mrs. Beveridge has mentioned about this record in her introduction of her translation of Babarnama. The introduction has been written by Mrs. Bevrige.

The witness was shown document no. 198C-2/90 to 198C-2/99 by the learned advocate cross-examining and the following question was placed before him.

Question: Is it the copy of the same Ephigraphia Indica about which you have mentioned above?

Answer: Yes, Please. Photographs of the above rock inscriptions are available on this document no. 198C-2/95. Document no. 198C-2/96 carries the text and its translation of first rock inscription. Text and translation of the second rock inscription are contained in document no. 198C-2/97 whereas the text and translation of the third

rock inscriptions are available in document no. 198C-2/97 and document no. 198C-2/98. The rock inscriptions were written during the period of Babar. The rock inscriptions carry the date of Hizri year 935 which works out to the year 1528-29 AD. That is why I believe that the rock inscriptions were written in the year 1528.

Sayyid Salar Masood Gazi had come to Ayodhya in the year 1032-33 AD. As far as I can recollect he had set up a camp at a place named Satrikh falling in between Lucknow and Ayodhya and he was killed in Bahraich on 14th June 1033 AD. I do not remember the date and the month during which he had reached Ayodhya but I am certain that he did reach Ayodhya. I did not find any record anywhere about the period during which he stayed in Ayodhya. From Ayodhya Salar Masood Gazi had gone to Bahraich where the battle was fought. One side was represented by Raja Suhail Dev or Sahar Dev and his associates whereas the other side was represented by Sayyid Salar Masood Gazi and his army commanders. It was during this battle that Sayyid Salar Masood Gazi was murdered. Sayyid Salar Masood Gazi had gone to Bahraich in the year 1033 AD. I do not remember the number of persons who had accompanied him. I cannot give even a crude estimate of the number of his associates. I cannot tell whether one or two thousand persons had accompanied him during his visit to Bahraich. I do remember the name of the ruler of Bahraich of that period but do not remember as to how many persons had accompanied Sayyid Salar Masood Gazi during his visit to Bahraich. At this point of time I cannot tell as to how long the above battle continued in Bahraich. I also do not remember as to how many days did Sayyid Salar Masood Gazi take in reaching Bahraich

from Ayodhya. At this point of time I cannot tell as to for how many days did Sayyid Salar Masood Gazi stay in Bahraich. I do not find any record of the ruler of Ayodhya at the time when Sayyid Salar Masood Gazi had visited the city. During that period the rule of Gaharwal dynasty were not there in Ayodhya. Their rule in Ayodhya had started 50-60 years later. The rulers of Gaharwal dynasty were in position atleast till the year 1197 AD. Kannauj was also under the ruler of Gaharwal dynasty. Kannauj was their capital. Banaras was also under their rule. The rulers of Gaharwal dynasty were there in Ayodhya for about 150 years. During the period of Govind Chand of Gaharwal dynasty a feudatory prince of Ayodhya had constructed a big temple in Ayodhya. The rule of Gaharwal dynasty over Ayodhya had not commenced from the year 1000 AD. At this point of time I do not remember precisely but I believe that the rule of rulers of Gaharwal dynasty over Ayodhya had started some time in 1070 AD and it continued at least till the year 1197 AD. Banaras was also under the rulers of Gaharwal dynasty. Sayyid Salar Masood Gazi had not reached Ayodhya during the regime of ruler of Gaharwal dynasty rather he had been to Ayodhya much earlier. I cannot tell for how many days did Sayyid Salar Masood Gazi stay in Ayodhya. Officers and the army would have certainly accompanied him. I do not know as to how many persons were there in Ayodhya with Salar Masood Sahab. As a historian I can guess that Salar Masood Sahab would have left some people for managing the affairs of Ayodhya and the remaining people would have accompanied him to Bahraich. I cannot give an estimate as to how many persons had been left by Salar Masood Sahab for managing the affairs. Raja Suhail Dev was the ruler of Baharich and adjacent areas during that time. I cannot tell about the precise area of the kingdom of Raja Suhail Dev. At this

point of time I do not remember the name of the father of Raja Suhail Dev. Salar Masood Sahab was killed either by Raja Suhail Dev or through him. Details of the battle between Suhail Dev and Salar Masood Sahab finds a mention in the book entitled "History of India as told by its own historians" (Part — 2) written by Eliot and Dowson referred to in the book entitled "Meerat-ai-Masoodi" written by Abdul Rchmaan Chisti and the gist of the book Meerat-ai-Masoodi is available as an appendix of the book by Eliot Dowson. It contains some details about the number of days for which the battle continued but at this point of time I do not remember about it. I am not aware as to how many commanders or soldiers were there with Salar Masood Sahab. Salar Masood Sahab was killed in Babraich but I cannot tell as to how many days after his reaching Bahraich was he killed. I also cannot tell for how many days did Salar Masood Sahab stay in Bahraich. I have read somewhere about the number of days for which Salar Masood Sahab had stayed in Bahraich but at this point of time I do not recollect. I had read it at the time when I had started writing my book. I studied the book of Eliot Dowson 5-6 years ago. The book contains complete details about Salar Masood Sahab's arrival from Afghanistan till his murder. At this point of time I do not remember as to when Salar Masood Sahab had left Afghanistan. I also do not remember as to when did Salar Masood Sahab had reached Lucknow or Ayodhya. Subsequently, he stated that Salar Masood Sahab never reached Lucknow and that there was no mention of Lucknow. I am not aware as to when Salar Masood Sahab reached Satrikh or for how many days did he stay there. I cannot tell whether he stayed there for 10-15 day or not. I cannot even conjecture as to how long did he stay at Satrikh. Salar Masood Sahab would have proceeded to Ayodhya from Satrikh. I cannot tell for how

many days did Salar Masood Sahab stayed in Ayodhya. I also cannot tell whether there had fought any battle in Ayodhya after Salar Masood Sahab reached there.

I am a student of history and have read history from very ancient times till 12th century. By the words very ancient times I mean the entire Indian History spread over pre-historic time to historic time. I have come to testify in the case of Ayodhya. I have read and written about the happenings in Ayodhya during 10th - 11th centuries. There have been no important or special events during 10th century in Ayodhya. I have simply mentioned about the royal dynasties of that time. I have written about them only after reading books. I am not able to make out the meaning of royal duties. During 10th century the status of people of Ayodhya was excellent, people lived in their houses and went to temples for worshipping. People from the nearby areas came to Ram Janambhoomi and offered their respectful offerings on the occasion of Ram Navmi.

Question: In which area Ram Navmi was celebrated in Ayodhya during 10th century?

Answer: Ram Navmi was celebrated in each and every house and particularly at Ram Janambhoomi at Ayodhya.

Ram Navmi was celebrated at Ram Janambhoomi. Ram Janambhoomi existed in 10th century and even earlier. Salar Masood Sahab had gone to Baharich in 11th century.

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(Cross-examination by the learned advocate Shri Abdul Mannan on behalf of Defendant No. 6 concluded)

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

31.10.2002

Typed by the stenographer in the open court as dictated by me. Present yourself tomorrow dated 1.11.2002 for further cross-examination.

Sd/-

(Narendra Prasad) Commissioner

31.10.2002

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Dated : 1.11 .2002

OPW 9 Dr. Thakur Prasad Verma

Before : Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD, Hon'ble High Court, Lucknow.

(Appointed vide order dated 25.10.2002 of the Hon'ble
Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on behalf of Defendant No. 3
initiated on oath by Shri Ranjit Lal Verma, Advocate in
continuation to cross-examination dated 31.10.2002)

Knowledge of literature is essential to understand a particular period of Ancient History. Literature comprises both prose and poetry. Under literature Vedas are also studied. A few facts mentioned in Vedas have been made the basis of history. Study of Vedangs is essential for understanding Vedas. Vedangs comprise of six subjects viz., Astrology, Kalp, Nirukta, Education, Grammer and yet another subject which is not coming to my mind. Astrology helps in determining time. Volunteer: that astrology in Vedas was used for determining the time for Yagna. Puranas are also used for gathering knowledge about Ancient Indian History. In my opinion Ramayana written by Valmiki and Mahabharat written by Vyas do not fall in the category of Puranas. Valmiki's Ramayana can be made a basis for understanding Ancient Indian History because in this Ramayana itself it has been termed as a book of history. Material relating to the time of composing of Ramayana is contained in the epic itself because Valmiki is regarded as a contemporary of Lord Rama. Culture means inborn faculties which include all the faculties differentiating an animal from a human being like education,

way of living and many other factors making life more useful for the society. Details about the way of living, food habits, festivals, etc. of that period are available in Valmiki Ramayana. Ample information about the dresses and way of living of that period is available in Valmiki Ramayana. The culture depicted in Ramayana could also be termed as city culture — because there is a mention of many cities, ashrams and villages located in forests in the book. The culture of Mahabharat period is also known as urban culture. In my view city culture and urban culture are one and the same thing. It will be incorrect to say that it took 1000 years for the city culture to develop into an urban culture. According to Indian calculation of time Lord Rama was born in Tretayug and the period of Kaliyug is regarded as 4,32,000 years. The period of Dwaparyug is regarded as 8,64,000 years preceded by Tretayug. Traditionally Ramayana was written by Valmiki who was a contemporary of Ram but some of the European and scholars believe that Ramayana was written around 2nd century BC. Brahman granths are also quite important for understanding Ancient Indian History. I am not aware whether it is mentioned in Shatpath Brahman that Ramayana was written 3010 years BC. Upnishads are of great importance in Ancient literature. I have read Chhandogya Upnishad and have also come across Brihadaranyak Upnishad which I have not fully gone through. It is not mentioned in Brihadaranyak Upnishad that Janak was the father-in-law of Ram. It is only in Valmiki Ramayana and other Ramayanas where Janak has been mentioned as the father-in-law of Rama. There is no mention of Rama in Brihadaranyak Upnishad. I am not in a position to determine the time of production of Brihadaranyak Upnishad. Modern scholars also believe that the time of writing of Mahabharat was a few centuries BC or AD. Different Brahman granths are available for knowledge

about Vedas. It will be incorrect to say that as a source of knowledge of Ancient History Rigveda and Brahman granths could be treated at par. Rigveda is primary whereas Brahman granths are secondary. As far as I recollect the Brahman of Rigveda is Shatpath Brahman and the Brahman of Yajurveda is Taitreya Brahman.

Question: Could the end of the period of Mahabharat, which is known as the period of urban culture be termed as the beginning of Kaliyug?

Answer: The period Mahabharat is regarded as the period of urban culture and it had ended 36 years prior to the beginning of Kaliyug. It is believed that Kaliyug started in 3,102 years BC.

Questions have been raised in Atharvaveda as to what happened to the descendants of Parikshit and the word Kuru has also been mentioned in this context. They have however not been mentioned as Kurus. There is a mention of a man named as Parikshit in Atharvaveda. As per Mahabharat, Parikshit was the name of the son of Abhimanyu. As far as the period of writing of the books Mahabharat and Valmiki Ramayana is concerned, both of them are regarded as contemporaries but in so far as the events mentioned in these books are concerned, the events mentioned in Ramayana are prior to the events mentioned in Mahabharat.

Dr. Govind Chand Pandey is a renowned scholar of Indian culture. It is correct that religion, philosophy, literature, education and all other related institutions are a part of culture. Puranas are regarded as the basis for the systematic understanding of Ancient History of India. I do not subscribe to the view that Puranas were written by

Lomharsh or his son Ugrashrava. I also do not believe that it was Parsiter who had for the first time drawn attention to this fact. I also do not agree to the view that Puranas have been classified in Amarkosh. Amarkosh is a dictionary. It is not possible to go for a systematic classification of Puranas for the sake of knowledge. They could be classified subject-wise but as far my knowledge goes no scholar has gone for such a classification so far. There are five parts of Puranas viz. Sarg, Pratisarg, Manvantra, Vansh and Vanshanucharit. There is a mention of family-lines of sages and rulers also in Vansh where only list of names is given. It is not that there is no mention of royal dynasties. Smiritis are religious books containing rules for social and personal conduct which is also called Dharamshastra. Puranas are books of Ancient History and do not fall in the category of Smiritis. I am not fully agreeable to the view that Shrutis are god-given. Shrutis are regarded as the voice of god. Dharamshastras are called Smirits. Smiriti is the creation of man while Shruti is the voice of God. Manusmiriti tops the list of Smiritis and is followed by Narada Smiriti, Parashar Smiriti, Deval Smiriti, etc. written by various persons all of whom cannot be called sages. As per the tradition of Puranas it is believed that Maharishi Vedvyas was their creator who had created 18 Puranas. I do not remember if there is a mention of the name of Vedvyas in Vansh. The name Of Valmikiji does not appear in 'Vansh'. Vanshanucharit contains some more of royal dynasties. There is a mention of names from Manu to Ikshwaku, Dileep, Aj, Raghu, Dashrath, Ram, etc. Royal dynasties are mentioned in five out of the 18 Puranas. I cannot precisely name the above five Puranas. The five Puranas probably comprise Matsya Purana, Agni Purana, Srimad Bhagwat, Harivansh, Vishnu Purana.

Question: Are Matsya Purana, Vayu Purana, Garur Purana, Bhagwat Purana, Brahmand Purana the five Puranas which contain details of royal dynasties?

Answer: I have mentioned a few names of Puranas above and I do not agree with the Puranas which have not been mentioned above.

I cannot further elaborate whether or not Matsya Purana is the oldest and most authentic amongst the above Puranas. Matsya Purana contains the details of Nand, Maurya, Shung and Satvahan dynasties. As regards Gupta dynasty, it has simply been mentioned that rulers belonging to this dynasty would be ruling some areas of the country but there is no mention of the names of their rulers. I am not aware of the fact whether Narad Smriti contains specific information relating to Gupta dynasty. It is not correct to say that the Puranas are the only concrete sources for the knowledge of history starting from Ancient period to Gupta period because records, coins and archeology are also accepted as sources of knowledge of history.

Prof. B. B. Lal who is a known archaeologist and has worked as the Director General of the Department of Archaeological Survey knows me. The britishers have used the word 'epic' for Mahabharat and Ramayana and not for Puranas. Archaeological topics relating to Mahabharat and Ramayana only have been discussed in the book 'Archaeology and two epics' written by Prof. B.B. Lal and only these two books have been regarded as epics.

I am not aware whether Prof. B.B. Lal has undertaken any exploration or excavation work in Bithur-Kanpur. I have not read about the temple of Bithur where presently the

Valmiki's ashram is located. I am not aware whether Prof. B. B. Lal has undertaken any excavation work in Kanpur. I have not gone through the book entitled 'Archaeology and two epics' written by Prof. B. B. Lal. It is correct that as per the view of Prof. B. B. Lal period of Ramayana was 3,000 years BC. I have no comments to offer about the fact whether the copper spears and arrows found in Bithur belonged to bronze age or whether Prof. B. B. Lal has connected them with Lov and Kush.

Knowledge of history is a must for understanding archaeology. Records, coins and architecture or buildings are the known sources of archaeology. The available archaeological material of history pertains to the period centuries before the Gupta period. The Bronze Age precedes the Iron Age. The tools made of these metals are helpful in determining the date of that period. According to my own study and information Bronze Age would have preceded Harappa culture because Harappa culture is also termed as Tamrashm period or Chalcolithic period. I cannot tell in precise terms about the exact period of Bronze Age. The legend of Rama has been mentioned at least three times in Mahabharat. At this point of time I cannot recollect about the conflict between Lord Krishna and Jamvant with regard to Kaustubh jewel. There is a possibility that it might have been mentioned in Mahabharat that during the conflict between Jamvant and Krishna, Lord Krishna had told Jamvant that he had promised to him in Tretayug that he would descend as Krishna and give 'Darshan' to him and that is why he is Ram and giving 'Darshan' to him. Details about Hanuman are also available in Mahabharat. This goes to prove that Ramayana precedes Mahabharat. Details about the characters of Ramayana are available in Mahabharat also and there is a similarity in both of them. I

subscribe to the view that it is inferred from the above that the legend of Rama is not imaginary but is based on true historical facts. The geographical locations mentioned in Ramayana like Ayodhya, Shringverpur, Chitrakoot, Panchavati and names of rivers like Ganga, Tamsa, Syandika, Yamuna, etc. exist with the same names even today. Ramcharitmanas of Tulsidas was written during the rule of Akbar and is based on the legend of Ram. Tulsidas has mentioned in his book itself that he is describing this legend of Raghunath for his own pleasure. There is no need to mention any temple for writing this legend because this is itself a biography of Lord Rama and mention about temples related to him will be made only after his life time.

It is believed that there were ten incarnations of Lord Vishnu whose sequence is: Varah, Kachhup, Matsya, Narsingh, Vaman, Pai Ram, Krishan, Buddha and the tenth incarnation is yet to arrive. In Hindu Sanatan Dharam, Varah is worshipped as incarnation of God. All the incarnations of Lord Vishnu mentioned by me above have descended with physical bodies. The saints belonging to Ramanandi school are also followers of Lord Ram. Swami Ramanadacharya was the founder of Ramanandi School. There is a mention of twelve disciples of Ramanandji. Kabir was one amongst them. The favoured deity of this school is Lord Ram.

Ramanandji had descended many centuries after Adishankaracharya. I do not remember precisely but I guess that Ramanandji had descended in 10th -11th century. Maximum number of followers of Ramanandi School are in Northern India but schools established by other disciples of Ramanandji are found in Maharashtra, Gujarat etc. also. Ramanandji had established his Ashrams and temples at

various places of pilgrimage. Persons enrolled in this school were classified in seven categories out of which disciples of a particular level were imparted military training also along with spiritual education. The reason was to prepare them to fight against the activities of the muslim rulers.

Majority of the temples of people belonging to Ramanandi School are located in Ayodhya or Kashi. I am not very confident but based on my general knowledge I can say that most of the temples of this school are located in Ayodhya. Shrimath established during the period of Swamy Ramanandacharya is available in Kashi even today. I have read that 'Akharas' belonging to Ramanandi school participate in Kumbh Mela and lead the saints. I have also read that during Kumbh Melas various Akharas lead the saints during 'Shahi Snan' by rotation. When these Akharas participate in Kumbh Melas they carry with them their flags and are equipped with weapons on the back of elephants, horses. I am aware of the names of some of the Akharas belonging to Ramanandi school which include Nirvani Akhara, Nirmohi Akhara and Digambari Akhara, etc. I have read that the arrangements of Ramanandi Akharas are panchayati and democratic and all the members ranging from the Mahant to ordinary persons have a right to vote. I have seen the report of Shri Shiv Shankar Lal, advocate, commissioner enclosed as annexure 3 and also the map enclosed as 1 & 2 with the plaint relating to other Original suit no. 5/89. I had visited Ayodhya from 10.10.2002 to 13.10.2002 in connection with a seminar and had seen the Janambhoomi premises along with other scholars at that time. The report of above Shri Shiv Shankar Lal was not available before me at that time but subsequently after looking at the map I feel that the report and the map are in

congruence with each other. I had seen Ram Chabootra at the disputed site in October 1992 itself. I had visited the site i.e. Ram Janambhoomi premises along with a number of people but had not closely inspected all the monuments in the above premises. I do remember that a wooden temple had been erected on Ram Chabootra. There were a few idols which I had seen. I did not take care to see whether there was any cave temple nearby. At this point of time the witness was shown photograph no.57 of document no. 200C-1 by the learned advocate cross-examining on the witness confirmed that it was the photograph of Ram Chabootra. Two square doors are visible on both sides of the Chabootra in the photograph but I had not closely watched the site. Photograph no. 58 of the same album was shown to the witness on seeing which the witness stated that he had seen the idols visible in the photograph at Ram Chabootra. The witness was shown photograph no. 72 of the same album on which he stated that he had seen the 'chulah', 'chalda belan', and footprints visible in the photograph at the site itself. The witness stated, "I have not come across the book entitled 'Mandar Parichay' written by Prof. Abhay Kant Chaudhary in the year 1956. I have read about the footprints of Lord Vishnu being worshipped in Gaya. There is a mention of footprints of Vishnu on the Mandar Hill in the book entitled 'Kumar Sambhav' written by Kalidas. The devotees of Vishnu express the same reverence and devotion towards the idols of Vishnu or his incarnations as they do towards the footprints of Lord Vishnu or his incarnations". The witness was again shown photograph no. 72 of album no. 200C-1 on seeing which he stated that the 4 pairs of footprints visible in the photographs belonged to Lord Ram and his three brothers and that Hindu people exhibited the same faith towards these footprints as they had towards their embodiments.

The witness added, "On my visit in the morning in 1992 I had cursorily looked at the ancient remains with reverence and also as a historian. As far as I recollect permission to establish Ram Chabootra and the footprints visible in the above photograph at this site had probably been obtained during the period of Akbar. However worshipping and adoration of deities had been continuing even centuries earlier. The above permission obtained during the period of Akbar would have certainly been received by the Akharas of Ramanandi school because they only had been trying and making efforts towards this cause. Akbar had launched a coin known as Ramsiya in adoration of Rama. I have given a photograph of this coin in my book and the most significant factor is that photographs of Ram and Sita are engraved on the side of the coin on which 'kalma' is written. I am not aware of the fact whether Raja Mansingh or Raja Thodarmal who were members of the group of 'nine jewels' of Akbar had visited Ayodhya or not. However if they had visited Ayodhya in capacity of army officers of Akbar, they must have seen these idols. I was engaged in research on this subject and collection of relevant material prior to writing my book entitled 'History and Archaeology of Ayodhya'. During my above research I had studied Ramayana, Mahabharat, Puranas, Vedic literature like Rigved, gazetteer, details of the journeys undertaken by European tourists along with 'History of India' as told by its own historians' brought out by Eliot and Dowson in 8 volumes. I do not remember if there was a mention in any gazetteer that the management of Ram Janambhoomi was in the hands of Nirmohi Akhara. In this connection I did not come across the claim of Babu Devki Nandan which I received only a few months ago. It was on the 25th April 2002 that the Hon'ble High Court had declared me as the next friend of Bhagwan Ramlala in place of Babu Devki

Nandanji and I started reading all these things right from the moment though I had made use of gazetteer many years ago. When I had requested to become a party of the suit in April 2002 I had cursory, not a deep knowledge of the suit. I have been a student of history and have written the book in a historical perspective without making any efforts to go deep to find out as to who was managing the affairs of which temple or a Muth. That is why I cannot tell as to who was managing the affairs of the dispute & temple prior to 23rd December 1949. I also cannot tell as to who was looking after the affairs of Ram Chabootra or footprints. After 10th -13th October 1992 I had been to Ayodhya at least twice when I was permitted by the Hon'ble High Court to go through the protected records available there. I had never been to Ayodhya prior to 10th-13th October 1992. By birth I am a Vishnav devotee along with my family but personally I have had no occasion to visit Ayodhya. Lord Ram is my favoured deity. Being a teacher, I am scared of fairs or large gatherings and that is why I never had a desire to go in a fair and have darshan. There was no other opportunity for me to visit Ayodhya. On receiving an invitation for the seminar I found an opportunity to fulfill an old cherished desire. Had there been no opportunity to participate in the seminar, I would have possibly not visited Ayodhya at all. In case the favoured deity of some teacher or a student is Rama, he must go to have a glimpse of his favoured deity but insofar as I am concerned this is not in my nature. As per my knowledge since ancient times there have been various temples of Rama but 'Shri Ram Janambhoomi' is only one. On my visit to Ayodhya I had seen the main shrine (garbh griha) as well as Ram Chabootra mandir alongwith other scholars. I did not offer 'prasad' at both these places but had received 'Charnamrit' at both the places. I had seen the idols of God at both the

places. The idol of Ram was available at the shrine. I did not see the idol of Rama at Ram Chabootra. I do not remember the deity whose idol I had seen at Ram Chabootra. I also do not remember whether I had at all seen any idols at Ram Chabootra or not. I do not also recollect the number of idol which I had seen at the shrine. I know what is meant by 'Saligram' but I do not remember whether 'Saligram' was there at the shrine or not. I also do not recollect whether I had seen 'Saligram' at Ram Chabootra or not. Possibly I had seen the idol of Hanumanji at the shrine. The idols of Hanumanji are similar having Dhawalagiri in one hand and a club in the other hand and that is why I feel that idol of Hanumanji was there at the shrine of the disputed building. I cannot tell whether the idol of Lord Rama at the shrine was made of stone or some metal. I also cannot tell about the height of the idol of Lord Rama placed at the shrine. I may also not be able to tell whether the idol of Hanumanji at the shrine was made of a metal or stone and what was its height. I do not remember whether there was any idol at Ram Chabootra. As regards footprints, I had identified them in album photograph no. 72 and possibly they were made of marble. The 'chakla' was possibly made of marble but I cannot tell about 'chuiha' 'belna'. I had stayed at Ayodhya for 4 days during my visit in October 1992 but had been to the disputed premises only once. For the remaining three days I stayed at the place of seminar i.e. Janki Mahal. There were prescribed timings for the seminar but I never went out of the room during the remaining period. It is incorrect to suggest that during the remaining three days when I was in the seminar in Ayodhya, I had no desire to have a darshan of Lord Rama. It was because I had been given an impression that everyone would visit the disputed premises on a day and that is why I spent my idle time in studying and discussing with my

fellow participants. Otherwise also it is not in my nature to roam about. I had been to the disputed premises on 13.10.1992 and had not offered any flowers or water or sweets because I had no knowledge of these rituals. Even now whenever I have to go to any temple along with my family, the family members carry fruits-prasad and I simply accompany them. Personally I have no knowledge of performing 'pooja' I did not have darshan in any temple in Ayodhya except at the disputed premises. The witness was shown the following text appearing on page no. 289C-1/6 of book document no. 289C-1/1 'Devendra Swaroop, V. R. Grover belongs to Hindu temple' and the following question was put to him.

Question: Is it a fact that the ex-Prime Minister Chandra Shekhar had, after taking a stock of your position declared in writing that these were the remains, of Hindu temples?

Answer: Since I have not written this introduction chapter, I am not in a position to furnish a reply.

The witness was shown page no. 289C-1/11 of the same book and he was asked that his name appeared at the bottom of this page and whether it had been misprinted. On this the witness stated that his name had been printed on this page as a matter of normal courtesy and this courtesy had been shown number of times in the entire book.

I am basically a historian and am conversant with ancient scripts. The most ancient script of India belongs to Harappa period but it is not legible. It is followed by the names of 'Brahmi' and 'Kharoshti' scripts which begin with the period of Ashoka and since then the shape of the

alphabets of Brahmi script has been undergoing changes in every century. It is believed that Brahmi script dates back to the period of Ashoka. Brahmi script is not called 'Devlipi'. I have undertaken research on the origin of Brahmi script and the script of Ashoka period which was prevalent all over India and had been named as Brahmi by George Buler. That is why I do not regard the Brahmi script of Ashoka period as the ancient Brahmi script. I have no knowledge till this date about ancient Brahmi script whereas I can easily go through the Brahmi script of Ashoka period. The Brahmi script of Ashoka period is altogether different from the Greek script. It was during the period of Ashoka that India had come in contact with Greece. As far my knowledge goes, the Brahmi script of Ashoka period cannot get mixed up with Greek script because the Greek script has 24 letters whereas the Brahmi script of Ashoka period has 41 letters. In view of this there is no reason of their getting mixed up. Besides, Brahmi script is based on Indian alphabets. The script in use in India for about 3 centuries after Ashoka period is the very script known as Brahmi script. Subsequently after 4th century there were changes in the scripts in eastern and western areas and there had been so extensive changes in the scripts of northern and southern India during 6 and 7 centuries that a man of north India could not read the scripts of southern India. Regional scripts emerged during 9th-10th centuries resulting in the creation of scripts like Tamil, Telugu, Kannad, Bengali, Gujarati, etc. and it was during this period that Nagari lipi known as Devnagri lipi also came into the existence. Salaried historians and historians under the royal courts fall in the same category. However the tradition of writing history which had originated after the British rule is regarded as authentic and reliable history even today. Indian writers, Persian writers and European writers—all

were given recognition as the sources of history. Indian writers including Sir Yadunath Sarkar, Prof. Harishankar Srivastav, Prof. K.S. Lal and many others have written that the muslim rulers had demolished atleast three Vaishnav temples in Ayodhya. I have gone through the book entitled 'Fall of Mughal Empire' written by Yadunath Sarkar but not the book entitled 'Dasnami Sanyasi'. Yadunath Sarkar has mentioned about demolition of temples in his book 'Fall of Mughal Empire'. I do not remember whether there is any mention of the army of ascetics in his book. This is incorrect to suggest that I am not a devotee of Rama. It is also incorrect to suggest that I have been presented by Vishwa Hindu Parishad for defending this case.

(Cross-examination by the learned advocate Shri Ranjeet Lal Verma on behalf of Nimohi Akhara, Defendant No. 3 concluded)

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

1.11.2002

Typed by the stenographer in the open court as dictated by me. Present yourself on 11.11.2002 before the Hon'ble Full Bench for further cross-examination.

Sd/-

(Narendra Prasad)

Commissioner

1.11.2002

Dated : 15.11.2002

OPW 9 Dr. Thakur Prasad Verma

Before : Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD, Hon'ble High Court, Lucknow

(Appointed vide order dated 14.11.2002 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on behalf of Defendant No. 4 initiated on oath by Shri Zaffaryab Jilani, Advocate in continuation to cross-examination dated 1.11.2002)

The witness was shown his book exhibit no. OOS-5-3 by the learned cross-examining advocate and a question was asked whether the material contained in the inner flaps of both the sides of the cover page was written by him or by Dr. S. P. Gupta. Looking at both the inner flaps, the witness stated that the material contained in both these flaps was not written by him, it could have been written by Dr. S. P. Gupta or the publisher. However his biodata as appearing on the inner flap was given by him to Dr. S. P. Gupta. The witness was then shown the following portion of second para contained in the inner flap "History of Ayodhya so many have been completed" and he was asked whether he agreed to this statement. Having looked at the above portion the witness stated that he agreed with this statement? The witness stated that "I had decided to write this book that is exhibit OOS-5-3 in 1988. I had started collecting material for writing this book in 1988 itself and had started actual writing of the above book in 1990. Chapter Nos. 1 to 10 of this book (exhibit OOS-5-3) have been written by me. First of all, I had started to write the chapter "Geographical background and naming". Later

on with the acquisition of relevant material I started working on other chapters. I had almost completed my work of writing all the 10 chapters of the book in the year 1995 after which I started revising the manuscript. My revision work was over in 1998 when I got the manuscript typed and handed over the same to Dr. S. P. Gupta. After writing the chapters of the book I did not get them checked by anyone else. During the period 1995 to 1998 when I was working on the chapters of the book, I used to revise my chapters based on whatever new material came to my knowledge. For writing this book Dr. P. Gupta had contacted me in 1988 and had suggested that the portion relating to archaeology would be written by him and the history portion would be looked after by me. I had agreed to this arrangement. I cannot tell as to when Dr. S. P. Gupta started writing his chapter 11 of the above book or started collecting material related thereto and when did he complete it. He did not show me whatever he had written. I cannot tell as to when both - my and Dr. S. P. Gupta's manuscripts or the respective manuscripts were passed on for publication to the press. I had received the proofs of the above book sometime during the year 2000. The proofs of the book had been sent to me only once. The above proofs were sent to me in Varanasi and I had taken 3-4 months to correct them. Possibly it was during the beginning of 2001 that I was informed that the book had been published but I did not have the opportunity to see the book at that time. Dr. S. P. Gupta had not shown me the introduction and background written by him before the publication of the book. The said portion now appears as (document no.: 289C-1, exhibit OOS-5-3) in the book which I could see only after the publication of the book. I could see my above book in 2001 only but I do not precisely remember the month of the year when I got the book. I am not aware

whether Dr. S. P. Gupta had deposed as a witness in this suit for the first time in the month of June. For me the month of June has been of great importance right from the period of my school days. I cannot tell even in vague terms whether I had gone to Delhi before or after May, June 2001. Of course, I had gone to Delhi at least twice in the year 2001 and had met Dr. Swarajya Prakash Gupta in Delhi on both the occasions. I had met Dr. S. P. Gupta in Delhi in his office of India Archaeological Society located at Qutab Institutional Area. Residence of Dr. S. P. Gupta is also in the campus. I had not stayed with Dr. S. P. Gupta but I had stayed with my son-in-law living in Katwaria Sar which is at a distance of around 1 km from the residence of Dr. S. P. Gupta. During my two visits to Delhi in the year 2001 I had stayed there for three to four days each time. During my stay at Delhi I did not meet Dr. S. P. Gupta daily but only once or twice. Possibly there would have been a gap of 3-4 months during my above two visits to Delhi. During my meetings with Dr. S. P. Gupta on the two occasions, he never told me that his evidence in the suit had started or was likely to be started. When I visited Delhi for the first time in the year 2001 I did not come across my book which had since been published. It was possibly during the second visit to Delhi that I had seen my book. I do not recollect whether the weather during my first visit to Delhi in the year 2001 was very cold, less cold, very hot, less hot or it was raining. At this point of time I also do not remember whether the weather during my second visit to Delhi was again very cold, less cold, very hot, less hot or it was raining. During both my visits in the year 2001 I had gone to Delhi and returned by train. I had gone by second class sleeper on both the occasions. As far as I recollect it was mild cold during my second visit to Delhi in the year 2001 and I had taken a thin quilt with me. There was not

talk with Dr. S. P. Gupta about his evidence in suit during my second meeting with him in Delhi in the year 2001. I have had no talk with Dr. S. P. Gupta about this suit. It was possibly during my second visit to Delhi that I had received my book exhibit OOS—5-3 and had gone through it cursorily. It was at that time only that I had seen introduction and background printed in the said book. I had gone through the introduction and background cursorily. I had observed then that some portion of my text had been quoted in the introduction of the book. On my return to my house I thoroughly read the introduction and background of the book. I am not agreeable to all the facts mentioned in the two chapters viz, introduction and background. I had told Dr. S. P. Gupta about a few points on which I differed with him. I had also gone through the portion written by me in the book i.e. exhibit OOS-5-3 and had felt the necessity of making certain corrections therein. I had not prepared any note about the corrections which I wanted to carry out in the book hoping that corrections in the book would be carried out when its second edition would be brought out. I am not aware whether any talk about bringing out the second edition of the book had been initiated or not. On going through the above book I had come across some printing and editing lapses at some places but I had not prepared any note about the same. The matter was also not discussed with Dr. S. P. Gupta. There have been some grave lapses at one or two places in the book. However there is no such lapse in the book which could have an adverse impact on its objective or message.

I had only an academic purpose in writing this book. My national views do have an impact on the book but I never had a pecuniary motive behind writing this book nor I have financially benefited from this project. The financial

profit arising out of this book has possibly gone to "Indian Council of History and Culture" New Delhi. There is absolutely nothing in this book, which is contrary to my religious sentiments. The book does not contain anything, which might be contrary to the religious sentiments of Dr. S. P. Gupta or mine. I had authored this book i.e. exhibit 005-5-3 only for my academic satisfaction and I believe that I have been successful in my motive. The book reflects my own religious sentiments and obviously the book gratifies my religious sentiments. The witness was then shown book exhibit OOS-5-3 document no. 289C-1/227 to 289C-1/232 (Page nos. 205 to 210) by the learned advocate cross-examining and he was asked whether the list containing the names of books and articles had been prepared by him or Dr. S. P. Gupta had added certain names in it. Having looked at the above pages the witness stated that most of the books were referred by him and that names of some books had been added by Dr. S. P. Gupta. The witness stated "I have gone through the books whose names are mentioned in the list and that is why I have referred to them". Looking at page nos. 289C-1/227 to 289C-1/232 the witness stated that out of the bibliography appearing on page no. 289C-1/231 at least two books were coming to his mind which he had not gone through. Only after looking at the bibliography carefully he could tell about the books which he had not gone through. The witness stated that he had gone through the following books out of the above bibliography: "Jatak", "Shrimad Valmiki Ramayan", "The History of India", "Evidence for Ram Janambhoomi Mandir" by Eliot and Dowson, "The Ancient Geography" by Cunningham, "The History of Garhwal Dynasty", "A Comprehensive History of India" both by Rama Niyogi, "The Purana Text", "Ancient Indian Historical Tradition" both by F. E. Parziter, "Babarnama" by William Askim, "Babarnama"

by A.S. Beveridge "The Vedic Age" by R. C. Mazumdar and A. D. Pushalkar, "The Struggle for Empire" by R. C. Mazumdar, "Vedic Index" by A. A. Macdonall and A. B. Keath, "Political History and Ancient India" by Roy Chaudhary, "History of Ayodhya and Glimpse of Avadh" by Lala Sitaram, "Select Inscriptions" by D. C. Sarkar, "Fall of Mughal Empire" by J. N. Sarkar, "The Buddhist Record" by C. U., "Early History" by V. A. Smith and "Ayodhya" by Hans Baker.

I had gone through above books during the period 1995 to 1998. Volunteer: that he had gone through only such portions of the books, which had a bearing on his book exhibit no. OOS-5-3. The witness stated, "It was only after looking at the index and contents of the book that I decided about the portion to be gone through by me. There is a possibility that in connection with writing the above book I would have gone through some more books besides those mentioned in the original bibliography attached with book exhibit OOS-5-3 and names of such books would not have been included in the bibliography." On looking at page no. 209 of his book document no. 289C-1/231 he stated that the special reference book and article appearing in part-c thereof meant that the same had been specifically referred for their chapter no. 10. The books and articles mentioned in the list in part-c have a reference with only chapter no. 10 of this book. The witness added, "I am very sure that at least two books contained in this list i.e. "The Road to Ayodhya" by Jai Dubashi and "The Ayodhya Temple Mosque" by Harsh Narayan have been included by Dr. S. P. Gupta. I have possibly gone through the book "Ayodhya of the Valmiki Ramayana" by B. B. La1 included in the list, which had also been printed in the 16th volume of archaeological journal. I have also gone through D. P.

Dubey's article entitled "Ayodhya of the Ramayana" printed in Itihas Darpan and included in the list. I have got a photocopy of the judgment of Allahabad High Court of the year 1936 relating to Gyanvapi Mandir, Varanasi included in this list. I have also gone through "White Paper on Ram Janambhoomi Dispute" included in the list out of which one was printed by Government of India and the other brought out by Bhartiya Janta Party. I have gone through a few of the publications of Vishwa Hindu Parishad a mention of which has been made on page no. 210 of document no. 289C-1/232. Whatever else has been mentioned on this page no. 210 is a contribution by Dr. S. P. Gupta. I cannot tell the reason of writing the material contained in the last paragraph of this page. The journal iltihas Darpan", is brought out by the Indian History Collection Scheme twice in a year i.e. it is a six monthly journal. Some Ganeshi Lal Verma of Delhi is the editor of the journal. Dr. S. P. Gupta is a consultant for this journal. 'Puratatva' is a annual journal brought out by the Archaeological Society of India once in a year and is a journal of international repute. Articles of eminent archaeologists and historians are published in the journal. The journal is brought out under the supervision of Dr. S. P. Gupta who is the chairman of Indian Archaeological Society. Most of the articles published in the journal are related to archaeology. I do not precisely remember but many articles about Ayodhya dispute have been published in the journal. The journal has brought out articles written by Prof. B. B. Lal, M. C. Joshi and Dr. S. P. Gupta on Ayodhya disputes. As far as my recollection goes some articles of Dr. M. C. Joshi and Prof. B. B. Lal are also based on literature related with Ayodhya. Prof. H. D. Sankaliya has been an internationally known archaeologist of Indian Archaeology and as far as I recollect Sankaliya Sahib has held that Ayodhya is located

in Bastar or Andhra Pradesh. In so far as the location of Ayodhya is concerned Sankaliya Sahib does not agree with the view mentioned in Valmiki Ramayana. Later on Volunteer: that as far as he recollected it was not Ayodhya but Lanka that was stated to be located in Bastar.

Question: Has H. D. Sankaliya not regarded the modern Ayodhya as the Ayodhya described in Ramayana of Valmiki?

Answer: I cannot tell anything in this regard in definite terms.

I have gone through the article entitled 'Ayodhya mythical and real' by Dr. M. C. Joshi which appeared in Volume 11 of the journal 'Puratatva'. It is the same M. C. Joshi who has held the position of Director of Archaeological Survey of India. At the moment I cannot tell whether or not Shri M. C. Joshi, in his article has regarded the modern Ayodhya as the Ayodhya mentioned in Ramayana of Valmiki. The controversy between Shri M. C. Joshi and Prof. B. B. Lal which persisted in the journal 'Puratatva' is related to the above article of Joshi Sahib. It is a fact that prior to the 11th Volume of 'Puratatva' an article entitled 'Archaeology and Indian Tradition-some observations' by Shri M. C. Joshi had been brought out in the 8th Volume (during 1975-76) of the journal and it was during this time only that controversy with regard to the location of Ayodhya had flared up between him and Prof. B. B. Lal. Later on Volunteer: that the central point of the controversy revolved round the city of deities Ayodhya as described in Atharvaved. At the point of time I do not remember if I had undertaken any research on the above article of the Shri M. C. Joshi. However I have expressed my views in my book about mention of Atharvaved in the

article. There is no mention of the article of Shri M. C. Joshi in the first chapter of my book exhibit OOS-5-3.

The witness was shown page nos. 289C-1/201 to 289C-1/206 of his book OOS-5-3 by the learned advocate cross-examining and a question was asked whether the notes or texts appearing below the photographs given on these pages were written by him or by Dr. S. P. Gupta. On looking at these pages the witness stated that they had been written by Dr. S. P. Gupta. He added that the maps printed on page nos. 289C-1/201 to 289C-1/203 were given by him only and the photographs appearing on page nos. 289C-1/204 to 289C-1/226 were out of the collections of Dr. S. P. Gupta. He however endorsed the notes or texts appearing below the photographs.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

15.11.2002

Typed by the stenographer in the open court as dictated by me. Present yourself on 16.11.2002 before the Hon'ble Full Bench for further cross-examination.

Sd/-

(Narendra Prasad)

Commissioner

15.11.2002

Dated : 16.11.2002

OPW 9 Dr. Thakur Prasad Verma

Before : Commissioner Shri Narendra Prasad, Addl.
Dist. Judge/OSD, Hon'ble High Court, Lucknow

(Appointed vide order dated 14.11.2002 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on behalf of Defendant No. 4 initiated on oath by Shri Zaffaryab Jilani, Advocate in continuation to cross-examination dated 15.11.2002)

The witness was shown page nos. 289C-1/201 to 289C-1/203 of his book 289C-1 exhibit OOS-5-3 by learned cross — examining advocate on looking at which the witness stated that the three maps given on these pages had been given by him to Dr. S. P. Gupta. The three maps have not been brought out exactly in the form in which he had handed over the same to Dr. S. P. Gupta because the maps that he had given to Dr. S. P. Gupta carried the legend written in hand whereas all the three maps now appearing in the book had undergone setting at the computer. The map appearing on page no. 289C-1/201 was shown to the witness, on looking at which he stated that in the map river Ghagra had been shown as flowing from Kataraniya Ghat and passing through Mallanpur and Bahram Ghat, Faizabad and then to Ayodhya In this map the river Saryu-1 has been shown to be joining Ghagra river in the north at Kataraniya Ghat. Saryu-3 shown in the map is the m n river but it was during 18th century that some British trader dealing in timber turned the stream of the river into a drain which joined Ghagra river. It was because of this that the flow of Saryu-3 decreased and his wooden

logs started reaching Ghagra through a shorter cut. In any case the river Saryu shown as Saryu—3 in the map remained intact flowing from Kashvapur to Nonpara, Bahraich and joining the river Ghagra near Tingahan and then flowing towards Faizabad and Ayodhya. The river has turned as Ghagra beyond Ayodhya.

The witness was shown the map appearing on page no. 289C-1/202 of his book exhibit OOS-5-3 by the learned advocate cross-examining, on looking at which the witness stated that the word Mani written at the bottom of the map was not there in the map which he had handed over to Dr. S. P. Gupta which carried the word Rana instead. It appeared that Dr. S. P. Gupta had got the map redone. The location indicated in the map was correct and had been printed in the form in which he had given it. Laxman Ghat would fall in the west south of Swargdhara site and Sahsradhara would fall on west south of Laxman Ghat whereas Papmochan, Rinmochan (printed as Rinmoch in the map) Rajghat would fall again in the west south direction thereof and Kaushlya Tirth, Sumitra Tirth, Brahma Kund and Prahalad Ghat were located in south. The river shown as flowing from Rajghat till Prahalad Ghat in the map is the shore of river Saryu and from here the river has proceeded towards north. The real river has flown till Rajghat. Swargdhara, Laxman Ghat and Sahsradhara are located at the main river whereas Papmochan, Rinmochan, Rajghat are possibly away from the main river. Kaushlya Tirth, Sumitra Tirth, Prahalad Ghat, Brahma Kund are presently on dry land. I cannot indicate their distance from Rajghat. I also cannot tell as to how many years ago from today Kaushlya Tirth, Sumitra Tirth, Brahma Kund, Prahalad Ghat, would have been on the banks of Saryu river and the river would be flowing through these Ghats. I

cannot say whether such a situation prevailed 100-200 years ago or 1000-2000 years ago or 10,000 years ago. So far my knowledge goes I did not find any mention in history to indicate as to when and during which period Kaushlya Tirth, Sumitra Tirth, Brahma Kund, Prahalad Ghat were located on the banks of Saryu river. In this map Kaushlya Tirth, Sumitra Tirth, Prahalad Ghat and Brahma Kund look like a deep ditch which gets flooded during rainy season even in the modern times. It could therefore be inferred that these Ghats would have been located at the bank of the river Saryu at some time. My friend Dr. Rana P. B. Singh who is the Reader in the Department of Geography had prepared this map for me and that is why there was no occasion for me to undertake a survey of these places. The places shown in the map by Dr. Rana P. B. Singh should be real as per their locations.

Question: Will you refer to your statement about this map saying that "the locations shown -in the map are correct and the map has been printed in the form in which I had given" - do you not find now that your above statement is not correct?

Answer: I still hold what I have stated above. Dr. S. P. Gupta has printed the map in this book exactly in the form in which Dr. Rana P. B. Singh had given it to me but since the name of the author of the map has been mentioned as Mani, there is a possibility that some changes might have been made. However I still believe it to be correct i.e. I maintain that the entire map is real.

No scale has been given in the map. The map which I gave to Dr. S. P. Gupta did not carry any scale and that is why the map appearing on page no. 289C-1/202 of exhibit

OOS-5-3 also does not carry any scale. I had got this map prepared by Dr. Rana P. B. Singh some time prior to 1995. I do not remember but I feel that I had got the map prepared by Dr. Rana P. B. Singh after 6th December 1992 only. Excluding Janambhoomi site, I have not seen any of the other sites appearing in this map. I have been to Ayodhya thrice only and on no occasion did I go anywhere else except the disputed site. The disputed site shown in this map is the same as has been shown in Ram Janambhoomi Babri Masjid structure. All the Ghats shown in this map are historical Ghats and have been identified with the same names at the same sites for thousands of years. Neither I have read nor I have heard from any source about the distance in between these Ghats. I have yet to see the Ghats. I may not be able to tell about the distance in between the location of these Ghats shown at various sites in the map. Brahma Kund Ghat is in the west of the disputed site but I have neither heard nor read anywhere about its distance from the disputed site. I have not made any efforts also to find out the same. I am conversant with the name Brahma Kund but I cannot tell whether it has any significance or not with reference to the disputed building. I also cannot tell whether this Brabma Kund has any significance with reference to Lord Rama or Ramayana. The places of pilgrimage shown in the map should have a significance with reference to Lord Rama and Ramayana but I cannot throw much light on it. I have fully gone through Valmiki Ramayana and have cursorily gone through Ramcharitamanas written by Tulsidas. I have not read anything about Hanumangarhi in Valmiki Ramayana. I do not remember the place in Ayodhya where Lord Ram after his marriage had brought Sita as per the version of Valmiki Ramayana. I do not remember if there is any mention at all of this fact in Valmiki Ramayana. There

is a mention of the marriage of Ram Sita in Valmiki Ramayana. I do not remember if there has been any mention of Kanak Bhawan in Valmiki Ramayana but Lord Rama had accompanied his father Dashrath in the royal palace. I have heard that a place by the name of Kanak Bhawan existed in Ayodhya during the days of Raja Dashrath and it was his palace. Even today there is a place in Ayodhya by the name of Kanak Bhawan which I have shown in the map on page 289C-1/202. I cannot tell whether the Kanak Bhawan in Ayodhya is at the same place where it was stated to be existing during the period of Raja Dashrath.

Question: Can you not tell in unequivocal terms whether or not any building by the name of Kanak Bhawan existed during the period of Raja Dashrath?

(On this Shri Ved Prakash learned advocate of Plaintiffs raised an objection that there was no point in the suit which had any bearing on this question and also that there was no justification for such a question about the details of the period of Raja Dashrath being put nor the witness had stated any such fact based on his personal knowledge. He has written all his books as a historian and therefore the question being put to him should not be allowed.)

Answer: So far as Kanak Bhawan is concerned it is traditionally known that a building by the name of Kanak Bhawan did exist during the period of Dashrath and a building with the same name exists in Ayodhya even today.

I cannot precisely tell as to how many lakh years ago Raja Dashrath was there but recently a space agency of America 'NASA' has brought out some photographs and on the basis of a satellite photograph of the place known as 'Adam's bridge' in between India and Sri Lanka it can be inferred that it was artificially built by the man some 17,50,000 years ago and they have established it with the period of Lord Rama. In this connection I can produce the photographs of NASA. The photographs are not available with me at the moment but if needed I can provide the photographs. The report of NASA came in 1996 but has been published recently in the year 2002. As regards the period of Dashrathji even the Indian calculation of time tells his as Treta age. As regards Treta age it can be stated that the time-period of Kaliyug is 4,32,000 years that of Dwapar is 8,64,000 and the time-period of Treta is calculated as three times of Kaliyug. In this way the estimates put forward by NASA appear to be in conformity with the ancient Indian calculation of time. According to Indian calculation of time Lord Rama was born in Treta age which according to our estimates existed 15-16 lakh years ago. The period of Dashrathji should be put at around 60,000 years prior to the life-time of Ramchandraj. As a historian I hold that the modern Ayodhya has been at this place for the last 16-17 lakh years or even earlier. I cannot say whether it had been habitated all along or not because there is a mention of devastation of Ayodhya at least 4 times during this period. I have found no mention as to when Ayodhya was devastated for the last time but there is a mention in common talk of habitation of Ayodhya for the last time according to which it was Vikramaditya who had explored and settled Ayodhya for the last time and had got 360 temples built therein I cannot say in definite terms whether this Vikramaditya belonged to Garhwal dynasty who had

launched Vikram Samvat some 57 years BC or he was Samrat Chandragupta Vikramaditya of Gupta dynasty who had ruled the country in the end of the 4th century or beginning of 5th century AD. There is a mention of habitation of Ayodhya for the first time during the period of Manu which is revealed from Ramayana and Puranas. In Ramayana i.e. Valmiki Ramayana itself it has been mentioned that after devastation of Ayodhya by Lord Ram it would be habitated again by Rishabh Dev. However Kalidas has mentioned in his epic 'Raghuvansh' that Kush the second son of Lord Rama who had been asked by his father to go and rule over Kushavati came back to Ayodhya, habitated it and started ruling over. The mention of devastation of Ayodhya for the first time dates back to the period of Rama itself. At the time of his ascent to Swarg, Rama devastated Ayodhya and took the entire Ayodhya with him. As regards devastation of Ayodhya, two hearsays are prevalent according to one of which Lord Rama had taken Jalsamadhi (loss of life by drowning) along with the entire people of Ayodhya at Gopratar (Guptar) Ghat and ascended to Swarg. According to the second hearsay he had ascended to Swarg along with all the people of Ayodhya from Swargdwar Ghat. As far as I recollect the incident of Lord Rama ascending to Swarg along with the people Ayodhya from Gopratar Ghat finds a mention in Valmiki Ramayana. There is no mention in any book about the size of population of Ayodhya at the time of this incident. Distance between Gopratar Ghat and the palace i.e. Kanak Bhawan of the days of Dashrath was around 1 ½ yojans (a traditional measure of distance between 4 and 18 miles). There is a mention of this fact Valmiki Ramayana. As per scholars the value of one yojan has been described as 2½ miles to 8 miles and based on this the distance could be worked out. I cannot provide any estimate about the

distance. As far as I am concerned I, based on my study of books or research undertaken by me, cannot quantify the distance in miles by converting yojans. I have undertaken research about Ayodhya and its geographical location. My research looked into the distance Of Ayodhya from Saryu (in miles) and I am of the view that Ayodhya was located at the bank of Saryu since the ancient times.

Question: While doing research about the geographical location of Ayodhya, did you not try to find out as to how many yojans Ayodhya was stated to be away from Saryu during the period of Ramchandraji?

Answer: Based on whatever records I could lay my hands on, I gather that Ayodhya was located at the bank of river Saryu. There is no mention about the distance in between the river Saryu and Ayodhya.

As far as I remember there is no mention of the distance (in yojans) in between Ayodhya and Saryu in Valmiki Ramayana. I am not aware of the views expressed by Hans Baker about distance of Ayodhya from the river Saryu. Ayodhya was also known by yet another name Avadhpuri. The oldest name is Ayodhya which was subsequently renamed as Avadhpuri. In Valmiki Ramayana mention of Kaushal Nagari or Kaushal State is not accompanied with the description of Ayodhya, rather Kaushal State and Kaushal Nagari find mention at different places in Valmiki Ramayana. According to our analysis Ayodhya city was a different state which was located in district named Kaushal. There is a mention of a ruler of Kaushal with the name Bhanuman at some other place in Ramayana. This Bhanuman was a contemporary of Raja

Dashrath. In other words while Bhanuman was the ruler of Kaushal, Raja Dashrath was the ruler of Ayodhya. Both these states had independent entities and were not subordinate to each other. Possibly they might be related to each other. During the rule of Raja Dashrath, the area of Ayodhya was indicated as 3 yojans wide and 12 yojans long. I have converted this area of 12 yojans long and 3 yojans wide into miles but I do not precisely remember it right now. Abul Fazal has mentioned about it only in Ain-ai-Akbari. We do not find any mention in Ramayana about the state which was the closest to Ayodhya. I cannot tell as to how far was Kaushal State from Ayodhya but at the place where there is a mention of Bhanuman in Ramayana, Raja Dashrath has been made to mention that invitation be sent to ruler of Kaushal, Bhanuman also. Still I am not aware about the actual location of Kaushal State. I personally feel that Kaushal was a very big region and Ayodhya might have been a part of it. I believe that Ayodhya might be a part of Kaushal region and not of Kaushal State. Koshal and Kaushal are synonyms but the name Koshal has been more popular. As far as I recollect, according to modern times the area of Koshal would have included districts of Faizabad, Gorakhpur, Sidharth Nagar, Kushi Nagar, Deoria and Azamgarh besides Barabanki and Sitapur districts. During the period of Ramayana there is a mention of only one ruler Bhanuman of Koshal and it was during the Mahabharat period that there is a mention of the names of rulers of Koshal, Ayodhya and Mithila State who had been defeated by Bhishm. During the intervening periods of Ramayana and Mahabharat, a long list of rulers of Ayodhya is found. Raja Brihadbala of Ayodhya, who was a descendant of Rama had participated in the battle of Mahabharat. Ayodhya was surrounded on all the four sides by great Koshal region and after Ram, his descendants only ruled over almost entire

Koshal region. Raja Bhanuman of Koshal State would have been a contemporary of Ramchandraji. Kaushlya the mother of Ramchandraji was the daughter of the ruler of Koshal but I am not aware of the name of the father of Kaushlyaji. Ayodhya state and Ayodhya city are more or less the same thing. At the time when Shri Ram was proceeding to the forest, after crossing over Syandika or Sai river he had greeted Koshal region respectfully indicating that the river Sai constituted the southern border of Koshal but I cannot tell about its distance. The name of Sai is the corrupt form of Syandika which even today flows in the south of Ayodhya. I can neither tell nor conjecture about the districts through which the river Sai flows but it could be ascertained from the map. The great region of Koshal terminates at the river Sal. I have not found mention of any other habitation beyond the area of Ayodhya but at the time when preparations were being made for Ratha's journey to forest, there was a mention of a fact in Valmiki Ramayana that Dashrath had offered that he be imprisoned and the kingdom of Ayodhya city may be taken. In this coiktext name of Koshal was also mentioned and its kingdom was also offered in return. Raja Dashrath had mentioned only about Ayodhya city, however other characters like Kaikayi, etc. did mention about Koshal State. In the days of Ramachander, area within a distance of 50-100 miles from Ayodhya would have been densely populated but there is no such mention in Valmiki Ramayana. The place where Sitaji was sent during banishment and where Lov and Kush were born is called Valmiki Ashram but there is no indication about its distance and direction. We do find a mention of Valmiki Ashram in Valmiki Ramayana but its present location has not been identified so far. I have not heard of any place by the name of Valmiki Ashram in UP. If at all any place with the name

of Valmiki Ashram exists anywhere, it could possibly be the same Valmiki Ashram about which there is a mention in Valmiki Ramayana. According to Ramayana when Ramchanderji returned after conquering Lanka, he had stayed at Bharadwaj Ashram near Allahabad. There is a mention in Valmiki Ramayana that Ramchanderji first came to Bharadwaj Ashram by a 'Pushpak Viman', stayed there and then returned to Ayodhya by 'Pushpak Viman' only. The distance in between Bharadwaj Ashram and Ayodhya was covered in only a few hours or a very short time. Bharadwaj Ashram did not fall in Ayodhya or Koshal region. There is a possibility that there would have been habitation in and around Bharadwaj Ashram at that time because at the time when Bharat was going to meet Lord Rama along with his army, arrangements of providing food to army personnel were made at Bharadwaj Ashram itself. Bharadwaj Ashram should be in the south of Ayodhya because it was located at the confluence of Ganga and Yamuna in Prayag where it exists even today. The place where Bharadwaj Ashram was located was also known as Vats state or Vats region and Kashi state was located in east thereof. The distance in between Banaras and Allahabad is around 125 knis. and borders of both the states would be falling somewhere in between. I do not know the name of the ruler of Kashi during the period of Ramachendrajji but possibly there has been a mention of Kashi. Janakpuri was a part of Mithila which is now located in Bthar state. I cannot tell the distance in between Janakpuri and Kashi or Ayodhya. The place with the name of Janakpuri in Mithila possibly falls within the boundary of Nepal and that place would have been the capital of Raja Janak. There must have been habitation there and the distance of this place i.e. Janakpuri from Ayodhya would have been less than 200-250 kms.

Shravasti would have been at a distance of about 100 kms. from Ayodhya. The modern Shravasti is the same Shravasti which was the capital of Lov, son of Lord Rama. In my view Kush, the second son of Lord Rama would have been established in Kushavati which is a part of Vindhya region and as on this day it should fall in Madhya Pradesh.

It is said that during the Lord Rama's ascent to Swarga, besides the people of Ayodhya, animals and birds also had accompanied to Swarga. There is no mention of houses of Ayodhya etc. but it has been mentioned in 'Raghuvansh' of Kalidas that at the time when Kush returned to Ayodhya from Kushavati the royal palaces had turned into ruins and the wall paintings thereon had degenerated. The book 'Raghuvansh' of Kalidas should pertain to 4th - 5th century AD whereas some scholars believe that Kalidas belonged to the period 1st century BC. Lov and Kush had been sent to Shravasti and Kushavati respectively during the period of Ramachander itself. We do not find any mention in Ramayana or in any other book about the fact whether the news about the disappearance i.e. ascent to Swarg by Ramachandraji was conveyed to Lov and Kush immediately or later on. There is no mention of returning of Lov from Shravasti to Ayodhya. At this point of time, I do not remember as to how long did Lov rule over Shravasti; there might be a mention about it in Uttarkand of Ramayana. I have not found any mention either in Ramayana or in any other book about the period for which Kush ruled over Kushavati. Mention of the fact of returning of Kush to Ayodhya is found only in 'Raghuvansh' of Kalidas and no other book. There is no mention in 'Raghuvansh' of Kalidas as to how many years after the disappearance of Ramchanderji did Kush take to settle

Ayodhya. I am not clear even on this day about the life-times of Lov and Kush nor I have read anything about it anywhere. I have not found any mention of the time lag (in years) in between the two incidents: devastation of Ayodhya for the first time after the disappearance of Ramchanderji and subsequent settlement of Ayodhya by Kush.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

16.11.2002

Typed by the stenographer in the open court as dictated by me. Present yourself on 18.11.2002 before the Hon'ble Full Bench for further cross-examination.

Sd/-

(Narendra Prasad) Commissioner

16.11.2002

Dated : 18.11.2002

OPW 9 Dr. Thakur Prasad Verma

Before : Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD, Hon'ble High Court, Lucknow

(Appointed vide order dated 14.11.2002 of the Hon'ble
Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on oath on behalf of Defendant No.
4 initiated by Shri Zaffaryab Jilani Advocate in continuation
to cross-examination dated 16.11.2002)

In my view Ayodhya after being devastated for the first time during the period of Lord Shri Ram, was settled during the period of Rishabh Dev who is also known as the first Tirthankar of Jams. It is doubtful whether after Ramchanderji, Kush had come from Kush and settled Ayodhya for the first time because after being forbidden by his father it would have not been proper on his part to come again to Ayodhya and settle it. Besides, there is place with the name of Kushi Nagar near district Deoria and I believe that it was Kushi Nagar and not Ayodhya which was settled by Kush. Since Shri Ram had sent his son Kush to go and rule over another place, there seems no possibility of his again coming to Ayodhya. However the incident finds a mention by Kalidas and also in Brihat Samhita by Varah Mihir and both these books belong to Gupta dynasty. I have not gone through Brihat Samhita by Varah Mihir but have come its references in other books. I do not remember the books in which I had gone through such references. The witness was shown document no. 289C-1/227 of his book OOS-5-3 by learned advocate cross-examining looking at which he stated that the Brihat Samhita about which there

was a mention on this page is the one about which he had mentioned above. The witness stated, "I firmly believe that after devastation of Ayodhya for the first time it was Rishabh Dev who had settled it for the first time." The witness was then shown page no. 18 of document no. 289C-1/43 of his book by the learned cross-examining advocate and his attention was drawn to the following text appearing in the 10th -11th lines of the first column of this page "Though Kush had returned to Ayodhya during his life-time" which contradicted his above statement. What had he to say about this contradiction? Looking at this page the witnesses stated "It is half portion of a sentence of my article and there is a further reference of Kalidas which implies that it is a part of the sentence by Kalidas only. The complete sentence reads like this "though Kush had returned to Ayodhya during his life-time and according to Kalidas he had come to settle and rule over Ayodhya again after it had been devastated or ruined by Shri Ram." In this way the above part of the sentence is to be seen as the view of Kalidas only.

Question: The sentence viz. "though Kush had returned to Ayodhya in his life-time" appearing in your book reflects your view but you are not owning it because of your statement given by you earlier today. In this way you are attempting to avoid your article because this is contradicting your statement. What have you to say about it?

(At this point Shri Ajay Kumar Pandey learned advocate of Plaintiffs raised an objection that a similar question has been put to the client earlier also to which he had replied in clear-cut terms and repeating the same question meant wasting the time of the court and also

harassing the witness-permission for asking such question should not be given).

(In response to this objection the cross-examining advocate stated that it was totally incorrect that the witness had given a clear-cut reply to the earlier question, the witness is giving a vague reply and until he comes with a clear reply, many questions can be put before him.)

Answer: I do not feel that it is proper to make out a meaning by quoting a part of a sentence. I have mentioned it earlier in my book "there is some confusion about Kush had started to rule after settling again"-if the entire text is perceived as a whole it would be clear that I was not conveying my views, rather I was conveying the views of Kalidas and such a practice has been in vogue in writing history.

Question: Should I make out of your statement that you do not subscribe to the validity of the above sentence in your book about returning of Kush to Ayodhya and that you were only quoting the views of Kalidas in your above sentence?

Answer: I would neither confirm nor refute because I believe that a historian has a liberty to express various views at one place and that he should not conceal any view.

Question: Does it mean that a historian is in a position to alter the meaning of the text?

Answer: Leave alone the historian; no one has the authority to alter the meaning of the text. The fact is that the historian expresses the views of his earlier writers in his own words and in this process he

sometimes quotes their original phrases of sentences. Here I am quoting the views of Kalidas in my own words.

Question: When the word 'and' is used in between two sentences, is it wrong to perceive both the sentences as independent?

Answer: In my view the portion from one viram to the other viram should be treated as one complete sentence and should be read likewise. Its meaning should also be made out in that context. In this connection I have already stated "there is some confusion about Kush."

Question: I am not questioning you about the confusion relating to Kush but am trying to find out your views about your own written opinion and on your part instead of giving a clear-cut reply, you are trying to evade the question which clearly indicates that you are deliberately lying?

(On this question Shri Ved Prakash, the learned advocate of Plaintiffs raised an objection that when questions are put about certain records, it is improper to place the question by showing only a part of the records, which would amount to confusing the witness. The records should be read as a whole and the meaning should also be made out likewise. Therefore permission to ask such a question should not be given.)

(In response to this objection the learned advocate cross-examining stated that if in the present context records meant the entire book, then the logic put forward by the learned advocate of Plaintiffs is completely baseless

and pointless because every sentence of the record which has been written by the witness himself falls within the definition of recorded evidence and the witness has deposed in this court to prove the same. In case he gives some statement on oath which is in contradiction to his written opinion and if on being questioned he does not give a clear-cut statement, the witness is liable to be charged with perjury and if he is to be proceeded against in the court for this offence, it is essential that he is given full opportunity to clarify his statement. Seen in this perspective, my question is in accordance with law and justified.)

Answer: In this question I would request the original question to be repeated before me.

While repeating his original question the learned advocate cross-examining put the question as hereunder:

Question: My original question was that your above sentence viz. "though Kush had come" is in contradiction to your statement given today starting that "There is no possibility of returning of Kush to Ayodhya again"?

Answer: In this connection I still hold the view that "there is no possibility of returning of Kush to Ayodhya again" and when I had expressed the view that 'though Kush had returned to Ayodhya in his life-time in my book exhibit no. OOS 5-3 I was simply expressing the views of Kalidas and not mine.

Question: My question from the very beginning is that your statement about returning of Kush to Ayodhya as mentioned in your book is in contradiction to

your view to the effect that there was no possibility of returning of Kush to Ayodhya? Is it correct?

Answer: Yet it is correct and I agree with this contention.

At the moment no literary, religious or historical evidence is coming to my mind containing description of Kush's coming to Ayodhya. As far as my knowledge I goes, there is no such book or evidence except the book written by Kalidas which finds a mention of visit of Kush to Ayodhya or otherwise after Rama.

Question: I may add that some one who had lived 16-17 lakh years age cannot be a historical figure and no historical evidence relating to him could be forthcoming. That is why no mention of the reported visits of Kush to Ayodhya after Ramachandraji or otherwise is found in any historical or religious literature.

Answer: The concept on the basis of which History is being built or written now a days has been in vogue for the last 150-175 years and has been introduced by the western scholars. According to Indian belief the history of the universe dates back to 1,92,000,000 years ago that was the time when creation of universe or creation of life had started on this land. The view is based on scientific calculations as per Indian specification. Since then there have been 6 Manus t this day. The seventh Manu is called Vaivasvat Manu who had descended 12 crore years ago. Concepts of pre history or proto-history do not fall under concept of Ancient Indian History which includes names of a number of sages and rulers

belonging to Ramayana, Mahabharat and even earlier periods. The position could be confirmed to a certain extent by way of the research presently going on in the western countries but a lot of research is required to be undertaken on the subject. In view of this, it is not proper to suggest that Rama and his son Kush were not historical figures. As regards its mention of Kush visiting Ayodhya, Uttarakand of Ramayana ends with the concealment of Rama whereas this incident relates to the period subsequent to Rama. Possibly that is the reason that mention of this fact is not found anywhere else. However a few later epics throw some light on the subject as has been done by Kalidas but we find no evidence to corroborate the same.

It is believed that Manusmriti was written by the seventh Manu i.e. Vaivasvat Manu. The seventh Manu i.e. Vaivasvat Manu had descended some 12 crore years ago and Manusmriti has been in vogue since then only. This Ayodhya was settled by this seventh Manu i.e. Vaivasvat Manu. As per tradition to which I also subscribe Ayodhya had been settled 12 crore years ago. I believe that Ayodhya was first devastated at the time of demise of Ramachandraji which implies that Ayodhya remained inhabited for around 11 crore 80 lakh years starting from Manu till the time of Ramachandraji. This view of mine is based on my belief on Indian traditional history and not on the modern historian. There is a lot of difference between the concept of history of the modern historian and that of the traditional India historian.

Question: As per your version, there is a big difference between the concept of history of the traditional Indian History and that of the modern historian or both are against or inconsistent to each other?

Answer: There is no doubt that presently there is a big difference or gap between the concept of Ancient Indian history and that of modern history.

However seen in the background of the progress that science and scientific research are making, this gap is on the decline. It is because the estimates that the modern astronomers have made with regard to creation of universe and its life are in conformity with the Indian Calculation of time. With regard to the creation of the universe around 4 Arab (a hundred million) years they have expounded the Big bang theory or the doctrine of great explosion and that is why the Indian calculation of lakhs - millions of years is being supported. Similarly whereas it was held during the 60s of the 20th century that man was born one lakh years ago, during 70s the opinion was that the man was born 10 lakh years ago but as on today it is believed that man was born 60 lakh years ago. This is an estimate offered by the archaeologists. However a biologist named Aseemav has offered a view during the last decade that man was born 7 crore 50 lakh years ago. In this way science is also gradually coming close to Indian calculations. In this connection names of western astronomers like Hoyal and Stephen Hawking could be mentioned who hold that the universe is 4 Arab (a hundred million) years old. I have not gone through the book written by Hoyal but have read about it in various Journals and Annual Reports. I have read the book entitled 'A brief history of time' written by Stephen Hawki . This book also mentions about the creation and life of universe and it has been held that the

universe is 4 Arab (a hundred million) years old. I cannot tell precisely but the book would have been written some 10-15-20 years ago but scholars are seized of Bigbang theory for more than last 50-60 years. I am not aware to which country does Stephen Hawking belong. He might be a native of America or England. Stephen Hawking had been to India 5-7 years ago and he is completely disabled. A computer is fixed somewhere in his body and he is regarded to be the greatest scientist after Einstein. Mentally Stephen Hawking is fully sound, I am not aware whether Stephen Hawking goes for a natural diet or depends on machines. The book entitled 'A brief History of time' by Stephen Hawking has been brought out by some foreign publisher,, but I am not aware of the specific country from where the book has been published. I had not gone through the book of Stephen Hawking before writing my book exhibit OOS-5-3, I read the book later on some 2-3 year ago only. Scientifically I am in tune with the view expressed by Aseemav that man was born 7 crore 50 lakh years ago. I also agree with the view offered by Indian tradition according to which man was born 12 crore years ago. According to our tradition, the first man was Manu who was born 12 crore years ago. Archaeologists have held at various times that the man was born one lakh, 10 lakh or 50 lakh, 60 lakh years ago to which I do not agree because all these opinions are based on-conjectures and years are added to the period with the acquisition of new evidences.

Question: Is it a fact that according to the concept of Ancient Indian History, the time of birth of man is, also based on conjectures?

Answer: No please, it is based on scientific and astronomical calculations. The moon revolves round the earth which takes around a month

whereas the earth and moon revolve round the Sun and it takes them one year to make an orbit. The earth is inclined around 23 degrees towards its axis because of which we have a day and night of six months' duration each on both the poles which are called divine day and night. 360 years of men make one divine year and based on this 12,000 divine years make one Kaliyug. Dwapar, Treta and Krityug could be worked out by multiplying the above by 2, 3 and 4 respectively. In all 43 lakh 20 thousand years make one Chaturyugi. The sun is located at one end of the Milky Way along with its planets and it takes 30 crore years to make one orbit of it which is known as Manu age. In this way Indian calculation of time depends on circumambulation or movement of astronomical bodies.

Aryabhatt and Varahmihir are the important names amongst the Indian Scientists who have done these calculation. However it may be noted that the process of this calculation had started from Vedic age itself but the names of those scientists are not available now. The name of the book of Aryabhatt in which he has made these calculations is 'Aryabhatiya' whereas the name of the book written by Varahmihir is Brihatsamhita. I have read none of the two books. Many Indian and European scholars have written a number of dissertations on the subject of these books whose extracts appear frequently. I have selected my material from them only. I have relied particularly on books edited by R. C. Mazumdar and brought out by - Bhartiya Vidya Bhawan which contain references of the above books. I have gone through volume III and IV of 'History of the people of India' written by R. C. Mazumdar.

The exact names of volume III and IV are 'The classical age' and 'The struggle for empire' respectively, I have gone through the views of Aryabhatt and Varahmihir in volume III, volume IV, or in volume IV or V of the book of R. C. Mazumdar. I have not read anything about calculation of time done by Arya Bhatt and Varah mihir in both the books of R. C. Mazumdar. I have read the views about calculation of time done by Arya Bhatt and Vahar mihir in the book entitled 'Srishti ki kaal yatra' by Dr. Vasudev Poddar who was neither a historian nor an archaeologist but was a scholar of ancient Indian tradition. I have not made any mention of India of time in my book exhibit OOS-5-3 because there was no reference of this subject. My writing relating to history of India and history of Ayodhya are based on Puranas and tradition.

Question: With regard to Indian tradition y& have stated that calculation of time there under has been done by Scientists out of which you have mentioned the names of Arya Bhatt and Varabmihir and you have also stated that their views relating to calculation of time are contained in the book written by Dr. Vasudev Poddar. Should a reference of the book by Dr. Vasudev Poddar must not have been included in the bibliography of your book exhibit OOS-5-3.

Answer: I was writing my book based on the concept of modern scholars of history and that is why I have made only superficial reference about the Indian calculation of time or the creation of universe in my book. Secondly, the book of Vasudev Poddar was probably published after my book. Besides, I would like to add that Swami Dayanand has mentioned about the creation of universe in his

'Rigvedadibhashya bhoomika' and there is also a mention in Manusmiriti.

I had gone through the above book of Swami Dayanand before writing my book but have not referred the same in my book because I felt no need of doing so. There is a mention of calculation of time in the book of Swami Dayanandji according to which Manu was born 12 crore years ago. Manusmiriti is believed to have been written by the same seventh Manu. Manusmiriti contains details from time of the creation of universe and thereafter. By the word 'thereafter' I mean the post-Manu period. This manusmiriti does not contain events of the post-Manu period rather details about calculation of time have been provided. Calculation of time is based on arithmetical calculation. However a number of editions of Manusmiriti have been brought out since then and many a persons have made changes and additions therein from time to time. I cannot tell as to when the latest changes and additions were made in Manusmiriti. By additions I mean extending something or adding some new facts therein. Some modern scholars believe that the time of Manusmiriti is later than the 1st century BC. I cannot tell whether there have been any changes or not in Manusmiriti even after 1st century BC.

Question: My question is - the latest changes or additions would have been made in Manusmiriti within 100 to 200 years or 500 to 700 years or 1000 to 2000 years from today - what is your information on this subject?

(On this Shri. Ajay Kumar Pandey learned advocate of Plaintiffs raised an objection that the witness has already stated that he is not aware as to when changes and

additions were made in Manusmiriti and hence repeating the same question is not proper and also that this matter has no bearing on any point of the suit. The question is therefore irrelevant and permission to ask such a question should not be given)

(In response to the above objection, the learned advocate cross-examining stated that the advocate of Plaintiff was raising this objection to provide a hint and suggest an answer to the witness because the learned advocate is fully aware that the witness has not given an answer to this question put to him and he is also aware that the question has a direct bearing on the issues involve in the suit. He is aware that one of the important points on which the witness has deposed is whether the disputed site is the birth place of Ramachanckaji and the second point is whether there had been any so-called temple at the disputed site. Thus putting such a question is necessary to prove the case of the plaintiff on both the points false and therefore the objection of the advocate of the plaintiffs is baseless.)

Answer: I am not ma position to give a clear reply to this question.

I have no knowledge as to when any changes or additions were made in Manusmiriti but I guess that no changes or additions had been made after 1st century BC.

Question: You have also stated that a number of editions of Manusmiriti have been brought out and many a persons have made changes and additions from time to time. Could you tell us the names of the

persons who had done these changes or additions?

Answer: There is no tradition of indicating the names of persons making changes or additions and as such I cannot mention any such names.

Verified the statement after hearing

-Sd/ -

(Thakur Prasad Verma)

18.11.2002

Typed by the stenographer in the open court as dictated by me. Present yourself on 19.11.2002 before the Hon'ble Full Bench for further cross-examination.

Sd/-

(Narendra Prasad) Commissioner

18.11.2002

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Dated : 19.11.2002

OPW 9 Dr. Thakur Prasad Verma

Before: Commissioner Shri Narendra Prasad, Addl. Dist.
Judge - OSD, Hon'ble High Court, Lucknow.

(Appointed vide order dated 14.11.2002 of the Hon'ble
Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on oath on behalf of Defendant No.
4 initiated by Shri Zaffaryab Jilani Advocate in continuation
to cross-examination dated 18.11.2002)

Krityug is also known as Satyug. At this point of time I do not remember in which chapter of the book of Stephen Hawking the life of the earth has been described as 4.5 Arab (100.million) years. He has described the life of the earth as 4.5 Arab (100 millions) and not that of the man. Stephen Hawking has not written anything about the creation of the man. He has also not written anything about the population i.e. habitation on the earth. Stephen Hawking has stated in his book that as per the opinion of the archaeologists the remains of civilization are 10,000 years old. The book "A brief history of time" written by Stephen Hawking has been published by Bantum books, Toranto, New York, etc. Its latest reprint was brought out in the year 1988. My statement of yesterday contained in the last line of page 68 and 69 states that the universe has been described..... as years old" and in the present context the word 'universe' has been used to imply creation of ring of stars and not of habitation or the world of living beings.

The statement which I have given today about the earth is related to my statement regarding the creation and life of the universe.

As far as my knowledge goes dissolution of the world does not follow every 'Chaturyugi' but when the time of other Manu comes after a Manu, situation of dissolution of the world emerges but partial dissolution continues from time to time. I do not remember whether any such dissolution has occurred in the present 'Chaturyugi'. I also do not remember whether or not I have read anything about it. Jain religion was born in India and its first Tirthankar Rishabh Dev is believed to have taken birth in 'Ikshwaku' dynasty. However I cannot say anything about the period to which he belonged and as far as I recollect there is no such mention in Jain scriptures. Mahavir Swami who was a contemporary of Lord Buddha is regarded to be the last Tirthankar of Jainism. It is held that he belonged to 6th century BC. Mahavir Swami was the 24th Tirthankar of Jains and is not regarded as an incarnation of any God. It is not a rule that every Tirthankar succeeds his predecessor Tirthankar. Usually there is a gap of a few centuries in between two Tirthankars. Mahavir Swami has been regarded as a historical figure whose time can be determined. Dates of a few and not of all Jain Tirthankars have been determined. I believe the date of Rishabh Dev has not been determined. The Jains have also written a few Ramayanas based on the biography of Rama. I am not in a position to provide an estimate of the time-gap in the dates of Rishabh Dev and Lord Mahavir. I also cannot tell about the time-gap in between Lord Ramachander and Rishabh Dev. It has been stated in Valmiki Ramayana itself that after Rama, Rishabh Dev would settle Ayodhya and my statement that Rishabh Dev would have resettled Ayodhya

is based on this mention only. I have not read in any other book that Rishabh Dev had settled Ayodhya. The witness was shown document no. 261C-1/2 of Valmiki Ramayana by the learned advocate cross-examining looking at which the witness stated that it has been mentioned in 10th Sloka of Sarg 111 of this book on page 830 that the beautiful city of Ayodhya, after remaining desolate for a number of years would be settled by Raja Rishabh Dev. In the instant Sloka the word Ayodhyapuri and not Ayodhya has been used. As far as I believe the word Ayodhya has been used at a number of places in Valmiki Ramayana and so has the word Ayodhyapuri been used. At this point of time I cannot clearly tell whether only the word 'Ayodhyapuri' and not 'Ayodhya' has been used in Valmiki Ramayana. The witness was then shown document no. 261C-1/1 and 261C- - both the parts of Valmiki Ramayana by the learned advocate cross-examining and a question was asked whether looking on both these parts could he tell the places where the word 'Ayodhya' had been used. After having a look on both the above parts of Valmiki Ramayana, the witness replied that it was not possible for him to identify all the references relating to Ayodhya, still the word 'Ayodhya' had appeared in the 3rd Sloka (page 301 Valmiki Ramayana document no. 261C-1/1) of 45th Sarg of Ayodhya Kand. Similarly the word 'Ayodhya' had appeared in 18th Sloka on page 300 of the same book. The word 'Ayodhya Nilyanam' had appeared on page 301 which means 'from the houses of Ayodhya.' The word 'Ayodhya Nilyanam' appearing on document no. 261C-1/1 has been translated as residents of Ayodhya. In my view it is a correct translation, it appears to be a 'Bhavaanuvad'. The word 'Ayodhyayam' appearing in 18th Sloka on page 300 of Ramayana means 'belonging to Ayodhya'. Mention of Raja Rishabh Dev and settlement of Ayodhya during his life-time

is found only at one place in the entire Valmiki Ramayana about which I have referred above. It does not find mention anywhere else in Valmiki Ramayana. It has been stated in the Sloka referred to above by me, that Ayodhya would be settled during the time of Raja Kishabh Dev and not that he would settle Ayodhya. Such a description is found in the last Sarg of Ramayana. A number of editions of Valmiki Ramayana have been brought out. The Oriental Institute of Baroda has brought out a critical edition of Valmiki Ramayana in which interpolated portions have been removed. Both the parts of Valmiki Ramayana available to me in the form of document no. 261C-1/1 and 261C-1/2, which I have referred to above contain those portions (which had been removed). Oriental Institute of Baroda is an independent organisation. I do not ask as to who is looking after the institute. The institute does get a grant from the government but I do not know if such a grant is received from the central or state government. At the moment I do not know anything about the director of the institute. The Oriental Institute of Baroda has nothing to do with religious beliefs and it is basically an academic institute.

Question: Are the experts of Hindu religion and those following Hindu religion agreeable or not to the work being done by the above Oriental Institute of Baroda about Valmiki Ramayana?

Answer: In my opinion religious Hindus are possibly not even aware of the fact that Oriental Institute of Baroda has brought out a critical edition of Ramayana. Particularly, the persons working on Ramayana in an academic way are aware of this fact.

The academic community and I too regard the critical edition as more authentic compared to Valmiki Ramayana brought out by Geeta Press, Gorakhpur. Possibly the critical edition of Ramayana would have been brought out by the Oriental Institute for the first time some 10-15 years ago. It also contains complete details of Sanskrit Slokas and also about the manuscripts where they have appeared and Slokas that have been interpolated i.e. added subsequently. Possibly the critical edition does not carry the translation of Sanskrit Slokas. The name of the book published from there is probably 'Critical edition of Valmiki Ramayana'. I do not remember if Sloka 10 appearing in document no. 261C-1/2 on page 830 of Valmiki Ramayana is a part of critical edition or not. The language of Slokas given in the critical edition brought out by the Oriental Institute of Baroda is similar to the language of other Ramayana publications and we find the similar language in the extant document nos. 261C-1/1 and 261C-1/2. The only difference is that the Slokas which have been regarded as interpolated by them have not been included. I cannot tell precisely as to how many centuries old is the Sanskrit language used in document nos. 261C-1/1 and 261C-1/2 of Valmiki Ramayana but the type of Slokas used appear to be based on Vedic metre and possibly its name is 'Anushtabh' and as per tradition Valmiki Ramayana is regarded as the first poem and the first book in Sanskrit language. The language which Valmiki had used for writing this Ramayana is in the same form in these books - document nos. 261C-1/1 and 261C-1/2. As far as script is concerned, I have nothing to add because such publications after being decayed are again copied and brought out afresh after every 100-50 years.

Question: Do you mean to say that the form in which Ramayana was originally written by Valmiki for the first time is being maintained till this day and has been printed in the same form in books - document nos. 261C-1/1 and 261C-1/2?

Answer: In this connection I believe that the Ramayana originally written by Valmiki for the first time is not available in the same form today because Ramayana is a legend - poem which was recited by the community on different occasions and narrated as a legend (katha) because of which not only that the number of Slokas would have been interpolated from time to time, even new Sargs would have been added to it.

As on this day, it is believed that there are 24,000 Slokas in Ramayana but based on my calculation the number of Slokas is about 26,000. However there is a mention in one of the books belonging to Kushan age which is regarded as a publication of 1st century AD, that there were only 12,000 Slokas in Ramayana which implies that the total number of Slokas in Ramayana has almost doubled in 2000 years. There are certainly a number of Slokas included in Valmiki Ramayana, which would have originally been written by Valmiki himself, but they cannot be set apart as on this day.

The basis on which a number of Slokas are believed to have been composed by Valmiki himself is that Valmiki Ramayana is regarded to have been written by him only, though there have been certain interpolated portions and also some Slokas as appearing in the original Valmiki Ramayana have become a part of Mahabharat and Pali books after being translated into Pali in their entirety.

Valmiki and Ramchanderji - both belong to the same period i.e. around 16-17 lakh years ago. The origin of Sanskrit language during that period appears to be the same as we find in Valmiki Ramayana today. Sanskrit language, as prevailing today is 17-18 lakh years old. The Nagri script of Sanskrit language, which we find today dates back to 9th - 10th century and has emerged exactly as the modern Nagri script after abandoning certain of its letters during 12th — 13th century. I cannot tell in definite terms as to which was the script prior to it, which could be related to the script retrieved from Harappa civilization but even that script is not. The Indus civilization only is known as Harappa civilization. Archaeologically, the oldest civilization of India is Harappa which is also known as civilization of Indus valley. The research undertaken so far about civilization of Indus valley, reveals that this civilization must have come in existence at least 4000 years BC. The opinion is based on the remains retrieved at various levels during the excavations of Indus valley undertaken at different times. No significant records have been retrieved. Only some inscriptions made on small tablets have been found and even such tablets have not been satisfactorily deciphered so far notwithstanding the fact that around 2 dozen scholars of India and abroad are working on the subject and the work is in progress. These remains of civilization of Indus valley are found from Baluchistan in Pakistan the border of Uttar Pradesh from Gujarat to Haryana region in the south. The remains of civilization of Indus valley go beyond the three oldest civilizations of the world viz. Egyptian civilization, Mesopotamian civilization and Babylonian civilization. All these civilizations are almost cont. of the civilization of Indus valley. All the records retrieved from the Egyptian civilization have been deciphered. Their script is known as hieroglyphic script

which was probably a language of ancient Egypt. The language of ancient Egypt is different from the language of ancient Arab. Mesopotamian and Babylonian civilizations are traced to valleys of Dajla and Farat rivers but I have not made any specific study about that. The ancient Egyptian civilization prevailed at the bank of Nile river in north-eastern Africa whereas the other two civilizations would fall in countries like modern Iraq etc. Both these civilizations are also believed to be 4-5 thousand years BC ago. A number of records retrieved from both these places have been deciphered and published. I have no knowledge about the language used in the records. It should be a language different from Arabic language. Their script is known as 'Armaic'.

Vedic language is the oldest language of the world in which Vedas have been written. It is different from the modern Sanskrit language. No records relating to Vedic language have been retrieved so far. Four Vedas have been written in Vedic language and traditionally they have been preserved particularly in spoken form. Efforts towards putting them in black and white form were made after a long time. The language in which the Vedas are available today is the same Vedic language and it is pronounced exactly in the same way as it was done during the Vedic age. Vedas are quite old as compared to Manusmiriti. The latest available edition of Manusmiriti is believed to belong to a period of later than 1st century BC. Manusmiriti is a constitution evolved by Manu. In its original form it was written some 12 crore years ago. The language of Man was Sanskrit but Vedic language would also be in use during the time, the way in which other languages are being used along with Sanskrit now a days.

Question: As per your statement Manusmiriti was written some 12 crore years ago by 7th Manu. What was the language and script of Manusmiriti at that time i.e. 12 crore years ago and whether any records of that type of language and script are available anywhere in the world or not?

Answer: Manusmiriti originally written by Manu some 12 crore years ago should have been written in Sanskrit language but no conjectures can be made about the script of the language and that no records of that time have with retrieved so far. This opinion of mine is not based on any conjecture, rather on traditional beliefs.

Question: When no records pertaining to the period of Manu nor any records depicting the form of the script of that time have been retrieved, how could you say that the language and script of Manusmiriti is as old as 12 crore years?

Answer: Indian people have been living on this earth i.e. India since crores of years and a number of traditions have been prevailing amongst Indian Society in oral form. Though no such records or scripts have been retrieved, yet it has to be accepted as a part of reverence — beliefs and traditions of Indian Society because a number of cultures are there in the world even today, who do not have their script but do have a language and no anthropologist has felt the need of any recorded evidence to prove their antiquity.

I have no knowledge about the medium of writing prevailing 12 crore years ago during the Manu age and I am also not aware if anyone knows about it or not. I have not

read in any book whether there was any medium of writing 10,000 years ago but my study of Vedic literature reveals that art of writing prevailed even during Vedic age. By Vedic age, I mean the period prior to a number of generations from Manu.

I cannot tell precisely the time-period in between Vedic age and Manu age but time period from very ancient age to Mahabharat age could be determined. By very ancient period, I mean the period much prior to Manu age and Manu age is regarded as more than 30 crore years old i.e. as per Indian calculation of time seventy one Chaturyugis and one Krityu are jointly make a Manu age. I cannot tell in precise terms whether or not the first Manu was the first human being on the earth but he is regarded as self-existent. According to Puranas it is believed that there were habitations at the time of each Manu. It is believed that there was a time-gap of around 30 crore years in between the 1st and the 2nd Manu. This time-gaps of 30 crore years does not represent the age of the first Manu. The entire earth was one continent of the shape of a lotus-leaf at the time of emergence of the first Manu. Gradually the continent started disintegrating from each other. That is why Manus after the first Manu were designated as Administrators of Land. I cannot identify any specific part of the earth where the first Manu had emerged. Details from the 1st Manu onwards till the 6th Manu are not found in any literary, religious or historical book except Manusmiriti. Later on he added that the matter relating to the period of Manu was found in almost all the Puranas.

Question: As per your statement it was the seventh Manu who had written Manusmiriti and six Manus had preceded him. Please tell us as to what type of

details about the first six Manus were available and in which books except Manusmriti?

Answer: As far as my knowledge goes, details about all the six Manus are available in all the 18 Puranas but at the moment I may not be able to tell as to what has been stated about each of the six Manus in the above Puranas.

I have not gone through the Puranas with the specific purpose of ascertaining whether any details about first to sixth Manus are included therein or not and that is why I am not in a position to tell as to whether details of one or all Manus comprising 1st to sixth Manus are available in which of the Puranas. Later on he added that there is a mention of all the Manus in all the Puranas. The witness stated, "at the moment I cannot throw light on each of the Manu separately. I have not studied Puranas thoroughly and that is why I cannot tell as to which Purana is authentic and which is not."

Question: Do you regard all the Puranas as equally authentic or hold any one as more authentic and some other one as less authentic?

(On this point Shri. Ajay Kumar Pandey, learned advocate of Plaintiffs raised an objection that such a question had been put earlier to which the witness had furnished a precise reply and also that this matter is not related with any issue involved in the suit and therefore not relevant. Hence permission to ask such a question should not be given.)

(On this objection the learned advocate cross-examining stated that neither this question had been put up

in the present form not it had been replied to. It is also not proper to say that it is not related with any issue involved in the suit because the temple of Ramachandraji and his so-called place of birth-both have been stated to be related to the Puranas and therefore the question is fully justified.)

Answer: As far as I recollect I had stated a short while ago that I have not studied the Puranas thoroughly and therefore cannot tell as to which of the Puranas is more authentic and which one is less authentic.

The witness stated, "I had read Manusmiriti many years ago and at that time also I had studied the portions having a bearing on my book. In view of this I cannot tell as to what has been stated about the earlier six Manus in Manusmiriti. I have not heard anywhere that Mahusmiriti was written by Narad. Traditionally Narad has been regarded as immortal and is stated to be the spiritual son of Brahma and as such Narad would have existed prior to the seventh Manu. I cannot tell whether the contents of Manusmiriti are related to the earlier six Manus or not. However the rules for conduct of human behavior as laid down by the seventh Manu are meant for the people beyond the seventh Manu. All the Manus- were reflective i.e. thoughtful people and that is why they were called Manus but none of them is called an incarnation. All these Manus were possibly human beings whom we term as homosapians i.e. thoughtful persons in English. I cannot tell whether they were like human beings or not. There is no mention of life styles, type of food etc. prevalent during the times of these Manus. However some anecdotes are certainly available.

Question: You have not so far been able to tell as to what details about which Manu are available in which Puranas or any other book? Should I infer from it that there is no mention about any Manu in any of the Puranas or any other book?

Answer: I have not so far been able to tell anything about any of the Manus and that simply speaks of my ignorance. However I believe that details about all the Manus are available in abundance in all the Puranas.

Question: Could you tell us by naming any of the Puranas or details given in respect of any Manu from 1st to sixth Manus?

Answer: I have already expressed my ignorance on this account.

Question: It is known that whatever records/rock inscription have been available relating to the civilization of Indus Valley, have not so far been deciphered and their language and script are till a mystery for the experts. Then, how could the so-called language and script as old as 12 crore years could be understood as claimed by you?

Answer: In this connection I am to state that language and script are totally two different things and with knowledge of language it becomes comparatively easier to decipher the script. However if one is ignorant of both the language and the script, it becomes impossible to make out the meaning of the text. However, in the instant case a few people have attempted to read the tablets retrieved from the civilization of the Indus valley treating their language to be Vedic Sanskrit

language while a few others have tried to read them by treating them as written in proto-Tamil language. It may be mentioned here that remains obtained from the archaeological excavation are usually silent or mute and their civilization, culture, literature etc. have to be relied upon for interpreting them. However in so far as Manusmiriti is concerned it has been passing on traditionally from one to the other generation till available before us in the present form. In view of this we can say that as per tradition it is the same Manusmiriti which had been evolved by the seventh Manu.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

19.11.2002

Typed by the stenographer in the open court as dictated by me. Present yourself on 21.11.2002 before the Hon'ble Full Bench for further cross-examination.

Sd/-

(Narendra Prasad) Commissioner:

19.11.2002

Dated: 21.11.2002

OPW 9 Dr. Thakur Prasad Verma

Before: Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD, Hon'ble High Court, Lucknow.

(Appointed vide order dated 14.11.2002 of the Hon'ble
Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on oath on behalf of Defendant No.
4 initiated by Shri Zaffaryab Jilani, advocate in continuation
to cross-examination dated 19.11.2002)

All the books evolved in the ancient period were usually protected in oral form and were transformed into writing very rarely. Mostly they were kept protected on the basis of memory or recollection. Therefore we have the tradition in India according to which most of the Sanskrit books have remained protected in the memory of people from generation to generation. The tradition has orally been passing on usually from one to other, i.e from Guru to disciple, from father to son. The tradition mentioned by me about Manusmriti above has been transferring from one generation to the other one since 12 crore years and that is why it has been called a 'Smiriti' (memory). In my view it would have been 1st century BC, when Manusmiriti would have been rendered into a written form. I do not know they, name of its compiler. The language of Vedic age has been in use even prior to the language of Manusmiriti and it is called Vedic language or metre. No one knows about the script of Vedic language. By the word initial I mean the period since when Vedic language has been in existence can be called initial period. The language of all the four Vedas only can be called Vedic language while the

language of the later publications like Brahmi Granths, Upnishad etc. is regarded as Sanskrit language. Language of Puranas is also Sanskrit and so is the case with Upnishads, Puranas and Brahman Granths. I cannot tell about the time when Puranas were written but western scholars believe that they were written during the 1st century BC and I subscribe with this view. Different dates of writing of different Puranas have been laid down implying that the first Purana would have been written after the 1st century BC. Presently I do not remember names of all the Puranas but names of Matsya Purana, Vishnu Purana, Vaman Purana, Skanda Purana and Shrimad Bhagwat Purana are coming to my mind. I do not remember as to which of all the 18 Puranas is regarded as the 'oldest Purana. I am not aware of the names of the authors of Puranas but the name of compiler of all the 18 Puranas is known as Vedvyas. There have been so many Vedvyas as but the last Vedvyas is regard to Mahabharat age. It is believed that the battle of Mahabharat was fought 36 years prior to Kaliyug and as per tradition it is believed that Kaliyug started some 3,102 years ago. Vedvyasji had compiled all the Puranas orally. Greater possibility has been that the Puranas would have remained protected authentically in the memory of scholars from Vedvyas onwards till 1st century BC. I have already told that the language of Puranas was Sanskrit only. The age of Vedic language had ended during the Mahabharat age and there is also a possibility that there would have been a time when both the languages would be simultaneously in use. No inscription in Vedic language has been recovered so far. In what respects Vedic language is different from Sanskrit is not a topic to be dwelt upon in any book and only those who have acquired proficiency on both the languages could clearly differentiate in between Sanskrit and Vedic

language. This is because the syntax of grammatical sentences and extent of meaning of Vedic language, endowed with certain original characteristics distinguish it from Sanskrit language. For example, a sentence appearing as "....." which according to Sanskrit grammar would be written like, ".....". In this way both the languages are different with regard to their syntax and word-arrangement. The example that I have quoted above is probably from Rigveda but I may not be able to tell exact reference at the moment. It is on the basis of rules of grammar that it is determined that a particular language is Sanskrit language and another language is Vedic language.

Question: As per your statement when did the different in between Vedic language and Sanskrit language start appearing in written form for the first time?

Answer: In this connection I cannot tell any, precise I because in India the art of writing, which includes all the Indian as well as many other scripts of Southeast Asia, is believed to have started 3rd centuries BC.

Accordingly as per the current thinking whatever ancient literature came in written form, it would have been thereafter only. The language can sustain itself even without a script for thousands of years and even today there are a number of languages in the world in respect of which the convention of writing is yet to begin. The language can be spoken and understood without a script but cannot be written. Presently the Vedic language is written and printed in Devnagri script. The tradition of writing of Vedas has been almost negligible during centuries BC and thereafter. They were simply protected in

memory and recited on different occasions. The Vedic language or the language of Vedas is the language of Mantras and whatever has been written in this language has been protected in its entirety. No tradition of communication or interacting with each other is available in this language. Whatever has been written in Vedas is called Mantra. I cannot tell in definite terms as to which was the layman's language during Vedic age when the language of Vedas was the language of mantras. I also cannot tell whether people interacted with each other in the language of mantras or some other language. I have read a lot in various books about the language of Vedas and Sanskrit language and my views expressed above are based thereon.

Question: I wanted to know about the books in which you have read as to how long Vedic language was in use and which are the book that are available in Vedic language even today.

Answer: Only Rigveda, Yajurveda, Samveda and Athrvaved are available in Vedic language which are used even today on different occasions and in connection with ceremonies.

Vedic mantras are used in connection with various religious rites. In so far as the question of use and period of Vedic language is concerned I cannot say anything precisely but there are some books viz. 'Vedic Sampatti' by Pandit Raghu Nandan Sharma, Vedic Rashtra Darshan by Bal Shastri - Haridas etc. wherein the issue of use of Vedic language has been discoursed extensively.

Presently only the above Vedas (books) and no other book is available in Vedic language. The editions of Vedas in vogue now a days is in the same Vedic language which I have described above. As regards Vedic mantras there is no scope of any refinement therein and various firms and

Institutions have printed them in their original form. However different scholars have interpreted their meanings independently. Not even a single letter has been changed in the mantras. There is an Institute of Satvalekar at Pardi where copies of all the Vedas along with their commentaries are available. Dayanand Institute, Delhi has also printed copies of all the four Vedas. I treat all of them as authentic Vedag. I have not come across the book published by Sadhna pocket Book of Delhi but they have certainly brought out a book which does not contain the original mantras but their interpretation only.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

21.11.2002

Typed by the stenographer in the open court as dictated by me. Present yourself on 22.11.2002 before the Hon'ble Full Bench for further cross examination.

Sd/-

(Narendra Prasad)

Commissioner

21.11.2002

Dated 9.01.2003

OPW 9 Dr. Thakur Prasad Verma

Cross-examination of OPW 9 Dr. Thakur Prasad Verma on oath initiated by Shri Zaffaryab Jilani, advocate on behalf of defendant no. 4 before the Hon'ble Full Bench in continuation of dated 21.11.2002.

I have an equal reverence towards all the ten incarnations of Lord Vishnu but I am not aware of the birth place of all of them. I am aware of birth places of Lord Krishna and Lord Rama only and no special mention about the birth places of the remaining' incarnations is found anywhere. As far as my knowledge goes, information with regard to the birth places of Lord Rama, Lord Krishna and Lord Buddha is available and birth-temples had been raised at the birth-places of all the three of them. There is a mention of the birth place of Lord Krishna in Mahabharat. Similarly mention about the birth place of Lord Buddha is found in the Buddhist 'Jataks' and 'Tripitkas'. Information about the birth place of Lord Rama is found in Valmiki Ramayana, Ramcharitmanas and other Ram which are about 2-3 dozens in number. A mention not about 'a specific place but about specific city is found. In my view specific city is venerable but per tradition the specific place of birth is venerable also. No mention is found about specific place in any book but as per tradition people are aware of the birth places. The geographical location of Ayodhya has been at one place only from the very beginning and no geographical change has taken place in respect of Ayodhya. The length and breadth of Ayodhya city has increased or decreased as per the requirement of its people. Ayodhya was established by the seventh Manu i.e. Vaivaswat, the earth was created not by Manu but by

Brahma and it was created during the period of first Manu. According to Indian calculation of time the universe came in existence 1 Arab (a hundred million) 97 crore years ago and the period is divided in seven segments. There is no mention of the creation of Ayodhya during the period of first Manu. There is no mention of Ayodhya during the period starting from the first Manu to the sixth Manu. It takes four yugs to make a mahayug and the period from the creation of the universe till the end is called one 'Kaip'. It is not that four yugs join to make one 'Kaip'. The Kaip that started from the creation of the universe is continuing and its period is believed to be 4 Arab (hundred million) 32 crore years and one day of Brahma will be consumed within this time - segment which will be followed by a night of the same duration with which the other Kaip would be set in. It takes four yugs to make a mahayug and after the end of mahayug, the period of Satyug sets in. There is no such belief that Lord Rama descended in all the Tret rather he was born only in the Tretayug of the modern times. In this way it would be incorrect to suggest that Ramachandraji was born in the Tretayug earlier to the Tretayug of the modern times. Volunteer: that as per yet another belief Lord Rama was born in the Tretayug of 24th Chaturyugi or Mahayugi. Presently we are passing through the 28th Chaturyugi or mahayug but these persons do not believe that Lord Rama was born in the Tretayug of the modern time. They however believe in only one birth of Lord Rama. The period of seventh Manu fell in the 24th Chaturyugi and there is no contradiction to the belief that Ayodhya established in one stroke during the period of 7th Manu. There was no creator of the triple deity i.e. Brahma, Vishu and Mahesh. All the three are natural powers. I am not aware of the identity of Lord Balmukund nor I have ever not heard of his name. In my view it would be incorrect to

suggest that it was Lord Balmukund who created i.e. gave birth to Brahma, Vishnu and Mahesh. Volunteer: that the three natural powers i.e. Brahma, Vishnu and Mahesh had their respective roles to play. Brahma is known as the creator, Vishnu the protector and Mahesh the destroyer of universe. Lord Rama was never born with the name of Balmukund. Volunteer: that as per his knowledge Lord Krishna is called Balmukund.

I believe that Lord Rama was born some 17 lakh years ago within the geographical area of modern Ayodhya but no specific mention of this period is found in any historical book. However mention of Tretayug is found which existed some 17 lakh years ago. Mention of this fact is found in religious books i.e. Ramayana and Puranas and not in any historical book. In para 11 of my affidavit I have stated Lord Rama to be a historical figure which is based on all the historical books covering traditional history. By traditional history I mean the history contained in ancient mythological and epics etc. However as per the modern system of writing history, only such historical facts find a place in the historical books which could be corroborated on the basis of archaeology. I place the historical books in two categories books covering traditional history and books covering history only. Puranas, Ramayana and Mahabharat are the only three sources of books covering traditional history. Volunteer: that while writing traditional history, the modern historians have given a place to these facts in their books. The witness stated, "as far as history books are concerned I treat only these books as authentic which include the history books published by Bhartiya Vidya Bhawan in ten volumes. Besides the above books published by Bhartiya Bhawan, the other authentic books are: 'Cambridge History of India', 'History of Ancient India' by R.

C. Mazumdar etc. The other authentic books on history are: 'History of India as told by its own historians' by Eliot and Dowson, 'Political History of Ancient India' by H.C. Roy Chowdhary, 'Fall of Mughal Empire' by J. N. Sarkar, 'Buddhist Record' by C.U.Q., 'Early History of India', by B.A. Smith, History books written by Dr. Ishwari Prasad, 'History of Gaharwal Dynasty' by Roma Niyogi and History books written by R. C. Mazumdar. I do not remember whether there is a mention of the fact that Lord Rama was born some 17 lakh years ago in any of the above books. My conclusion contained in Para 13 of my affidavit is my own conclusion which is based on two books written by European traveler Typhen Thaller and Martin. At this point the witness was shown documents No. 107C-1/96 to 107C-1/108 filed in connection with other suit No. 5/89 by the learned advocate cross-examining looking at which the witness stated that whatever was contained in French language in document no. 107C-1/96 to 107C-1/104 appeared to be the photocopy of the original book and that he had neither seen the original book nor compared it with the original book but since it had been filed as a part of the suit, he had mentioned it in para 13 of the affidavit. The material contained in document nos. 107C-1/105 to 107C-1/108 is in English and appears to be a translation of the above books. I have not got the translation done nor I am aware as to who got it done and from whom. Document no. 107C-1/108 is the printed English translation of the book of Typhen Thaller which is a translated portion of some book. I am not aware as to who translated and when was it published. I have made a reference of the book of Typhen Thaller in my own book document no. 279C-1-OOS-5-3 and is based on this English translation only which is a part of this very book i.e. document no. 107C- 1/108. I am not aware whether there is any difference in the translation

contained in document nos. 107C-1/105 to 107C-1/107 and the same translation appearing in the document no. I have not compared the two translations. I am not conversant with French language at that is why my statement in para 13 of my affidavit is based on document no. 107C-1/108 only and I believe that the facts mentioned in document no. 107C-1/108 are true. I do not agree with the statement of Typhen Thaller contained in the first sentence, of para 7 of document no. 107C-1/108 to the effect that Aurangzeb had got Ramkot fort demolished and got a three domed mosque constructed thereon but agree with the contention in second sentence of the same para where he has stated that 'others sayby Babar. I also do not agree with the translation of the book by Typhen Thaller as contained in the last sentence of the same paragraph which states that it was Hanumanji who had brought 17 pillars from Lanka. I do not at all agree with the first two sentences of para 8 of document no. 107C-1/108 containing the description of the Chabootra. So far as this sentence is concerned I am agreeable to its being 5 honest long and 4 honest broad and also calling it a Vedi but I do not subscribe to the view that Vishnu had taken birth as Rama along with his three brothers on the Chabootra itself. It has been stated in the next sentence that the Hindus used to do 'Parikrama' three times at two places out of which one place was Ramchabootra and the second place was Masjid. In the next sentence the two areas have been described as covered by a boundary wall and both these areas represent the Masjid and Chabootra and the low crippled wall represents the outer boundary wall of the disputed building. There is a mention of small doors and a room in the front in the last sentence of this para which represent the inner wall i.e. wall with the window-bar and the front room representing the three domed building. There is a mention

of a place in para9 on this page itself about which it has been stated that black rice were found on its excavation — I m not aware about the exact location of this place or whether it was somewhere around the disputed site. There is a mention of Swargdwar in the 3 paragraph; of this document no. 107C 1/108 itself and there are two beliefs with regard to the Swargdwar. According to one it was the place where Lord Rama had ascended to Swarg alongwith the entire people of Ayodhya and the second belief is based on Guptar Ghat from where Lord Rama had as to Swarg along with the residents of Ayodhya by crossing Saryu river. Swargdwar was a temple which is no more a splendid temple but is an important temple. Swargdwar is located at a distance of around half kilometer from river Saryu and is a part of Mohalla Ramkot. I am not aware as to how Lord Rama ascended to Swarg through Swargdwar. I am not aware whether or not there is any mention of this fact anywhere. I do not subscribe to the view contained in the 3rd para of document no. 107C-1/108 according to which after Rama ascended to Swarg, Ayodhya was established and settled for the first time during the period of Vikramaditya i.e. after the ascent of Rama to Swarg and before Vikramaditya, Ayodhya was not established - settled. I believe and according to history also Ayodhya had been settled after the ascent of Rama to Swarg and before being settled by Vikramaditya. My statement of today that I fully subscribe with all the facts mentioned in document no. 107C-1/108 implies that I regard these facts as partially true. It is a fact that despite the above disagreement my statement in para 13 of the affidavit is based on this document itself; The English translation of document no. 107C4/104 is available in the form of a book but I am yet lay my hands on the book. I have simply seen its extracts i.e. I have seen the copy of document no. 107 C-1/108.

Martin a part of whose book has been filed in document no. 107C-1/109 to 110 was probably a European tourist. I may not be able to tell precisely as to when did he come to India — It was some time during 17th 18th century. I also cannot tell as to when and where were document nos. 107C-1/109 to 107C-1/110 and the book published. I also do not know as to who had compiled this book. It appears to be a translation of the book of Martin. I am not aware of the language in which the book of Martin had been written originally.

I had read both the above pages of Martin, copies of which are contained in document no. 107C-1/109 and 110 in 1990 and had made use of both pages in my book. I do not fully subscribe with the facts mentioned in both these pages. Out of the two pages filed from the articles of Martin first line of document no. 107C-1/9 is connected with the earlier page. Martin has expressed his reservations about the theory of temple constructed by Vikramaditya as mentioned in the first para in document no. 107C-1/109. I also do not subscribe with the last sentence of the first para on this page itself according to which entire Ram Ghat is believed to have been built by Rama himself. I am also not agreeable with the fact mentioned in 3rd para on this page itself according to which the remains are possibly 2,000 years old. Martin has stated in this para itself that at the time of writing of this book, none of the Hindu buildings was very old whereas the buildings during the time of Aurangzeb would have been built within the human memory - it could possibly be correct. I do not agree with the view contained in the last sentence on this page itself according to which the new buildings raised on the remains of the palaces of the rulers of Surya dynasty and the events with which they were connected were much doubtful. The fact

that the place had been demolished by Aurangzeb mentioned in the first para on the next page 107C-1/110 has also been termed as doubtful with which [not agree. The place selected by the Vikramaditya was devastated by Aurangzeb. I also do not subscribe with the view expressed by Martin according to which the names allotted to various places were related with some specific events. I agree with the claim of Martin according to which he had found a carving at Guptar Ghat and pillars of the Mosque of Ayodhya. I do not subscribe with the view expressed by Martin according to which the pillars of the Mosque could belong to some temple built by Vikramaditya or might be pillars of ruins of some palace. The facts, which I have mentioned, in para 13 of my affidavit are based on the view expressed by Martin according to which the pillars are of black stone which might have been retrieved from some temple built by Vikramaditya.

Question: In your book exhibit OOS-5-3 you have given a conclusion that the pillars of Babri Masjid could be the pillars of some temple built by some Gaharwal ruler in 11th 12th century and that art belonging to 11th - 12th century has been carved on the pillars but in your today's statement you have also agreed with the conclusion of Martin contained in document no. 107C-1/109 and 110 according to which the pillars belong to some temple of the time of Vikramaditya which is stated to be 2,000 years old — How does this statement of yours fit in your earlier statement?

Answer: In my statement above I have not agreed to the view of Martin according to which 'there is a possibility that these pillars would be belonging

to some temple built by Vikramaditya' and have also not agreed with the view that 'the existence of such a temple is doubtful and that no such entity would have been there' and I also do not agree with this view that the pillars would have been retrieved from some royal palace.

I have based my conclusion contained in my statement, my book and in para 13 of my affidavit on the details of pillars of 'Kasauti' alongwith the photograph thereof as provided by Martin. When I brought out the above conclusion in my book and filed my affidavit I was not aware of Martin and also did not know as to when and in which language his book from where the above two pages have been quoted, was published. I agree with the fact that it is obligatory on the part of a historian that at the time when he is writing a book or an article and if he is quoting any portion of some book, he should know about the identity of the author of the book, time, place of its publication and the language in which the book has been written but at the same time I would like to add that the historian, while collecting material acquires whatever relevant material comes to his hand and it is not always possible that the original book is within his reach. At times, he keeps the task going by quoting secondary authors. However it is correct that whenever some extracts or articles of any author are being used, one must know about his status that is whether he is a historian, a poet, or a novelist. Volunteer: that he had complete knowledge about Martin while writing his book but during the course of time he has forgotten about him and that he did not remember his status at that time.

Question: Were you aware of the status of Martin on 31st October 2002 when you had filed your affidavit to the court?

Answer: At that time I simply remembered his name and had forgotten about his status because I had gone through the above pages of Martin some 12 years ago.

While preparing my affidavit I had gone through the documents filed in the suit and also the list of documents with which the papers were filed. I do not remember but there is a possibility that description of the book appearing at serial no. 25 of document no. 107C-1/105, list of documents filed by me on 31st October 2002 could be a reference of Martin but my memory has failed and I do not remember precisely. Now I recollect that whatever has been mentioned at serial no. 27 about Martin refers to a British surveyor and has been written correctly.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

09.01.2003

Typed by the stenographer in the open court as dictated by us. Present yourself on 10.1.2003 before the Hon'ble Full Bench for further cross-examination.

Sd/-

09.01.2003

Dated : 18.02.2003

OPW 9 Dr. Thakur Prasad Verma

(Cross-examination on oath on behalf of Defendant No. 4 initiated by Shri Zaffaryab Jilani, Advocate in continuation to cross-examination dated 09.01 .2003)

I have been a teacher of epigraphy and taught paleography also at university level. My knowledge of Sanskrit is just ordinary. I have undertaken research on Brahmi script. Pali and Prakrit languages were written in Brahmi script during the days of Ashoka. Sanskrit language is written in a script which has been developed based on Brahmi script. Sanskrit language has never been written in Brahmi script.

The Sanskrit text appearing on document no. 289C-1/195 and 196 both of my book exhibit OOS-5-3 was written by me by looking at the rock-inscriptions. I had seen the original rock inscription as well as its stampage and photograph. It was in January, 1993 that I had come to know for the first time that the above rock inscription had been found in Ayodhya, a photograph of which had been sent to me by Dr. S. P. Gupta in January, 1993. I had seen the above rock inscription for the first time around 1995-96 when as per directions of this honourable court I along with other experts, parties and their advocates had visited the site. I had gone to Ramkatha Kunj, where the above rock inscription was placed at the instance of Shri Devki Nandan Aggarwal who had been a party of the at that-time. Others who had accompanied me included Dr. Sudha Malya, Dr. S. P. Gupta, Dr. D. P. Dubey and Dr. Ajay Mitra Shastri. I had not seen the original rock inscription prior to it. During that visit we could read only a few lines of the above rock

inscription but later on with the help of stampage we could read and write down the entire text. I have used the word 'authors' in the rules appearing at the bottom of document no. 289C-1/196 of my book which means Dr. S. P. Gupta and myself because both of us have written this book. Dr. S. P. Gupta does not know Sanskrit and has not helped me in reading the rock inscription but I have referred his name as a matter of courtesy. Since we had been told that Dr. Ramesh had also studied the rock- inscription, so his name had also been included in the notes as a matter of courtesy. By that time we had not come across any article or text written by Dr. Ramesh. We had got the above book published in the year 2001 and had made use of such material in the book as we could get till 2000. I am not aware as to when and who had asked Dr. Ramesh to read or translate the rock inscription. It was only after the publication of the book that we came to know that Dr. Ramesh had read and translated the above rock-inscription. Dr. Ramesh is known to be a great scholar of Sanskrit and epigraphy and I regard him to be a greater scholar as compared to me. It was only after going through the text and translation by Dr. Ramesh which appear on document nos. 306C-1/1 to 11 that I felt that his text and translation were comparatively better than the text and translation rendered by me. The rendered by me appears at document nos. 289C-1/197 to 289C-1/199. Wherever there is a variation in between the text and translation of Dr. Ramesh and that of mine, I find the text and translation by Dr. Ramesh as comparatively better. I have furnished details of Raja 'Nay Chandre' in the notes at the bottom of document no. 289C-1/199 which is based on the above rock inscription only whereas Dr. Ramesh has read it as 'Anay Chandre'. It was based on my personal knowledge that 'Nay Chandre' was the ruler who had authored the drama

'Rambha-manjari' and the source of my knowledge was the other books written on other Gaharwal rulers. The names of the authors of the three books which have been source of my knowledge are Dr. Roma Niyogi, Dr. H.C. Ray and Dr. V. N. Pathak. Since Dr. Ramesh has not identified Nay Chandre alias Anay Chandre as a ruler of yester years I agree with his translation and accept that my translation is wrong while his translation is correct. The notes recorded below Sloka nos. 19 and 21 on document no. 289C-1/198 are my own notes not based on rock inscription rather on my knowledge. The details given in Sloka no. 5 document no. 289C-1/197 are not correct, rather the translation rendered by Dr. Ramesh is correct. I agree with the translation of Dr. Ramesh under which the word 'birth place' has been used with reference to someone and not with reference to the birth of Ramachandraji.-

The photographs appearing on document nos. 289C-1/207 to 226 of my book were selected by Dr. S. P. Gupta and the introductory text there under has also been a written by him. I have seen some of the remains visible in these Photographs Pillars are visible in the photographs in my book and I have seen a few of them as part of the disputed building. I do not remember whether I had seen the pillars fixed in the disputed building during my visit to Ramkatha Kunj in 1995-96. I did not find the pillars visible in photograph no. 2 of document no. 289C-1/219 in the disputed building but possibly in Janamsthan mandir close to it. I had seen some new marble slabs lying in Ramkatha Kunj which did not appear to be fixed or retrieved from anywhere. I cannot tell whether new type of slabs at Ramkatha Kunj were already lying there or had been brought there from somewhere else. I did not try also to find out the truth. Since I had gone to see and study rock

inscription, I did not try to find out whether anything else had been kept there and if so by whom - nor anyone informed me about the same. I have had no opportunity to visit Ayodhya from the day I was made a plaintiff in this suit and therefore I am not in a position to tell as to which material had been lying in Ramkatha Kunj prior to 1990 and which was brought later on. I had gone to study rock inscription in 1995-96 and had not visited Ramkatha Kunj before or after that. During my visit to Ayodhya in October 1992 I had seen some slabs lying at a place, the name of which is not striking me now about which I was told that the slabs had been retrieved from a mound near the disputed site but I was not informed about the time and the specific place from where they had been retrieved. In all there were 30-40 slabs which appeared to be remains of some building or temple. Of course now by looking at them I may not be able to identify whether I had seen them earlier ago. I do not remember precisely whether I have printed any photograph of these slabs in my book. I have neither used nor referred to the above printed photographs in the chapters written by me in my book. No article or photograph relating to the slabs which I had seen there was provided to me when I had gone to visit Ayodhya in October 1992.

After becoming a plaintiff in this suit I have gone through the plaint and defence to suit and the documents filed by the plaintiff Shri. Devki Nandan Aggarwal and his statements. I have gone through the statements of most of the witnesses who had deposed in this suit after my becoming the plaintiff. I have not gone through the statement of witnesses recorded prior to my becoming a party. Later on he added that barring the statements of only Devki Nandan Aggarwal and Dr. S. P. Gupta, he had not gone through the earlier statements. The witness stated, "I

am not aware whether the idol of Ramlala was placed at the disputed building on the night of 22/23rd December, 1949 and that as stated by Shri. Devki Nandan Aggarwal the idol was lifted from Ram Chabodtra and placed inside. I do not remember about the size and height of the idol of Ramlala. During my first visit, to the disputed building in October 1992 as far as I remember I had seen three idols lying there but I do not recollect how many more idols were there or not. I also do not clearly remember the deities who were portrayed in the above idols. I had seen the idols from a distance of 5-6 feet. I had been inside the disputed building only once in October 1992, neither earlier nor later and similar was the case regarding the disputed premises which I had visited only once during the same time in October 1992. I have not visited the disputed site upto today even after its demolition. I have not seen the idol placed at the disputed site after 6th December 1992. I have been to Ayodhya twice or thrice during my life time. Besides the disputed building I had only been once to Hanumangarhi, Kanak Bhawan, Nageshwar Nath Mandir and Swargdwar mandir. At this point of time I do not remember as to idols of which of the deities were placed at which places in these four temples, there was no mention of these four temples in any historical books. However the 'Shivling' in Nageshwar Nath Mandir is placed at Ashoka pillar which suggests that it should be an ancient temple but I cannot tell in definite terms whether it is Ashoka's pillar or a part thereof. No archaeologist has so far declared that the above 'Shivling' is placed on Ashoka's pillar or a part thereof nor there has been any research on the subject. However I believe that Nageshwar Nath temple is not more than 200 years old. Of course only the slab on which the 'Shivling' is placed appears to be ancient. I have not read about Kanak Bhawan either in Valmiki Ramayana or in any other

historical book. However we find a mention of Kanak Bhawan in 'Ayodhya Mahatmya' which is a part of Skanda Purana^{4t} which should have been written some 400 years ago. Whatever manuscripts of Skand Purana in Ayodhya Mahatmya have been retrieved do not appear to be more than 400 years old but Skanda Purana could be more than a thousand years old. In Ayodhya the disputed building was the oldest and as far my knowledge goes no such remains are available in Ayodhya as could be older than the disputed building. The foundations of old buildings are found underground in the shape of bricks.

I agree with the opinion of Prof. B. B. Lal according to which habitation in Ayodhya has been only after 700 BC and not earlier. Besides Ayodhya, excavations carried out at Shringerpur reveal that the habitations might have been there around 800 BC. During excavations carried out at other places, except place Prof. B. B. Lal has not found any habitations older than Ayodhya." Volunteer: that the dates of the archaeological sites in eastern Uttar Pradesh and Bihar have been arbitrarily determined and no scientific basis has been provided. All the facts reveal that Lord Gautam Buddha had been there during 6th century BC and there is a mention in books also that Lord Buddha had visited places like Varanasi, Saket or Ayodhya, Bodhgaya, Shravasti, etc. and the culture of that time reveals that carriers carrying the groups of traders used to move regularly from Bhrigukatch or Bharuch to Tamra Lipti (Bangal) via, Kaushambi, Saket or Ayodhya, Vaishali, Gaya, etc. whereas the archaeological dates are not in a position to determine the dating of these places prior to 700 BC. The basic question is whether such a rich culture had developed only within a period of one hundred years of Buddha period and that is why I doubt the authenticity of

the determination of archaeological dates. It is on this basis that I do not agree with the dating provided by Prof. B. B. Lal. I believe that no archaeologist has so far been able to do a correct dating. I have written a book on the archaeological basis of culture wherein I have analyzed the dating carried out by various archaeologists but have not provided any concrete dating from myself. The name of that book of mine is 'Archaeological basis of Indian Culture' which was published in 1993-94 and written in Hindi.

Verified the statement after hearing

-Sd/

(Thakur Prasad Verma)

18.02.2003

Typed by the stenographer in the open court as dictated by
Ws. Present yourself on 19.02.2003 before the Hon'ble Full
Bench for further cross-examination.

Sd/ -

18.02.2003

Dated : 20.02.2003

OPW 9 Dr. Thakur Prasad Verma

(Cross-examination on oath on behalf of Defendant No. 4 initiated by Shri Zaffaryab Jilani Advocate in continuation to cross-examination dated 18.02.2003)

I have gone through all the facts mentioned by me in the main petition of suit no. 5/89 and I believe all of them are correct and I agree with them. In clause B of para 39 of my main petition, I have requested for an injunction against all the defendants but I feel that defendant no. 21 has been included inadvertently and that the prayer should be accepted against all the defendants except defendant no. 21. I feel that it should be taken as if I have not requested for any relief against defendant no. 21. I have no knowledge about the suit filed in representative capacity. I am not aware whether my suit as been filed in representative capacity or not. My suit is confined only to the disputed premises and by disputed premises I mean the disputed building and the entire land within the outer boundary wall. The disputed premises have been shown as annexure 2 in my main petition. There is Hanumatdwar in the east, Parikrama in the west, Singhdwar in the north and the wall beyond the chabootra in the south - the disputed premises are covered by all of them. Lomash Chaura in the south, Shankar Chabootra in the east, Narad Chaura in the north and the place beyond Parikrama in the west of the disputed premises are outside the disputed building. As far as I remember first suit about the disputed property was filed in the year 1950 though I do not remember the month and date of filing of the above suit. I do not have personal knowledge about the names of the parties of the old suits mentioned in the present suit. I am also not aware whether

the parties of the other four suits who have died, and whose successors are alive have been made a party in the present case. Haji Faiku, Shahbuddin, Vakiluddin, Zahoor Ahmad who were parties in the other four cases have died but I am not aware whether their successors are alive or not. Paramhans Ramchander Das was associated with the disputed property as a devotee. I also cannot tell anything about the relationship that Nirmohi Akhara had with the disputed property or whether they had any claim on it. I am aware of the fact that the Nirmohi Akhara has independently filed a suit hearing of which is going on with my case. I am aware of the fact that in their suit they have requested the receiver for getting them the charge of the disputed property. I have not made the successors of Haji Faiku, Shahbuddin, Vakiluddin and Zahoor Ahmad as parties in the suit because no cause of action survives against them. Similarly, no cause of action survives against other muslims of Ayodhya whom I have not made parties in my case. My main prayer in this case is to construct a magnificent temple by removing the disputed building. I have also requested in my case for construction of magnificent temple and making Jagatguru Rarnanandcharya and Swami Shivramacharya of Kashi as chairman of the trust under whose supervision worshipping, adoration could go on in the temple. However the work of demolition of the old building i.e. the disputed building has not been entrusted to them nor there has ever been a talk to get it done through some other organisation. In my case I have requested that a trust may be authorized to undertake this work i.e. the work relating to new construction, its development, management, etc. I have not made the trust as a Plaintiff with me rather I have made it defendant no. 21.

A meeting of all the devotees of Rama, saints, ascetics and eminent citizens was called in Delhi and it was during this meeting that the trust i.e. defendant no. 21 was constituted. The meeting had been organized before the formulation of the trust deed of this trust but I do not remember how many days earlier. I was not present in the above meeting, I have gone through the details relating to the said meeting in my suit and not through any other book or source. There is a mention of trustees in para 16 of my main petition and a few of them have already ex and I am not aware as to who have replaced them. The trust is somehow related with Vishwa Hindu Parishad but I do not have specific knowledge about the type of relationship in between the two. Shri Ashok Singhal, the international working President of Vishwa Hindu Parishad is the managing trustee of the trust. I have never been a member of this trust and I am not a member even today. I have not participated in any meeting of the trust. I have mentioned the names of trustees in my main petition and I am not aware of any other trustees. I am also not aware whether this trust has undertaken the management of any temple after 1985 i.e. the year of its constitution. Since the day the disputed building has been attached, the receiver has been looking after worshipping etc. in the temple. The trust has never been concerned with worshipping, adoration, darshan at the disputed building. I have mentioned it in para 18 of my main petition that the suits filed about the disputed building earlier were inadequate and problem could not be sorted out through them and it was because of this that this suit has been filed.

By public records, I mean the government records which could be in the form of revenue or judicial orders but all the confidential records are published after 70 years and

only then they fall in the category public records. The public records which I have mentioned in para 19 of my petition stand only for gazetteer year and which is published by the Government. In so far as the question of birth of Rama is concerned, public records stand for gazetteer and not for revenue records or judicial records or orders. That is why I have mentioned about the birth of Rama in para 19 of my petition based on gazetteer records. Official survey and traditional facts form the basis of the gazetteer. Such an official survey is undertaken by a team constituted by the Government. Such a team is constituted generally under the chairmanship of Commissioner or Assistant Commissioner. There is a gazetteer for each district and then an imperial gazetteer published by the Central Government. The gazetteer concerned with the public records mentioned by me in para 19 of my suit belong to 19th century, a few of them were published in 1960. The gazetteer of 1960 is the last gazetteer on which my suit is based and it is the gazetteer of Faizabad district. This gazetteer was evolved by the committee appointed by the State Government and there are independent sections for the various districts of each state. The section relating to Faizabad or other districts in this gazetteer was not prepared by the concerned Commissioner or D.M. or any committee but was prepared by a team constituted by the State Government. The gazetteer of 1960 is the same, which had been prepared by the committee under the chairmanship of Mrs. E. B. Joshi. The original bibliography attached with my book exhibit no. OOS-5-3 (document no. 289C-1/227 to 232) contains no reference of any gazetteer. In my opinion this gazetteer comes under the original reference books but I have not mentioned it in the bibliography of my book possibly due to inadvertence. Not only the gazetteer of 1960 but gazetteers of earlier periods

also form the basis of the facts mentioned in para 19 of my petition but I do not remember their details nor the years of their publication. I may not be able to tell as to when and who had brought out the first gazetteer of India. However, I do remember that the first gazetteer was published by the British Government in 19th century. I do not remember the names of other members of the committee that was constituted for the gazetteer of the year 1960. I have gone through the section relating to Faizabad in this gazetteer. I may not be able to tell whether the above constituted committee had undertaken the survey of each district of its own. I am also not aware of the fact whether compilation or verification of the traditional facts mentioned in the above gazetteer of the year of 1960 was undertaken by the members of the committee themselves or by some committee constituted at the district level. I am not aware as to when the committee for the gazetteer of the year 1960 was constituted. The facts mentioned in gazetteers belonging to the period prior to 1960 were compiled and verified by the officers of district level committee themselves. This statement of mine is based on the introductions and facts mentioned in these gazetteers. As far as I remember I have mentioned about these gazetteers in the last two chapters i.e. 9th - 10th chapters of my book exhibit no. OOS-5-3. I have heard the name of Edward Thornton and have also heard of the gazetteer written by him but I am not aware whether he had written a gazetteer or a book. Of course, I have gone through the book written by him. The name of Edward Welfore is coming to my mind but I do not recollect whether he had written any gazetteer or any book or encyclopedia. Edward Thornton and Edward Welfore would have been officers of the British Government but I cannot tell in definite terms whether they were historians or officers. I have heard the name of P. Carnegi

who has written a book entitled 'History of Faizabad Tehsil'. However I do not remember whether or not he was an editor of any gazetteer or a writer. Ayodhya came under Faizabad tehsil at the time when he wrote the above book. During the last days of rule of Navabs, Ayodhya was not a tehsil but came under Faizabad tehsil. Ayodhya would have been a town under Faizabad tehsil. A gazetteer has been published by the name of 'Gazetteer of Province of Avadh' but I do not remember as to when and who had published it. I have gone through the 'Faizabad Settlement Report' but I do not remember as to who and when was it published. I have heard that a gazetteer by the name of 'Imperial Gazetteer of India' had been published which contained sections of various provinces but I have not gone through this gazetteer. I have also heard that there was a volume concerning united provinces of Avadh in the above gazetteer but I did not go through even this gazetteer. I have definitely gone through 'gazetteer of provinces of Avadh' and 'Faizabad settlement report' but have not made use of them in my book exhibit OOS 5-3. I have gone through the books written by Edward Thornton, Edward Welfore and P. Carnegi but have not made use of them in my book exhibit 005-5-3. Later on Volunteer that he had mentioned about the book of P. Carnegi in his book. The witness stated 'A. Fuherr has written a book by the name of 'Archaeological Survey of India - report' and I have also seen the above book but have not read it thoroughly. I have not made use of the above book while writing my book. H.R. Nevil has also written a book concerning the districts of Uttar Pradesh but at this point of time it is not striking to my mind whether it is a book or a gazetteer or a report'.

In para 19 of my main petition I have described the entire disputed premises as 'Premises in dispute' and I

have stated in the end of this para that the entire premises are regarded as Ram Janambhoomi since ages. It has been stated in para 23 of the main petition that a temple of the time of Maharaja Vikramaditya existed at the disputed site which is based on the books of history and public records. By public records, I mean gazetteers which have been referred to above by me. I do not remember any of the names referred in books of history mentioned in this very para. Most of the books that I have referred in document nos. 289C-1/227 to 232 of my book exhibit OOS-5-3 are books of history. The list also includes certain books on the basis of which books of history have been mentioned in para 23 of the main petition and on the basis of which the fact relating to existence of a temple of the time of Maharaja Vikramaditya has been mentioned. 'Satya Darpan main Ayodhya' written by Aditya Swarup, Varanasi (1883- the witness stated that the year should have been 1983 instead) and the name of the second book i.e. 'Architecture and Site of Babri Mosque of Ayodhya 1961' is given just below the above book in the bibliography given in this very document no. 289C-1/228. Besides, the names of books 'A historical sketch of Faizabad Tehsil including the formal capitals Ayodhya and Faizabad' appear at serial nos. 11, and 12. The book written by Conrald Alst appears at Sl. No.15 on the same page whereas 'Babarnama' by William Arskin and Bevridge appears on 289C-1/229 and the first article by Vinod Kumar Mishra appears on 289C-1/230. Both the books written by Lala Sitaram appear at Sl. No. 11 and 12 on this very page, the book by Ram Saran Sharma appears at Sl. No. 1 on document no. 289C- 1/231. The list of Hindi books on the same page includes Ayodhya by Hans Baker whereas 'The Road to Ayodhya' by Dubashi Jai is a part of the list of English books and practically all the books and articles included in the list of English books.

There is a mention in most of the above books that Meer Baki demolished the above temple and constructed a Mosque at that place. There is also a mention in few of the above books that the masjid was built by using the debris of the temple including the pillars of Kasauti. In other words the building material used in the construction of the masjid was mostly the building material of the temple. I do not remember the names of books in which such a mention is found. There is a mention of the fact in these very books that the Hindus had objected to the construction of the masjid and many battles were fought, the last in the year 1855. This fact finds a mention in the book 'Satya Darpan Ayodhya' written by Aditya Swarup. I do not remember the details of the battles nor the years during which the battles had taken place and neither the number of battles fought. At this point of time I do not remember even the time when the first battle was fought after the construction of the Mosque by Meer Baki. As far as I recollect the first battle was fought during the regime of Akbar but I do not remember the armies between which the battle was fought. The first battle was fought at Adyodhya but I do not remember the place where the battle was fought. I also do not remember as to who had won the above battle. I also do not remember whether any damage had been caused to the masjid during this battle. On looking at his book OOS-5-3 the witness stated that the first battle had taken place during the regime of Humayun whereas the second battle was fought during the regime of Akbar. It is mentioned on Page 155 of the above book that with regard to the disputed site ten battles had taken place during the regime of Humayun. I have mentioned about the ten battles by partially accepting the fact which means that there is no doubt that ten battles had been fought but the authenticity about the parties between which the battles were fought

and the number of battles was based on the reference book no. 10. I have not undertaken any research on this subject independently to find out the authenticity of the above. Details of the regime of Humayun are contained in 'Hamayun Nama' which are regarded as correct. I have not made any efforts to go through 'Hamayun Nama'. Besides, I agree with fact that there had been twenty battles during the regime of Akbar partially relying on the above argument. I believe that 'Ain-ai-Akbari' and 'Akbarnama' - both the books are authentic which depict the period of rule of Akbar but it is not necessary that the books contain the description of each and every event. I have gone through 'Ain-ai Akbari' but not studied 'Akbarnama'. I agree with the fact mentioned on page 155 of my book under the heading 'Period of Akbar' that Akbar, having concurred with the views of Birbal and Todarmal had permitted for the construction of a small temple on the Chabootra in front of the masjid and had also issued directions that no one should obstruct worshipping - adoration. Thereafter it is mentioned that 'later on a temple of marble was built at this site where the worshipping - adoration has been continuing' - this is a fact the authenticity of which could neither be denied nor confirmed by me. I have never read in any other book whether a temple had been built on that Ram Chabootra. I had seen idols lying at the Chabootra during my last visit to the disputed site in the year 1992. There was no temple and only one shed was there. I have not read in any book whether anyone had ever demblished the temple built on the Chabootra. I do not know by heart the parties between which the battle had been fought in the year 1885 and the place where the battle had been fought as is mentioned in para 23 of the main petition. Mention about the battle of 1885 is found on pages 122 to 132 which also contains the details of para 23 mentioned in my

main petition. The battle about which a mention has been made on pages 122 to 132 of my book had started on the issue of the so called masjid at Hanumangarhi but that battle was confined within the area from the door of Hanumangarhi to the interior of the masjid. Amir 'Ali had lead the battle who was killed during the battle at the hands of the soldiers of East India company at a place known at Satrikh before he could reach Ayodhya. Satrikh is located in Barabanki district. The battle during 1855 was fought between local Vairagies and local muslims of Ayodhya. Nearly 75 muslims had lost their lives in the battle who were cremated in a big grave located in the east of the masjid. Later on this place was named as 'Ganj-ai-Shaheedan'. After this battle the disputed building came into the hands of Hindus but I do not remember as to how long it remained in the hands of Hindus, I cannot tell in definite terms whether the disputed site had been in the possession of Hindus before the year 1855 but Typhen Thaller has mentioned in his memoirs that Hindus used to worship at both the places i.e. inside the disputed building and at Ram Chabootra too. I have gone through the details relating to Ayodhya in the book of Typhen Thaller but at the moment I do not remember the name nor the page no. of the book where the fact of Hindus performing 'Pooja' in the disputed building before the year 1855 has been mentioned. The book of Typhen Thaller is in French language with which I am not conversant but I have certainly gone through its English translation. I am not aware whether English translation of his book has been published somewhere or not but I have gone through the English translation of pages concerning Ayodhya region. At the moment I do not remember as to who had translated it in English. The translation was a part of some printed book. As stated by me above, I am not aware whether English translation of

the above book has been published or not, but translation concerning Ayodhya region has been printed which I have read in some book. The Gazetteer, details of which have been given in the main petition was published by the name of Faizabad Gazetteer by the Government Press but I do not remember the name of its author. I have quoted the extracts by taking them as authentic. I do not agree with the extracts of the Gazetteer appearing on page 18 of para 23 of the main petition wherein it is mentioned that Babar came to Ayodhya, demolished the temple and built a masjid thereon. I believe that the details provided by me relating to the battle are authentic. The time of the battle of Amir Au as indicated in the portion starting from the last word on page 18 and continuing till the fourth line on page 19 of the main petition is incorrect. The battle was fought prior to 'Ganj-ai-Shaheedan'. The fact mentioned in the end of para 23 that till the death of Amir Ali - Hindu a muslims - both used to worship at this very disputed building together and that the wall of stockade was built after the mutiny of 1857 and Hindus were prevented from entering inside and that they continued worshipping at Ram Chabootra appears to be true. I have not mentioned the fact of construction of the wall of stockade during the mutiny in my book exhibit OOS-5-3 'Ayodhya'. I was not fully confident of the fact that the wall of stockade had been built during the mutiny at the time of writing of my book and that is why I had not mentioned this fact.

Since I was aware that figures of 'Yaksha' and 'Yakshini' were carved on the pillars of Kasauti I had mentioned in the main petition that the idols of Hindu deities appeared on the pillars. I cannot tell in detail about the pillars which carried idols of 'Yaksha' and 'Yakshini'. The pillars fixed in the disputed building were not visible

from outside of the wall of stockade. There was no idol of any deity in the disputed building till 22' December 1949. I cannot tell whether the doors of the wall of stockade had locks till 22nd December 1949 or not. The Hindus prostrated outside the wall of the stockade but I am not aware as to who controlled the inside affairs and whether pooja-namaz went on inside or not.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

20.02.2003

Typed by the stenographer in the open court as dictated by us . Present yourself on 24.02.2003 before the Hon'ble Full Bench for further cross-examination.

www.vadaprativada.in

Sd/ -

20.02.2003

Dated : 24.02.2003

OPW 9 Dr. Thakur Prasad Verma

Before: Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD, Hon'ble High Court, Lucknow

(Appointed vide order dated 21.02,2003 of the Hon'ble
Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on oath on behalf of Defendant No.
4 initiated by Shri Zaffaryab Jilani, Advocate in continuation
to cross-examination dated 20.02.2003)

Yaksha and Yakshini are venerable and that is why
they are called deities. I have mentioned about carving of
figures of deities on 14 pillars of Kasauti in para 21 on
page 8 of my affidavit under examination-in-chief which
refers to the figures of Yaksha and Yakshini and figures of
Jay and Vijay on the pillars of the outer door. Two out of
the 14 pillars of Kasauti carried the figures of Jay and Vijay
while the remaining 12 pillars carried the figures of Yaksha-
Yakshinis. I do not remember whether figures of any other
deities were there on the 14 pillars and whether the pillars
which carried the figures of Yaksha had figures of any other
deities or not.

Question: Did you remember on 31st October 2002 the date
of filing the affidavit about the names of deities
whose figures had been carved on the 14 pillars?

Answer: At that time I had a vague idea that figures of
many deities were carved on those pillars and I
had formed this opinion when in October 1992 I
had looked at them. It was on this basis that I

had made a mention of it in my affidavit but did not have a very clear idea about it.

Question: Is there no other basis of your statement that figures of deities were present on the pillars except physical examination of disputed building undertaken by you in October 1992?

Answer: The main basis of my contention was only the inspection I had carried out in October 1992 and thereafter I made no efforts to get it verified with the help of photographs.

At this point the witness was shown the pillars visible in photograph nos. 44 to 55 (in continuation) of coloured album document no. 200C-1 by the learned cross examining advocate and a question was asked 'Do you find figures of any deity or Yaksha-Yakshini or Jay-Vijay in these photographs?'

On looking at the photographs the witness stated, "I am not in a position to identify any deity, Yiksha-Yakshini, Jay-Vijay by looking at the photographs visible on the pillars."

The witness was shown photograph no. 103 to 127 (in continuation) on looking at which the witness stated. There could be idols in photograph no. 104, 105, 109, 110, 114, 115 at places where vermilion or red colour seemed to have been applied but it is not clear by looking at the photographs whether they are the photographs of deities or Yaksha-Yakshini, or Jay-Vijay. At places where no colour is visible on the pillars present in the remaining photograph, figures of yaksha-Yakshini or Jai-Viajy are not visible. The witness was shown photograph nos. 136 to 147 (in

continuation) looking at which he stated that a few idols were visible on the portions smeared with colour in photograph no. 141, 146, 147 but by looking at the idols he could not identify them. No idols were visible on the remaining pillars in the photographs. The witness stated that he could not see figure of any deity, Yaksha-Yakshini or Jay-Vijay at such places on pillars in the photographs on which red colour was not smeared. The witness was shown photograph nos. 157 to 167 (in continuation) of the same album looking at which he stated that a few idols were visible on the portions smeared with colour in photograph nos. 160, 161, 162, 163, 166 and 167 but he was unable to identify them. He stated that no idol or figure or bodily appearance was visible on the remaining pillars at places where no colour had been smeared. The witness was shown photograph no. 176 to 200 (in continuation) of the same album looking at which he stated that images are figures of idols of deities were visible on the portions smeared with colour in photograph nos. 176, 177, 180, 181, 183, 188, 193, 194, 195, 199 and 200 but he was unable to identify them and he could not see figure of any deity, Yaksha-Yakshini, or Jay-Vijay at such places in the remaining and above pillars which had not been smeared by colour. On looking at photograph no. 201 of the same colour album the witness stated that it appeared to be a photograph of the entrance gate of the outer boundary wall of the disputed building. This photograph could be possibly of the eastern gate of the outer boundary wall which is called Hanumatdwar. The witness was shown photograph nos. 152 to 156 (in continuation) of this very album on looking at which he stated that these were the photographs of the western wall of the central portion of the disputed building. The floor visible in photo no. 156 is the floor in front of this very throne. The witness was shown photo nos.

128 and 129 of this very colour album on looking at which he stated that it was possibly the photo set in the interior southern wall under the southern dome. It appeared to be a photo of some modern person but he was not in a position to identify the same. The name had been mentioned on the photographs but he was not able to read out the same. Later on he added that Thakur Gurudatt Singh was written but he was not aware of the identity of Thakur Gurudatt Singh. The witness was shown photo no. 116 on looking at which he stated that he was not sure whether the photo was fixed in the disputed building in October 1992 when he had carried out the inspection of the building. The witness stated, "By looking at photo no. 116 I cannot tell as to in which portion of the disputed building was this photo fixed. I had gone round the entire building when I visited the disputed building in October 1992." The witness was shown photo no. 102 of the same album on looking at which he stated that this was the photo of this wall of stockade outside the disputed building but he was not in a position to tell as to from which angle the photo had been taken. It appeared to him that this photo had been taken from outside the wall of stockade and it appeared to be the photo of the outer portion of the wall of stockade. The witness was shown photo nos. 99-100 (in continuation) on looking at which he stated that both these photos appeared to be the photos of the middle entrance gate of the disputed building. The witness was shown photo nos. 84, 85 and 86 on looking at which he stated as far as he recollected all the three photos were of the same middle entrance gate which was visible in photo nos. 99 and 100. The witness was shown photo nos. 81, 82, 83 of the same colour album no. 200C-1 on looking at which he stated that a tree and stairs were visible in these photographs. As far as he remembered the tree and stairs visible in the

photographs were located in the southern portion. There was a kachha Chabootra type of structure before the outer southern wall in the south of the domed building and this tree was on that Chabootra only and from there only the stairs went upwards the building. The witness was shown photo nos. 79 and 80 of this very album on looking at which he stated that he was not in a position to correctly identify the place in the disputed building to which these photos belonged but it was coming to his mind that the photographs were of so of the disputed building only. The witness was shown photo nos. 73 and 75 of the same album on looking at which he stated that these photos also appeared to be of certain portions of the disputed building but he was not in a position to identify the said portion. The witness was shown photo nos. 67, 74, 78 of the same album looking at which he stated that these were again the photos of some portions of the disputed building but he was not in a position to identify the same. The witness was then shown photo nos. 69, 70, 76 of the same album on looking at which he again stated these were the photos of some portions of the disputed building but he was not in a position to identify the same. The witness was shown photo nos. 71, 72 of the same album on looking at which he stated that possibly these were the photos of Sita Rasoi which was located in the north of the precincts of the disputed building. He added that he was not able to correctly read whether Kaushalya Rasoi was written on the throne visible in the photographs. The witness was shown photo no. 39 of the black and white album document no. 201-C/1 on looking at which he stated that it was the photo of the same place which was visible in photo nos. 71 and 72 of the colour album. The words Kaushalya Rasoi appeared to be written on this photo no. 39. Some people call this place as Sita Rasoi while others call it as

Kaushalya Rasoi. The witness stated, "I believe that in the narratives of foreign tourists this place has been named as Sita Rasoi and possibly later on people started calling it by the name of Kaushalya Rasoi. The last narrative of the journey of Ayodhya of any foreign tourist should possibly be of 18th century. I cannot tell the date from which it was called as Kaushalya Rasoi but today the words Kaushalya Rasoi are visible on this photo and it is because of this that I believe that it would have been the place which would have been called Kaushalya Rasoi too. As far as I recollect: I was not aware till this day that the same Sita Rasoi as visible in the photographs was called by the name of Kaushalya Rasoi. I do not remember whether there is a mention of Sita Rasoi in my book exhibit OOS-5-3 or not. While identifying the disputed site as the Ram Janambhoomi, Sita Rasoi is not as relevant as Kaushalya Rasoi any mention of Kaushalya Rasoi in my book exhibit OOS-5-3 nor I had any knowledge of Kaushalya Rasoi till the writing and publication of the book. I am aware that Kaushalya was the name of the mother of Rama who lived in Dashrath Mahal. There is a possibility that Rama would have been born in the palace of Kaushalyaji or at a maternity home if such a home existed separately. I am not sure whether Shri. Ramachandraji was born at the palace of Kaushalyaji or at some independent maternity home.

Question: Are the places in Ayodhya known by the names as given in Valmiki Ramayana located at the same places where they were reported to be existing during the period of Raja Dashrath?

Answer: As per tradition, the above places should be located at the same places where they existed during the period of Raja Dashrath.

The building presently known as Dashrath Bhawan or Dashrath Mahal in Ayodhya is possibly located at the same place where it existed during the period of Raja Dashrath. Similar position should prevail in respect of Kaushalya Bhawan, Sumitra Bhawan and Kaikeyi Bhawan. I cannot tell about the present locations of Kaushalya Bhawan, Sumitra Bhawan and Kaikeyi Bhawan and also about their distance from the disputed building.

The word Rasoi stands for the English term kitchen where food is cooked. The Rasoi of a queen can be inside her palace and away from the palace also. It has not been mentioned anywhere whether the Rasoi of Kaushalyaji was inside her palace or away therefrom. Similarly no mention is found anywhere in respect of the Rasoi of Rani Sumitra and Kaikeyi. It has also not been mentioned anywhere whether Laxmanji, Bharatji and Shatrughunji were born in the palaces of their mothers or elsewhere. No tradition is also available indicating the places of birth of Laxmanji, Bharatji and Shatrughanji. However keeping in view the fact that footprints of all the four brothers are available in the premises, it is believed that all the three brothers of Ramchanderji would have been born at these premises only. The belief that all the three brothers of Ramchandraji would have taken birth here only is based on the availability of their footprints here. I believe that the footprints and Chulah, Chakala Belan - all these things should belong to the modern times i.e. should be within 100 - 150 years. I also believe that there would have been other footprints before 100 - 150 years which would have been replaced by constructing new footprints. There is no mention of the footprints in any book, which would have existed prior to 100 - 150 years. The above Sita Rasoi/Kaushalya Rasoi is also called the place of Shashthi Poojan. The place of

Shashthi Poojan is a place where the child is bathed on the sixth day of his birth. There is no mention in any book of the fact that Ramachander was bathed on this sixth day of his birth at the existing place of Shashti Poojan, it is based on tradition only. There is no mention in Ramchárítmanas or Valmiki Ramayana that Ramchanderji was bathed on the sixth day at that place i.e. the place of Shashti Poojan there is no mention of Chhathi Poojan in my book exhibit OOS-5-3. At the time of writing the above book I was aware that the above place was called the place of Shashti Poojan but I felt no need to mention it. The place of Shashti Poojan is important for the purpose of proving the disputed site as the birth place of Ramchanderji but I have not written my book to prove the authenticity of the birth place of Rama. It is a book of historical nature. The purpose of my book exhibit OOS 5-3 is not to prove the disputed building as the birth place of Rama. While writing this book I had kept in my mind that Lord Rama was born at the disputed site only in Ayodhya but I have not made use of all the available arguments to prove my contention. The dispute about birthplace of Rama had erupted at the time when I started to write this book and there had been a great propaganda about it in the country. I was aware about the Ram Janambhoomi movement right from the beginning of writing of this book till its publication but had never been a part of the movement. That is why I had not included all such facts in my book as were essential to prove the disputed site as the birth place of Rama. The place of Shasht Pooja should be close to the maternity Home and not inside maternity Home. In case there was no independent maternity home, the place of Shashti Poojan should be located somewhere inside the residence or place of the mother of newborn. I am not aware as to what other rites are performed on the day of Chhati Poojan besides the bathing ceremony. I am

not quite confident whether the place which has been named as Sita Rasoi or Kaushalya Rasoi was called the place of Chhati Poojan before 1950 or the practice started thereafter. At this point of time I do not remember whether there is a mention of the new birth place temple located in the north of the northern road of the disputed building in my book OOS-5-3 or not. The new birth place temple should have been built within 200-250 years. I am not aware as to who got the temple built but I am aware that there is a Sita Rasoi in this temple also. With regard to the above Sita Rasoi, there has been a belief right from the day of the construction of that temple that this too was the Rasoi of Sitaji. The Sita Rasoi of new birth place temple does not have a very long tradition but since the old birth place temple was in the possession of others, a new birth place temple along with a Sita Rasoi was built to attract the pilgrims. At the time when new birth place temple was built, the disputed building was in the possession of others and not of 1-findus. I do not have a precise knowledge as to how long the disputed building remain in the possession of others. The others, who had the possession of the disputed building were muslim rulers and after the end of their rule, Hindus used to go and worship at that place also during the period of East India company after the 1934 riots. The rule of muslim rulers ended in the year 1857 and thereafter Ayodhya fell under the control of East India Company. During 1857 to 1934 Hindus and Muslims - both used to go to the disputed building and worship in their respective ways. Muslims used to say prayers (Namaz). During the period 1934 to 1949 the disputed building was in the joint possession of both Hindus and Muslims and during this period i.e. after 1934 muslims did not visit this place for saying prayers (namaz). After placing the idols in the year 1949, the possession of the disputed buildings went into

the hands of Hindus. I am not aware of the contents of FIR lodged in the Police Station after placing of idols on the night of 22/23rd December 1949. After the FIR, the premises were attached under the orders of the Magistrate and Babu Priyadatt Ram was appointed as its custodian. My knowledge to this effect is based on the petition and documents filed therewith. I am also aware of the other suits which have been annexed with the suit. The first suit in the series was filed by Gopal Singh Visharad.

Some items like Ghanta, Gahdiyal, Pooja - sthal and other vessels are available at the place where Hindus perform Pooja. The earthen lamp and ghee to lighten it are also available there. The other vessels include Katori, glass, spoon etc. items like incense flowers and other fragrant things are also kept there. There is also a tradition to clothe the deities and as such their garments are also kept somewhere in the store. I believe that during the period 1934 to 1949 there used to be symbolic Pooja only at the disputed site and the actual pooja had started w.e.f. the night of 22nd / 23rd December, 1949. in view of the above position, the above items of Pooja would not have been available inside the disputed building till 22nd December 1949 and that the above items would have been made available from 23rd December 1949 only. The arrangement of 'Bhog' etc. for the idol is the responsibility of the priest and it is only on special occasions that the devotees contribute money for special pooja or arrangement of Bhog. I do not have any specific knowledge about the fact that after the idols were placed at the disputed building on the night of 22nd / 23rd December 1949 who arranged for the 'Bhog' for the idols. I do not remember whether during writing my book exhibit OOS-5-3 or after my becoming a plaintiff in the suit, I had seen the file made under section

145 Cr.P.C and the papers about the attachment of the disputed building. I am not aware of any temple in Ayodhya where the arrangement for Bhog for any deity is done by both - Hindus and muslims. I have read about such a temple outside Ayodhya but I am not able to recollect about it. I had read about it some 5 years ago but do not remember where had I read it. After placing the idols in the disputed building on the night of 22nd /23rd December 1949, the arrangement of Bhog for the idols in the disputed building continued smoothly but I am not aware as to who undertook it. Babu Priyadatt Ramji was appointed as the custodian of the disputed building in the year 1949. He was a devout Hindu, possibly a Vaishnav and keeping faith in Ramachandraji. I have probably not mentioned about Babu Priyadatt Ram in my book exhibit OOS-5-3." The witness was- shown document no. A 57 and 58 of file under section 145 of Cr. PC by the learned advocate cross-examining and a question was asked whether the items for Bhog as indicated by Babu Priyadatt Ramji were essential or not. Looking at the documents the witness stated that all the items indicated by Babu Priyadatt Ramji were essential for Bhog.

The witness was shown document no. A-15 of file under section 145 Cr. PC. by the learned advocate cross-examining and a question was asked that as per the order dated 29.12.1949, both the parties were directed to bear the expenses towards the arrangement of the attached property, and was it in his knowledge that expenditure towards Bhog was also included in these expenses. Looking at the above document the witness replied that after looking at the order it appeared that both Hindus and muslims of Ayodhya had been made partners and both of them had been directed to donate funds for the

management of the disputed building. The expenditure towards management included expenditure on Pooja-Archana as has been elaborated in A 57 and A-58 of the report of Babu Priyadatt Ram.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

24.02.2003

Typed by the stenographer in the open court as dictated by me. Present yourself on 25.02.2003 for further cross-examination.

Sd/-

(Narendra Prasad)

Commissioner

24.02.2003

Dated: 25.02.2003

OPW 9 Dr. Thakur Prasad Verma

Before: Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD Hon'ble High Court, Lucknow

(Appointed vide order dated 21.02.2003 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on oath on behalf of Defendant No. 4 initiated by Shri Zaffaryab Jilani, Advocate in continuation to cross-examination dated 24.02.2003)

The witness was shown photo nos. 62 to 66 (in continuation) of document no. 200C-1 of the colour album by the learned advocate cross-examining on looking at which the witness stated that these were the photographs of the disputed building only but on looking only at photo nos. 63, 64 and 65 out of these photographs he could tell that these were the photos of the wall of the stockade. The witness stated, "I am not able to tell as to which portion of the disputed building is shown in photo No. 62. Photo no. 66 appears to be the photo of Ram Chabootra but I cannot tell from which angle this photo has been taken. As regards photo nos. 63, 64 and 65 I cannot tell from which angle the photos have been taken." The witness was shown photo nos. 55 and 58 of the same album looking at which witness stated that photo no. 58 appeared to be the photo of Ram Chabootra but he could not identify the place visible in photo no. 55. However photo no. 55 was certainly of the disputed building. The witness was shown photo nos. 37 to 42 (in continuation) looking at which the witness stated that possibly the photos were of the portion of the disputed building. Singhdwar was visible in all these photographs

and the photographs had been taken from various angles. The witness was shown photo nos. 10, 11 and 12 of document no. 200C-1 looking at which the witness stated that all the three photos were of the disputed building but he could not precisely tell as to which portions of the disputed building were visible in the photos. Possibly the photos were of the eastern portion of the disputed building.

The witness was shown photo no. 36 and 38 of document No. 201C-1 of black- white album by the learned advocate cross-examining looking at which the witness stated that these appeared to be the photos of the entrance gate of the disputed building but he could not tell in precise terms as to which gate was visible in the photos. Photo nos. 41 and 42 of the same album were shown to the witness looking at which the witness stated that photo no. 42 was the photo of some entrance gate but he could not tell precisely as to which gate was visible in the photo. Photo no. 41 was also a photo of the disputed building but he could not tell which portion of the disputed building was visible in the photo. The witness was shown photo no. 46 of the same album, looking at which the witness stated that this was again a photo of the entrance gate of the disputed building but he could not identify the direction of the entrance gate. The witness was shown photo nos. 47, 48 and 49 looking at which the witness stated that all the three were photographs of the disputed building and photo nos. 48 and 49 were the photographs of the upper portion of the middle entrance gate whereas photo no. 47 depicted the southern portion of the same entrance gate. The witness was shown photo no. 53 of the same album on looking at which the witness stated that it was again a photo of some entrance gate of the disputed building but he could not tell in definite terms as to which entrance gate was visible in

the photograph. Looking at photo nos. 43, 46 and 53, the witness stated that shapes of pillars of Kasauti on both sides of the entrance gate were visible in all the three photographs. The witness stated, "I cannot tell in definite terms whether two pillars each of Kasauti were set on the outer side of all the three gates but two pillars of Kasauti were set on the outer side of the middle gate. At this point of time I do not precisely remember the places where other ten pillars were set but I can tell it after referring to my book." The witness was shown his book document no. OOS-5-3 and on looking at page document no. 289C-1/204 he stated that all the pillars of Kasauti had been shown in black squares in the ground plan or sketch given at the bottom of the page. The witness stated, "I have shown Sita Rasoi above the Singhdwar on this very page in the map but I have not indicated this place as Kaushalya Rasoi or place of Shashti Poojan. The upper map on this very page document no. 289C-1/204 where a mention Sita Rasoi has been made was the map that Dr. S. P. Gupta had got prepared on the basis of the map obtained from Archaeological Survey of India and the lower map was evolved by me based on the book entitled 'Architecture and site of Babri Mosque of Ayodhya' by Dr. R. Nath. I do not remember the year in which I had got this map prepared but I had procured it at the time when type setting of the book was going on. Looking at the lower map on page document no. 289C-1/204 the witness stated that no pillar of Kasauti had been shown at the northern or southern gate of the three domed building.

The attention of the witness was drawn to his today's statement which he had made after looking at photo nos. 43, 46 and 53 of this very album and which reads as, "figure of pillars of Kasauti are visible on both the sides of the gate in

all the three photos” on which he stated that he had made the above statement mistakenly. The witness stated, “I can confidently say that no pillars of Kasauti were fixed on the northern and southern gates of the disputed building.”

The witness was shown photo nos. 55 to 66 (in continuation) of black and white album document no. 201C-1 on looking at which he stated that he was not able to identify any deity Yaksha — Yakshini or Jay-Vijay on the pillars visible in these photos but an indistinct figure was visible on the Ghat-Kalash in photo no. 55. The witness was shown photo nos. 71 to 76 (in continuation) of album document no. 201C-1 on looking at which he stated that he was not able to identify any deity, Yaksha-Yakshini or Jay-Vijay on the pillars visible in these photos. The witness was shown photo nos. 87 to 91 (in continuation) of the same album on looking at which he stated that he was able to see a few figures only in photo nos. 89 and 91 but he was not in a position to identify whether they were the photos of any deity, Yaksha-Yakshini or Jay-Vijay and in so far as the remaining photos were concerned no such figures were visible to him. The witness was shown photo no. 95 to 106 (in continuation) of the black and white album on looking at which he stated that some indistinct figures were visible only in photo nos. 97, 101 and 103 but he was not in a position to identify whether they were the photos of any deities, Yaksha-Yakshini or Jay-Vijay and in so far as the remaining photos were concerned no such figures were visible to him.

The witness stated, “I had not prepared any note indicating the idols visible on various pillars during my inspection of the disputed site in October 1992. At that time I had also not made any note indicating the number of

pillars on which some figures or idols were visible. I had read it as to which idols were visible on which of the pillars but the responsibility of writing of this chapter in my book exhibit OOS-5-3 was with Dr. S. P. Gupta and that is why I did not take the matter seriously and at this point of time I do not recollect whether these facts have been mentioned in my book or I have read about them in some other book. By standing close to the outer wall of the stockade only two pillars of Kasauti fixed outside the middle gate were visible and the remaining ten pillars were not visible from there. I have seen the two pillars of Kasauti fixed outside the middle gate in photos in colour and black and white album document nos.200C-1 and 201C-1 respectively but I cannot identify them independently. I did not find any deity, Yaksha-Yakshini or Jay-Vijay on any of the two pillars of Kasauti fixed outside the middle gate. I had found only some flowers-petals, ghat-bud, garland etc carved on the two pillars fixed outside the middle gate. The ornamentation carried on the pillars was visible to some from a distance of 2-4 feet and to some from a distance of 10 ft. During my visit in October 1992 I had seen the above carved ornamentation on these pillars from a distance of 7-8 feet."

The witness was then shown clause 23 of the petition (other original suit no. 5 of 1989) on looking at which the witness stated that the facts mentioned in the first 6 lines of the clause were partially true and partially false. The fact that Meer Baki had got demolished the temple of Ram Janambhoomi built by Vikramaditya forcibly does not appear to be true because after Vikramaditya the temple was demolished and repaired a number of times and it was during the period of Govind Chand Gaharwal in the 12th century that the temple was rebuilt which was subsequently

demolished by Meer Baki. It is mentioned in para 23 of the petition "Meer Baki had demolished the temple built by Vikramaditya" and it does not appear to be true. The witness said, "I had not paid attention to this fact after becoming a plaintiff in the suit but now after my attention being drawn by the learned advocate cross-examining, it has come to my mind that this has been a mistake in the suit. While getting the petition prepared, Shri Devki Nandan Aggarwal had not discussed this issue with me at all. I have had no discussion even with anyone else during 1988-89 at the time of preparation of this petition. I had stated earlier that after becoming a plaintiff of the suit I had gone through the petition thoroughly but there had been a lapse in understanding the petition. In my statement dated 20.2.2003 on page 115, I had stated, "I have gone through the facts mentioned in the main petition of suit no. 5/89 and I believe they are all correct and that I agree with them" - this appears to be a mis-statement and this statement of mine of 20.2.2003 is not fully true."

The witness was shown para 19 of other original suit no. 5/89 looking at which the witness stated that he fully agreed with whatever had been stated therein. 'Premises in dispute' include the entire area inside and outside the disputed building covered by the boundary wall having two gates - one in the east and the other in the north-Ram Chabootra was located in the courtyard covered by this very boundary wall. Ramchabootra would be at a distance of around 50 ft from the point below the middle dome of the disputed building.

Question: How come that you did not write in para 19 of your sworn statement that as per your belief Maryada Purushottam Ramachandraji was born

at the place below the middle dome of the disputed building?

Answer: There was no need to clarify this point because 'Garbh Grih' (inner shrine) of the old temple existed there only in the three domed disputed building and hence there was no necessity to specifically state it. Mostly the temples are located in large premises but the greatest importance was of Garbh Grih which is regarded to be located below the three domed building in the instance case.

Question: As per your belief and statement, will you regard the place below all the three domes of the disputed building or only the place below the middle dome as Garbh Grih?

Answer: I believe that only the place below the middle dome should be regarded as Garbh Grih.

The witness was shown his statement viz "Garbh Grih of the old temple existed there only in the three domed disputed building," and a question was asked whether his above statement was consistent with the statement that he gave in reply to the very next question. On looking at his statement the witness stated that in his above statement instead of 'there only' he should have used the words 'in it only'. The witness stated "By my above statement I meant that Garbh Grih of the temple would have existed at the place below the middle dome of the three domed disputed building right since the time of Vikramaditya till Gaharwal period, whichever temples were built at the place of birth of Rama, Garbh Grih of all the temples would have been at the same place under the middle dome. I cannot tell as to

how many times temples would have built at the disputed site during the period from Vikramaditya age to Gaharwal age.

Question: Is it your pure imagination that whichever temples were built at the disputed site since the time of Vikramaditya till the 12th century, the so called Garbh Grih would have remained there only where the middle dome of the disputed building existed?

Answer: This is not my imagination but a conclusion drawn on the basis of tradition because it was the birth place of Lord Rama and as such whichever temples were built or repaired Garbh Grih in all of them would have remained at this place only where the middle dome of the disputed building existed.

Question: Have you read about the above tradition in any authentic book (religious or historical) in writing or have heard of it orally and read of it in the written books during the modern time?

Answer: Traditions pass on from one generation to the other and the tradition has been getting on in oral form for hundreds of generations. It was only during the time of East India Company that the authors of gazetteers and European scholars would have heard of the tradition and given it a place in the modern books.

Question: Has there been a tradition for long that the place of Ram Chabootra should be the birth place of Ramchanderji and that it has been developed in the 20th century to imply that the place below

the middle dome of the disputed building should be the birth place of Ramchanderji?

Answer: I do not agree with this theory of tradition that the place of Ram Chabootra was the birth place of Ramchanderji. The fact is that Lord Rama would have been born at the above stated Garbhgrih and Ram Chabootra as the birth place of Rama would have been accepted as a compromise.

I am not aware whether there has even been a tradition that Ramchandraji was born at Ram Chabootra only. A suit had been filed by the Mahant of Ram Chabootra in 1885 in the Faizabad civil court in which the plaintiff had declared himself as the Mahant of the birth place and had enclosed a map with his claim. The building shown in the west of Ram Chabootra in the map had been indicated as a mosque. This building would have been the same building with three domes.

Question: It is amply proved from the petition of 1885 and the map attached thereto that there was no tradition or belief atleast during 1885 to the effect that birth place of Ramchanderji would have existed in same portion of the three domed building located in the west of Ram Chabootra - what have you say about it?

Answer: At this point of time I do not remember the details of the petition of the suit of 1885, but the district judge, Chamiar while addressing the disputed building has stated in his judgment that it is unfortunate that a place regarded as so pious by the Hindus had been demolished and a building raised thereon. However no definite verdict has

emerged despite the fact that more than 300 years have lapsed. In this way even the District Judge has adjudged the above disputed building as a part of the birth place.

Question: The above remarks in the judgment of district Judge, Chamiar were concerned with the suit relating to Ram Chabootra and that too was based on a hearsay. The portion of the judgment referred by you does neither reflect any tradition nor proves it - what have you to say about it?

Answer: I do not agree with it because whatever has been referred as hearsay was something related to oral tradition whereas the district judge Chamiar, has included both Ram Chabootra as well as disputed building in his judgment.

As regards the judgment of the Hindu Judge, the same would have been based on evidences and arguments made available to him and at this point of time I am not in a position to state authentically that the British Judge had made the above reference in his judgment to cause a fight between Hindus and Muslims. I believe that the administration of East India Company would have followed the policy of bringing Hindus and Muslims to fight against each other but as far as judicial aspect was concerned he has delivered an objective judgment.

Question: Should I take it from your statement that there was no such tradition and belief amongst Hindus during the year 1885 according to which they regarded Ram Chabootra as the birth place of Ramchanderji.

(On this question Shri. Ajay Kumar Pandey, learned advocate of plaintiffs raised an objection that the witness was being confused by repeating the same question before him and the time of the court was being wasted and therefore permission to ask the question repeatedly should not be granted.)

Answer: I have already stated that Ram Chabootra was established as a compromise and the interest of the priests etc. lied in it and it was because of this that they would have tried to create a belief that this Ram Chabootra only was the birth place of Lord Rama and such a belief would have been created after the construction of Ram Chabootra.

Such a belief was prevalent in the year 1885 also. I am not aware as to when Ram Chabootra was constructed and when did the above compromise take place. Hindus and Muslims of Ayodhya would have been parties of the compromise but I have never read anything about this compromise, it is only my guesswork. The very establishment of Ram Chabootra is the basis of my guess. As regards establishment of Ram Chabootra two traditions are prevailing; according to one Akbar had directed for the construction of Ram Chabootra while according to the other tradition the Chabootra was built during the period of British rulers. I do not regard any of the traditions as true or false. There is a mention of a Veda in the travel accounts of Typhen Thallor and possibly the Veda would have been the Ram Chabootra and as such the tradition prevailing during the times of Akbar appear to be more powerful. However there is no mention of this Ram Chabootra or

about its construction during the times of Akbar in any book of history related to Mughal Empire.

The witness was shown document no. 19/2C, exhibit 13 filed in other original suit no. 4/89 and a question was asked whether a mosque had been shown and the word Masjid written thereon in the West of Ram Chabootra in the map filed by Mahant Raghuvar Das. On looking at the map the witness replied in affirmative.

The English word 'manifested' stands for the word "prakat hona" in Hindi and same meaning has been attached with the words 'manifested himself' used in para 19 of the petition. In other words it has been mentioned in this paragraph that Lord Rama appeared himself as embodiment of the incarnation of Vishnu. It is rightly mentioned in para 19 of the petition that the place where Ramchanderji was born has been regarded as Shri Ram Janambhoomi by all for many centuries.

Question: If your statement can be relied upon that people used to regard and name the place which was believed to be the birth place of Ramchanderji as Ram Janambhoomi for many centuries why were the words Ram Janmbhoomi not used in the suit filed by Mahan Raghuvar Dasji in the year 1885?

Answer: I have no comments to offer in this regard as to why Mahant Raghuvar Das did not call this place as Ram Janambhoomi in his suit of 1885 but I am quite confident of the fact that people from all the corners of the country assembled at this very place every year to offer prayers on the occasion of Ram Navmi which is regarded as the birthday of Lord Shri Rama for many centuries.

The Gazetteers published during the British Rule and which carried the mention of the birth place of Ramchanderji are substantially genuine and based on the prevalent tradition. In this connection the first gazetteer was brought out by Edward Thornton but I am not aware as to who brought out the last gazetteer and when. After independence only one gazetteer relating to the districts of UP was brought about in 1960 and Smt. E. B. Joshi was the editor of this gazetteer.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

25.2.2003

Typed by the stenographer in the open court as dictated by me. Present yourself on 26.02.2003 before the Hon'ble Full Bench for further cross-examination.

Sd/-

(Narendra Prasad)

Commissioner

25.02.2003

Dated: 26.02.2003

OPW 9 Dr. Thakur Prasad Verma

Before : Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD, Hon'ble High Court, Lucknow

(Appointed vide order dated 21.02.2003 of the Hon'ble
Full Bench in other Original Suit No.5 of 1989)

(Cross-examination on oath on behalf of Defendant No.
4 initiated by Shri Zaffaryab Jilani, Advocate in continuation
to cross-examination dated 25.02.2003)

I had made a statement yesterday the 25th February 2003 on page 155 according to which "the gazetteers published during the British Rule and which carried the mention of the birthplace of Ramchanderji are substantially genuine and are based on the prevalent tradition" - I agree with the fact that references of Ayodhya and Avadh in the above gazetteers were substantially genuine and all these references were based on prevalent traditions. By the words 'substantially genuine' I mean most of the facts mentioned therein were true. I do not remember as to which facts mentioned in those gazetteers were false. It has been mentioned by one of the authors of these gazetteers that pillars similar to the pillars of Kasauti retrieved from the disputed structure in Ayodhya were found at Banaras and other places. I believe that this statement is not true. There can be so many other things which may be false as per my thinking. The gazetteers where it is mentioned that such was the belief of local people, fall under tradition.

The modern Ayodhya is the same Ayodhya about which there has been a mention in Valmiki Ramayana etc.

and which had been devastated in the intervening period and settled again during the time of Vikramaditya. Lord Buddha had also lived for many years in Ayodhya which was called by the name of Saket during those days. I also have faith in mention found in Pali Books about the stay of the above Buddha in Ayodhya. I am not aware whether any Ramayana has been written in Pali language or not. There is a mention of the legend of Rama in Dashrath Jatak. It is believed that Lord Buddha belonged to 6th century BC and it was during this time that he stayed for many years at Ayodhya or Saket. Lord Buddha is also regarded as an incarnation of Lord Vishnu. There must have been a belief and talk about Ramachandraji as being one of the incarnations during the time of Lord Buddha, but no specific mention of the same is found anywhere. We do not find any mention about existence of any temple of Ramchanderji or of any temple at the place of his birth in Ayodhya during the time of Lord Buddha. We do find a mention of habitation and existence of many a Buddhist Muths in Ayodhya or Saket during the time of Lord Buddha and also a mention of the fact that groups of traders coming from various parts of country used to pass through Ayodhya. Such a mention is found in Buddhist literature. A number of Sanskrit books were written during the time of Lord Buddha but I cannot tell in definite terms whether there has been a mention of Ram Janambhoomi in any of these books or not. A mention about Ayodhya and Rama is found in many of the Sanskrit books written during the period of Buddha till the start of the Christian era. The prominent books amongst the above included Valmiki Ramayana, Ashtadhyayi of Panini, by Patanjali wherein mention of Rama and Ayodhya too was found many more books apart from the above three books would have existed during that time but I do not remember their names at the moment." Later on Volunteer:that

Mahabharat written by Vedvyas was yet another name of a book which he remembered. The witness stated, "Mahabharat dates back to 1st and 2nd century BC. Ayodhya was already habitated during the time of Lord Buddha but a mention is found that a 'Bhikshuni' by the name of Vineeta had settled Saket (Ayodhya) and that is why Saket was given yet another name of Vineeta. Koshal and Saket are not the same thing, Koshal is the name of a province whereas Saket is the name of a city or place located in this province. There is no difference between Ayodhya and Saket but we find the same difference between Ayodhya and Koshal as has been described with reference to Saket and Koshal. During the time when the name of the province was Koshal, Ayodhya was a part of it. Ayodhya is an old name and possibly the name of Saket came in circulation during the time of Lord Buddha. Rishabh Dev who was the first Jain Tirthankar had been there prior to Lord Buddha but I am not aware how many years prior. I cannot tell whether the Ayodhya settled during the time of Rishabh Dev had ever been devastated or settled prior to the period of Lord Buddha. The Ayodhya which existed during the time of Lord Buddha had been devastated by the time of Vikramaditya by the name of which Vikrami Samvat is believed to have been launched 57 years BC. A few archaeologists believe that Ayodhya is as old as 700 years BC and it works out to one or two centuries prior to the birth of Gautam Buddha. I do not subscribe with this view because the carbon-14(C-14) dating of the remains found in Koshal region the excavation carried out in the last one or two decades only falls 4000 and 5000 BC and therefore the archaeological dating of Ayodhya is incorrect. These remains were found at Lahura Deva located in Sant Kabir Nagar District where excavation is being undertaken by Director of Archaeology, UP, Dr. Rakesh Tewari. Besides

the above, excavations are going on at yet another archaeological site near Kalpi close to Kanpur which has been dated as 39000 - 40000 years old. Prof. Purushottam Singh of Kashi Hindu Vishwa Vidhyalaya had undertaken excavation at Narhan located at the bank of Saryu in the eighties and the same Prof. Purushottam Singh had undertaken excavation at a place named Imli - Deeh during the same decade which have been dated 2000 years BC. I do not remember of any other excavations. Amongst all these excavations the excavation at Narhan was the first excavation which had been completed during the eighties and the relevant report had possibly been out till 1990. I have gone through this report which has been published by the name of Prof. Purushottam Singh. The report has been published not by BHU, Archaeological Survey of India or Government of Uttar Pradesh but by a private Institute. Prof. Purushottam Singh had been granted licence for undertaking excavation at Narhan. At that time he was a professor with BHU. Report about the above excavation undertaken by Prof. Purushottam Singh had been published in 'Indian Archaeology - a Review' (IAR) brought out by the Archaeological Survey of India (ASI). I cannot tell whether the above report was published in one or more than one issues.

No copy of the report of Prof. Purushottam Singh has been submitted in the court. The report was of vital importance in so far as the antiquity of Koshal was concerned and I had also written a small book on the subject about which I have not made any mention in my book exhibit OOS-5-3. I had felt the importance of the above report in relation to the excavation relating to Ayodhya but did not make a mention of the same in my

book for many reasons. I am not in a position to divulge these reasons here.

Question: You have neither mentioned the report of Prof. Purushottam Singh in your own book nor have filed the same in the present suit - does it mean that the report does not support and prove your stand in the suit?

Answer: I believe that the antiquity of Koshal proved on the basis of the dates of the report of the excavation carried out at Narhan by Prof. Purushottam was not found of that much importance by me in the present case that the report be filed in the court and as regards not mentioning of the same in my book, I have already clarified my position and I shall not be able to divulge the reasons of not doing so.

The antiquity of Koshal region is connected with the antiquity of Ayodhya area. If it is believed that Koshal region is 4000 years BC old then Ayodhya should also be regarded as 4000 years BC old. Excavation by Dr. Rakesh Tiwari near Lahura-Deva and Kalpi are contin and the final report of the two excavations is yet to make a ground. However interim report containing the findings of excavations at Lahora- Deva has been published somewhere but I have not seen the report so far and have only heard of it from Tiwariji. My above statement about both the excavations is based on whatever has been told to me by Dr. Rakesh Tiwari and that I have not read anything about these excavations anywhere. The excavation near Kalpi about which I have mentioned above probably falls outside the Koshal region. The place in Lahura- Deva

where excavation is being carried out falls within Koshal region.

Salar Masood Sahib would have come to Satrikh during the year 1032 or earlier. I have gone through my statement relating to S. Salar Masood Gazi recorded on 31.10.2002 and contained on page nos. 15 to 18 which reads "Saiyid Salar Masood Gazi had gone to Satrikh in 1032-33 - I do not remember whether there has been any battle in Ayodh after Salar Masood Sahib had reached Ayodhya' it is true. The witness was shown the book 'The History of India as told by its own historians vol. 2' by H. M. Eliot and John Dowson by the learned advocate cross-examining and a question was asked whether it is the same book about which he had mentioned on page 17 of his statement dated 31.10.2002. On looking at the book the witness stated that it was the same book about which he had mentioned on page 17 of his statement. The witness stated, "The appendix about which I have referred in my statement 'note G' of that appendix is concerned with 'Meerat-ai-masoodi' which starts from page 513 of the book shown to me." The learned advocate cross-examining presented paper document No.315C-1 and the cover page of the book 'History of India' written by Eliot and Dowson along with photocopies of page nos. 512 and 513, 532 to 547 (in continuation) of document no. 315C-1/-1 to 315C-1/10 (in continuation) and asked the following question.

Question: The details about Meerat-ai-Masoodi given in note 'G' of the appendix does not find any mention of visit of Ayodhya by S. Salar Masood - what have you to say about it?

(At this point Shri Ajay Kumar Pandey learned advocate of plaintiffs raised an objection that the record being shown to the witness is a photocopy and the original record or photocopy thereof is not available on the records of the court and as such putting question in this regard is not relevant and permission to ask such question should not be given)

In view of the objection document no. 315C-1 to 315C-1/10 (in continuation) were placed on records under directions of the Honourable Full Bench dated 20.3.2002.

Answer: Page nos. 514 to 531 of the above book have neither been shown to me in document nos. 315C-1/1 to 315C-1/10 (in continuation) nor they have been filed and mention of Salar Masood reaching Ayodhya is found on these very pages.

There is a mention of Salar Masood going from Delhi towards Kannauj in page no. 532 and 533, document no. 315C-1/3 but there is a mention of Masood reaching Ayodhya and then proceeding to Delhi and again leading to Kannauj after conquering Delhi in the earlier pages which have not been shown to me.

According to Meerat-ai-Masoodi S. Salar Masood first came to Ayodhya and then proceeded to Delhi after staying at Ayodhya for a few days.

Question: If as per your statement S. Salar Masood, did not stay at Ayodhya then as per your view when would he have demolished temples in Ayodhya?

Answer: There could be two possibilities in this regard (1) Salar Masood Sahib would have demolished

temples in Ayodhya during his first campaign itself and then after conquering Delhi would have proceeded to Kannauj, Satrikh and Bahraich, (2) The other possibility could be that during his stay at Satrikh he would have attacked Ayodhya but as per Meerat-ai-Masoodi, Ayodhya was not included in the various places to which Salar Masood Sahib had sent his forces during his stay at Satrikh. However during the riots of 1885 a mention had been made of the existence of the grave of one Khwaja Mithe, an army officer of Salar Masood at the site of Hanumangarhi based on which it could be inferred that Salar Masood would have been to Ayodhya.

Question: Can you not as a historian tell in definite terms whether Salar Masood had ever been to Ayodhya or not?

Answer: As a historian and with evidences like Meerat-ai-Masoodi available with us where it is mentioned that Salar Masood had visited Ayodhya or Ajudhiya and also with evidence of the existence of the grave of Khwaja Mitthe, it is not unnatural to infer that S. Salar Masood would have gone to Ayodhya.

Question: How is it that in the capacity of a historian, all your statements are inferences or do you hold a definite opinion about any matter?

Answer: In the course of study of history a definite view is expressed on the basis of inference based on evidences and that is the practice I have adopted while writing my book.

Question: Should I take it that all the facts mentioned by you in your book exhibit no. OOS-5-3 are based on inferences and that you have not written anything after arriving at a definite opinion?

Answer: I do not agree to this suggestion. Almost all the facts stated by me are based on evidences and inferences do not mean only conjectures, rather they have been written on arguments based on evidences.

The witness was shown page no. 289C-1/132 of his book exhibit no. OOS-5-3 by the learned advocate cross-examining and a question was asked whether his statement starting in the last paragraph of the first column on the page which read as "In this battle of Somnath was killed" based on inference or he held a definite opinion about it. After looking at the book the witness stated that his above statement was based on the book 'History of India' written by Eliot and Dowson.

Question: Then should I take it that you have some doubt about your above statement and that you do not have full faith on its so-called genuineness?

Answer: If I did not believe its genuineness, I would not have included it in the textual portion but would have indicated it as a footnote i.e., I have full faith in the above.

The witness stated, "Whatever facts I have mentioned in the text of my above book 005-5-3 I have done it after ascertaining their genuineness and I believe they are all true. With regard to Salar Masood I have read other books and articles etc. besides Mirat-ai-Masood but at this point of time I do not remember the names of these books and

articles. I am not able to recollect the names of the books and the articles. I also do not remember as to when and from where all these books and articles had been published. I had gone through all these books and articles before writing my above book exhibit 005-5-3 and I have also given references of most of them in my book. I have mentioned about S. Salar Masood in chapter 8 of my book and at the end of chapter, I have given references of all the books and articles, which I have gone through on the subject. The above reference can be seen on page nos. 119, 120 document nos. 289C-1/141 to 289C-1/142 of my book. I have not mentioned about the book of Eliot and Dowson in the bibliography but have mentioned about it in the text. A mention of an article by Vinod Kumar Mishra on the same subject can be seen at Sl. No. 2 of the bibliography and which is concerned with Salar Masood. The bibliography does not include any other book or article related to Salar Masood. The above Vinod Kumar Mishra was a lecturer of history in some degree college but I cannot tell whether he taught ancient history, medieval history or modern history. I also cannot tell the name of the degree college where he worked as a lecturer. I had read his article which can be seen at Sl. No. 2 of the bibliography included on page nos. 119 and 120 of my book in the year 1982 and had gone through it once again while writing the book. I did not go through the above article after the publication of my book. This article of Shri Vinod Kumar Mishra had been published in a souvenir edited and published by me in the year 1982. At that time i.e. during 1982 I was aware of the degree college where Vinod Kumar Mishra was a lecturer but the name of the college is not striking my mind at this point of time. In the bibliography of my book the letter 'de' appears before Vinod Kumar Mishra and this letter stands for 'dekhiye'. The idea behind

indicating this letter was that I wanted that readers should go through the complete article and then form a opinion and this action of mine was in conformity with the practice followed by writers of history. I have not reproduced the article of Vinod Kumar Mishra in my book either fully or partially. I have also not filed a copy of this article in the court because I did not feel any such need.

Question: Is there any mention of the fact in the above article of Vinod Kumar Mishra that S. Salar Masood had gone to Ayodhya and had allegedly demolished temples?

Answer: No please, no such mention has been made.

The witness was shown para 3 which started with the words 'when Sultan' and ended with the words 'Subjects daily' appearing at page 533 document no. 315C-1/3 by the learned advocate cross-examining and a question was asked whether Masood referred in the para was S. Salar Masood only. On going through the above paragraph the witness stated that Masood referred therein was S. Salar Masood only. The fact of Masood coming from Kannauj to Satrikh has been mentioned in the next paragraph. In this para Satrikh has been described as the richest city of India where S. Salar Masood had established his headquarters and had deputed his forces in all the directions. The witness was shown the para starting with the words 'As soon' and ending with the words – 'they arrived' appearing at page no. 534 document no 315C-1/4 on looking at which the witness stated that in this para there was a mention of calling for Chowdharies of Parganas adjoining Satrikh. The Parganas included Sidhaur, Narhari and Amethi. Ayodhya, should be at a distance of 70 km from Satrikh. The witness stated, "I am not aware about the distance of Sidhaur,

Narhari and Amethi from Satrikh. There is a mention of places like Mahona, Gopamau, Banaras, Kada and Manikpur etc. in the 2nd 3rd para at page 535 document no. 315 C-1/4 The administrators of iKada and Manikpur have been called as princess in these paragraphs. The word 'Prince' is used for small time rulers in history. At this point of time I am not confident whether Kada and Manikpur are a part of Pratapgarh or Rai Berilley at present. I am also not aware in which districts do Gopamau and Mahona fall presently. Banaras mentioned in the above paragraph is the same Banaras which is now a days called as Banaras or Varanasi." The witness was shown para three of page 535 document No. 315 C-1/4 looking at which the witness stated that it was written in this para that rulers of Kada and Manikpur had replied that they had 90,000 selected soldiers and that rulers of Bahraich and other places had also agreed to provide support. On looking at para three on page 563 document no. 315C-1/5 the witness stated that in this para it was mentioned that the age of Salar Masood was 18 years at that time. Similarly in 1st bracket of Chapter IV and in the beginning of Chapter IV on this very page it was mentioned that after the death of the mother of Salar Masood, his father Salar Sahu also came and met Salar Masood in Satrikh.

Question: What are your views about the authenticity of the extracts of Meerat-Ai Masood mentioned in the above statement?

Answer: I do not have full faith in the authenticity of Meerat-Ai-Masood, still I have mentioned about it as a historical fact.

Question: Should I make it that you arrive at conclusions based on unauthentic facts?

Answer: Despite not having complete faith on the authenticity of the facts, I have made use of whatever facts have appealed to me to be true.

I have included only such facts of Meerat-Ai-Masoodi in my book in the authenticity of which I had full faith. I have not included facts which appeared doubtful to me. The witness was shown page 111 document no. 289 C-1/ 133 of exhibit OOS-5-3 by the learned advocate cross-examining on looking at which the witness stated that it was written in the first column of this page "Thereafter the forces of Masood conquered Satrakha (Satrikh, Ayodhya) and made it its headquarters" and he had written it on the basis of what was written in Meerat-Ai-Masood. On looking at the last para on page no. 533 document no. 315 C-1/3 which ended on page no. 534, the witness stated that it was on this basis that he had mentioned on page 111 document no. 289C-1/133 of his book that the forces of Masood had conquered Satrakha and made it his headquarters.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

26.2.2003

Typed by the stenographer in the open court as dictated by me. Present yourself on 27.02.2003 before the Hon'ble Full Bench for further cross-examination.

Sd/ -

(Narendra Prasad)

Commissioner

26.02.2003

Dated: 27.02.2003

OPW 9 Dr. Thakur Prasad Verma

Before : Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD, Hon'ble High Court, Lucknow

(Appointed vide order dated 21.02.2003 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on oath on behalf of Defendant No. 4 initiated by Shri Zaffaryab Jilani, Advocate in continuation to cross-examination dated 26.02.2003)

On looking at his book exhibit OOS-5-3 the witness stated that the book 'Meerat-ai-Masoodi' had been written by Abdur Rahman Chisti in 1682 i.e. during the 17th century and the history covered in this book related to the first half of eleventh century and this is the period when Mahmood Ghaznavi had invaded. The history relating to the first half of eleventh century is covered in other books also besides 'Meerat-ai-Masoodi' about which Sheikh Abdur Rahman Chishti had mentioned in his book 'Meerat-ai-Masoodi'. One of these books was written by an attendant of Mahmood Ghaznavi whose name was Mulla Mohammad Ghaznavi. The witness stated this fact after having a look at his book and added that the names of other books that had been written covering the period of Mohamad Ghaznavi were: 'Twarikh Rozatussafa' 'Twarikh-ai-Feroz Shahi', 'Muntakhabuttwarikh.' Volunteer: that Abdur Rahman Chishti had made use of these books while writing his book 'Meerat-ai-Masoodi'. The witness stated, "As far as my memory goes Abdur Rabman Chishti has mentioned these books in the extract of his book 'Meerat-ai-Masoodi' that I had read. I have not gone through all the four books

referred by Abdur Rahman Chishti and not even their extracts. I am not aware whether any details about Salar Masood Sahib are given in the above books. I cannot tell whether any other book covering the first half of eleventh century period has been written or not. As regards Salar Masood Sahib I have not gone through any other article except the extracts of the above book 'Meerat-ai-Masoodi' and references included in Gazetteers and the book written by Vinod Kumar Mishra. As regards the invasion of Mahmood Ghaznavi on India I have gone through other history books also besides the extracts of the above 'Meerat-ai-Masoodi'. Some references about S. Salar Masood are found in the book 'Early History of India' written by Vincent Smith." The witness was shown page 111 document no. 289C/133 on looking at which he stated that he had himself written the word (Ayodhya) after 'Ajudhan' in the reference of the book of Vincent Smith that he had made on this page. The word 'Ayodhya' is possibly not there in the book of Vincent. I have written the word 'Ajudhan' as 'Ayodhya' in my book and it is not incorrect. I am not aware of the place with the name of 'Ajudhan' which is stated to be located somewhere on way from Delhi to Punjab. Even today I am not aware whether any place with the name of 'Ajudhan' is located on way from Delhi to Punjab or even in Punjab. My statement that S. Salar Masood first came to Ayodhya from Where he proceeded to Delhi and conquered Kannauj etc. is based on the book 'Meerat-ai-Masoodi' and not on the extracts of the book of Vincent Smith given on page 111 of my book. I have not read the book 'Early History of India' written by Vincent Smith and have lifted its references from elsewhere. I regard the above book of Vincent Smith as authentic. The book entitled 'Meerat-ai-Masoodi' was originally written in Persian language and I am not aware whether this book has

been translated in Urdu or not. I am not aware whether a Urdu translation of 'Meerat-ai-Masoodi' is available with the name of 'Saulat-ai-Masoodi'."

The witness was shown document no. 107C-1/111, on looking at which he stated that it was a photocopy of page 56 of 'Encyclopedia of India and of Eastern and Southern Asia' by Surgeon General Welfore, 1858. On looking at above document no. 107C-111 the witness stated that the second entry from below was that of Ajudhan and it has also been called by the name of Pakpattam and it has been stated to be an old city of Punjab. The description of Ayodhya starts from above the entry of Ajudhan and the 20th line from the above wherein the word concealed under black ink could be Ayodhya. It is evidently clear from document no. 107C-1/111 that Ajudhan located in Punjab is a different city from Ayodhya but in books written by Muslim writers we do come across words like 'Ajudhiya' and 'Ajudhan'. The witness stated, "It is possible that the word 'Ajudhan' would not have been used in any book written by any Muslim writer but the word 'Ajudhiya' could have been used — I am not sure about it."

Question: Having found mention of words 'Ajudhan' and 'Ayodhya' separately in the above Encyclopedia document no. 107C-1/111 are you prepared to accept that while referring to the book of Smith on page 111 document no. 289C-1/133 of your book you have mistakenly written the word 'Ayodhya' in bracket for the word 'Ajudhan'?

Before giving a reply the witness stated that he could answer the question after looking at the original book entitled 'History of India' written by Eliot and Dowson and

he desired to have a copy from the learned advocate cross-examining and have a look at it on which no objection was raised by Shri. Ved Prakash learned advocate of plaintiffs and the learned advocate cross-examining. Thereafter the witness procured a copy of the book from learned advocate cross-examining and at— after looking at it he replied as hereunder:

Answer: The word Ajudhan has been used in the book by Eliot and Dowson and thereafter there is a mention of S. Salar Masood proceeding towards Delhi and as such it could be possible that this 'Ajudhan' might be a place by the name of 'Pakpattan' in Punjab.

The witness stated, "Now it is clear to me that the reference of a place by the name of Ajudhan on page 111 document no. 289C-1/133 of my book is not for Ayodhya but for Pakpattan located in Punjab. While referring to the book 'Meerat-ai-Masoodi' in his book 'The History of India' Eliot and Dowson have mentioned the word Ajudhan which stands for Ajudhan of Pakpattan and not for Ayodhya of Faizabad." The witness was shown document no. 312C-1/3 and 312C-1/4 which are the photocopies of page no. 739 and 740 of the first gazetteer published during the British regime (photocopies of which have already been filed vide document no. 107C-1/10, document no. 107C-1/11) by the learned advocate cross-examining on looking at which he stated that this document carried the entry of Avadh. There is a mention Avadh province in the entry under the heading Avadh which also includes the description of Ayodhya. There is no separate entry by the name of Ayodhya, rather description of Ayodhya is given in the entry under the heading Avadh.

Question: Is it mentioned on page nos. 739-749 of the above gazetteer published by Thornton in 1858 that the details about the birth place of Ramchanderji in Ayodhya and so-called Ram Janambhoomi Mandir have been written on the basis of traditions prevalent about Ayodhya during the year 1857-1858?

Answer: The above details are based on the traditions compiled by Edward Thornton in the year 1857-58.

Question: Are the facts mentioned by Thornton in the above gazetteer about the birth place of Ramchanderji and Ram Mandir inconsistent with the traditions prevailing in Ayodhya at that time (1857-58)?

Answer: No please, they are in conformity with the very traditions.

Attention of the witness was drawn to the portion appearing in column 2 of document no. 312C-1/3 and starting from the last word 'the' in 36th line and ending with the words 'with 360 temples' in 45th line and a question was asked whether the above details were based on the traditions described by him. On looking at the above portion the witness said, "I have not mentioned of any tradition but this description is based on the traditions compiled by Thornton. The details mentioned above were prevailing in the form of traditions during that time and are prevalent even today. I also subscribe to the tradition contained in the details mentioned in the portion above. I believe that the English word 'Legends' stand for 'prevalent stories'. The fact about ascent to Swarg by Ramchanderji should be called a traditional legend. It has been stated thereafter in

the above portion that after ascent to Swarg by Ramchandraji Ayodhya was devastated and it remained like this till it was settled again by Vikramaditya - this was a personal opinion of Thornton which is not fully in conformity with the tradition. His opinion is not in tune with the tradition because there is a mention of settlement of Ayodhya once or so after Ramchanderji.

Question: Based on the tradition as prevailing during 1857-58, will it be incorrect to state that after the ascent to Swarg by Ramchanderji as mentioned in the above portion Ayodhya remained devastated until it was settled by Vikramaditya?

Answer: The tradition mentioned by Thornton would have been possibly prevalent amongst the masses.

The witness stated, "As per the tradition prevalent amongst general masses now a days, there is a possibility that after Lord Rama Ayodhya would have been resettled during the time of Vikramaditya. Only as a historian and based on books like Ramayana different view can be held by a historian. As a historian I believe and I have stated earlier also that Ayodhya had been settled more than once before settlement by Vikramaditya. I subscribe with the fact stated in the above portion that as per tradition it is believed that Vikramaditya had got 360 temples built in Ayodhya." Attention of the witness was drawn to the portion appearing in column 2 of document no. 312C-1/3 and starting from the last word 'North' in the 45th line and ending with the words 'of the site' and a question was asked whether the facts mentioned in the above portion were also based on the tradition as prevailing in the year 1857-1858, on looking at which he stated that it had been mentioned in the above portion that no temple built by

Vikramaditya was spared and that all of them had been got demolished by Aurangzeb and a mosque had also been built there. It could be possibly a personal opinion of Thornton based on the tradition as prevailing during those days.

Question: Should it be made out that the above statement is not based on the tradition as prevailing during the years 1857-1858?

Answer: The above statement is based on the tradition as prevalent during those days but mention of Aurangzeb in the above statement could be a personal opinion of Thornton and there could also be a possibility that the general masses have all along been holding Aurangzeb responsible for the demolition of temples and construction of a mosque.

The legend relating to construction of a mosque by Aurangzeb as stated in the above portion refers to this very Babri masjid. Attention of the witness was drawn to the portion appearing in column 2 of document no. 312C 1/3 and starting from the words 'the' in the 49th line and ending with the last word 'descent' in 53rd line and a question was asked as to what had he to say with regard to the opinion of Thornton contained in the above portion on looking at which he stated that Thornton on the basis of a true historical fact had indicated towards the lacuna or drawback of this tradition. The attention of the witness was drawn to the portion appearing in column 2 of document no. 312C-1/3 and starting with the word 'The mosque' in the 14th line from the bottom and ending with the words 'Lanka or Ceylon' in the 8th line from the bottom and a question was asked whether the details mentioned in this portion

were based on the tradition as prevailing during these days, on looking at which he stated that the facts mentioned in the above portion were based on the tradition as prevailing during those days but the same tradition is not acceptable now a days. The tradition has not been acceptable from the day research has been initiated in historical perspective. It can be accepted that historical research was initiated mainly from the 20th century but later on he stated that the western system of historical research could be stated to have started from the 19th century. The witness stated "I cannot tell as to which writer of history or historian had undertaken this research in the later half of the 19th century. The research work about which I am referring is related with the ideological attitude of the people towards history based on which people started working in western scientific style. My reference of research work in the later half of 19th century in fact indicates of a change in the style of thinking of investigations of history. The historians in respect of which I have mentioned of a change in the style of thinking include both the Indian as well as foreign historians. I cannot tell whether any historian - whether Indian or western has written anything about Ram Janambhoomi in the later half of 19th century. I have not read any book of any historian belonging to the 19th century which carried any mention of Ram Janambhoomi but a few authors of Gazetteers have expressed their views in the later half of 19th and first half of 20th century about which I am aware. The authors of these gazetteers were not basically historians but gazetteers written by them are now recognized as reliable sources of history. I cannot tell whether any historian has written anything about any Janambhoomi during the first half of 20th century. I do not recollect whether or not I have mentioned of any historian

belonging to the first half of 20th century in my book OOS-5-3.

The tradition mention in the above portion that the pillars of Kasauti had been brought by Hanumanji from Lanka is prevalent amongst general masses and not amongst the educated society.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

27.2.2003

Typed by the stenographer in the open court as dictated by me. The plaintiff may present himself tomorrow the 28.02.2003 for further cross-examination by Shri. Mushtaq Ahmad Siddiqui learned advocate of defendant no. 5 as per order passed on the miscellaneous petition no. 13 of the year 2003 of the learned advocate cross-examining Shri. Zaffaryab Jilani.

Sd/-

(Narendra Prasad)

Commissioner

27.02.2003

Dated: 28.02.2003

OPW 9 Dr. Thakur Prasad Verma

Before: Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD, Hon'ble High Court, Lucknow

(Appointed vide order dated 21.02.2003 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on oath on behalf of Defendant No. 5 initiated by Shri Mushtaq Ahmed Siddiqui, Advocate in continuation to cross-examination dated 27.2.2003)

The original suit no. 236/89 which is OOS no. 5/89 of this court was filed by Shri Devki Nandanji and I have come to depose in connection with the same suit. I am plaintiff no. 3 in this suit. I am also aware that three more suits have been annexed with it. I am aware what relief has been sought in this suit. On looking at the petition of the suit the witness stated that the first relief sought in the suit was that it should be declared that entire premises of Ram Janambhoomi in Ayodhya which have been shown in Annexures 1, 2, 3 of the petition belong to the plaintiff deities. The second relief sought is that a permanent injunction be issued against the defendants for not raising any objection and putting no hurdles in the construction of a new temple at Ram Janambhoomi. The third relief sought is that orders be issued for the recovery of whatever expenses have been incurred in the suit from the defendants. The fourth relief sought is that the plaintiff be awarded any other relief if admissible.

The above relief has been sought with regard to the interior and exterior courtyard. The interior courtyard

includes the three domed building along with its courtyard whereas the outer courtyard includes Ram Chabootra.

Besides the suits filed in connection with the disputed premises or a part thereof including the suit of the year 1885, possibly a suit proceeded in the year 1934. I am not aware of any other suit relating to the disputed premises besides those mentioned above. I am not aware as to who were the parties of the 1934 suit and in which court the suit continued but I guess the suit was between Hindus and Muslims. I do not remember about the judgment delivered in the above suit. As far as I recollect the 1934 suit was a criminal suit. I am not aware whether any suit relating to Ram Chabootra went on between Normohi Akhara and other parties. I am also not aware whether any suit relating to Ram Chabootra is going on in Faizabad now a days or not.

It was during the time when Shri. Kalyan Singh was the Chief Minister of Uttar Pradesh that land measuring 2.77 acres adjacent to Ram Janambhoomi premises was acquired but I am not precisely aware whether this included Ram Chabootra or not. Some parties challenged this acquisition. However the plaintiffs of this suit did not challenge this acquisition.

Question: In case any land or property is acquired by the state-government, does it imply that all types of proprietary and other rights of all the people come to an end?

(At this point Shri Ved Pakash, learned advocate of plaintiffs raised an objection saying that this question was concerned with law and whatever conclusion followed as

per law would be final. Permission to put such question before the witness should not be given).

Answer: I have no information on this subject.

Shri Devki Nandanji was pleading this case during the year 1991. He had been a justice in the honourable High Court and was seized of the knowledge of legal aspects.

Question: In case the acquisition undertaken during the year 1991 included Ram Chabootra and if as per law proprietary rights of all the people came to an end, could you tell as to why the plaintiffs did not challenge the acquisition?

(At this point Shri Ved Prakash, learned advocate of plaintiffs raised an objection saying that this question was outside the facts of the case and related to the conclusions of law. Hence permission to ask such question should not be allowed.)

Answer: I am not in a position to reply this question because I do not have much knowledge of law. Had it been like it, I cannot offer any reason.

I am not recollecting if Nirmohi Akhara had challenged the acquisition of 1991. I had gone through the statement made by Shri. Devki Nandan in this court much earlier and I concur with the same. Records relating to the suit of the year 1946 between Sunni Central Board of Waqf and Shia Central Board of Waqf have been filed in this court and I have gone through them. I have gone through the Acquisition Act of January 1993. Acquisition fully covers the disputed premises. An ordinance had been issued

before the Act and the Act was passed later on under which all the rights of all the people had been taken away.

Question: Is it in your knowledge that validity of this Act has been challenged by various parties in the courts?

(On this question Shri Ved Prakash learned advocate of plaintiffs raised an objection saying that the question was based on conclusions related to law; it is certain that the validity of the Act has been challenged. The judgment of the Supreme Court is also acceptable to all the parties and asking such question amounted to wastage of the time of the court and hence permission to ask such question should not be given.)

Answer: I am aware that the above Act had been sent to the Supreme Court as a Ayodhya reference by our distinguished President and all the parties had submitted their objections and the honourable Supreme Court had also pronounced its judgment in the matter.

Question: Did the plaintiffs of this case independently or collectively challenge the above ordinance of Act at any level i.e. at the level of this hon'ble High Court or Supreme Court?

(On this question Shri Ved Prakash, the learned advocate of the plaintiffs raised an objection saying that such questions were being asked to waste the valuable time of the court. The parties who had challenged this ordinance and Act in the Supreme Court of India were related to the records and they have been decided upon.

Hence permission to ask such question should not be allowed.)

Answer: As far as I recollect the ordinance and the Act had probably been challenged but I am not fully confident of it because I had gone through those records long back.

The witness was shown document no. 109C-1/3 to 109C-1/7 (in continuation) by the learned advocate cross-examining and a question was asked whether the petition is related to this disputed building and the suit in which he was deposing or it was on behalf of plaintiff no. 1. On looking at the above documents the witness stated that in this petition plaintiff no. 1 was Bhagwan Ramlala Virajman and in his petition also plaintiff no. 1 was Bhagwan Ramlala Virjaman and the petition document no. 109C-1/3 to 109C-1/7 (in continuation) being shown to them was related with the disputed property only. The witness stated, "I am aware of Ram Janambhoomi Trust, who is defendant no. 21 in my petition." The witness was shown document nos. 111 C-1 to 9 (in continuation) which represented the booklet showing the Constitution of Shri Ram Janambhoomi Trust and details of income expenditure by the learned advocate cross-examining and a question was asked whether it was a record relating to the same Ram Janmbhoomi Trust. On looking at the documents the witness stated that it was a record relating to the same Ram Janambhoomi Trust who was defendant no. 21 in his suit.

The witness stated, "I have gone through the please forwarded by the defendants in this suit in connection with which I am deposing here. I have also gone through the recorded evidence filed by the defendants. I have also gone

through the pleas and documents relating to all the three suits annexed with this suit. Chapter 11 of my book exhibit 00S-5-3 has been written by Dr. S. P. Gupta and all other chapters of the book, except Preface have been written by me. Dr. S. P. Gupta is a co-author of this book of mine and the portion relating to Introduction and background has not been written by me but by Dr. S. P. Gupta independently. Mention of my name at the bottom of both these portions is a mere formality. I do not fully disagree with whatever has been stated in the portions - Introduction and background, broadly I subscribe to most of the facts maintained therein. The witness was shown page no. 289C-1/5 of his book by the learned cross- examining advocate and a question was asked as to what did-he mean by the word 'Jokhimo' used in the last line of the first para. On looking at the above papers the witness stated that he could not tell as to what Dr. S. P. Gupta meant by the word "Jokhimo" but as far as he believed that by the word "Jokhim" he would have meant about the hazards faced while undertaking journey during the curfew. I did not face any hazard in making preparation for the book. On looking at para 2 of the above document no. 289C1/5 the witness stated that Hans Baker mentioned therein was a European writer and Dr. Dileep Kumar Chatterjee was an India writer. However he did not fully agree with the books written by the above authors. The witness stated, 'Ayodhya' written by Hans Baker has been filed in this suit of mine. I have read substantial part of the book Ayodhya by Hans Baker. I am not agreeable with a number of facts mentioned in this book of Hans Baker because despite the fact that he has written the book with caption 'Ayodhya' he has not accepted Ayodhya as a real city rather he has called it a myth. Besides, he has accepted the Indian chronological system as prevailing in the first half of 20th century without any reservation and

has not incorporated the new emerging facts about Indian a chronology. I am not in a position to recollect other facts included in the book of Hans Baker with which I do not agree."

Question: Is your criticism of European writers contained in para 2 of document no. 289C1/5 of your book based on this very book 'Ayodhya' of Hans Baker or because of any other European writers and their books?

Answer: The criticism of the mentality of European writers as indicated in this paragraph is based on various history books written during the last 200 years and the book of Hans Baker is a mere culmination thereof. This includes books ranging from the book of Vincent Smith to John Stuart Mill and also many books like Cambridge History of India etc.

This includes books written by European writers during 19th and 20th centuries. There is a mention of Dr. Dileep Kumar Chatterjee in para 2 of document no. 289C1/5. Dr. Dileep Kumar Chatterjee is an Indian and still alive. Many a Indian writers including Dileep Kumar Chatterjee were also influenced by the mentality of European writers. Many senior Indian writers were also influenced by the mentality of European writers. However gradually they tried to be free from this mentality one by one. Dr. D. R. Bhandarkar, Dr. R. G. Bhandarkar, H. C. Roychowdhary etc. could be included in this category of writers. These writers gradually freed themselves from this mentality. No time bound programme could be formulated to get freed from European mentality. Whereas a few writers have on the one hand supported the stand and views held by European

scholars, they have incorporated Indian schools of thought at various places. I have gone through the books written by Dr. R. Nath but I am not known to him personally. He is probably a professor in some university in Rajasthan. I do not know if he is a historian or not. We have some books and articles on medieval History written by Dr. R. Nath. Like Dr. Dileep Kumar Chatterjee Dr. R. Nath is also influenced to an extent by European mentality and the facts mentioned by Dr. R. Nath could be accepted to some extent.

Question: As per your statement many a Indian authors who were influenced by European mentality have got themselves freed therefrom while many others have not been successful in doing so and there are quite a few of them who have freed themselves partially only i.e. some of their articles are excellent and some are not so excellent. In this background and based on the articles and books of Dr. R. Nath which you have gone through, how would you comment on the question whether Dr. R. Nath has got himself freed from European mentality or not?

(On the question of Ajay Kumar Pandey, learned advocate of plaintiffs raised an objection that this question was not related with any of the issues of the suit, is altogether irrelevant and therefore permission to ask such a question should not be given.)

Answer: I do not classify the Indian scholars in such categories and assess the writers on the basis of their articles and books. In so far as Dr. R. Nath is concerned, he has written some very good and

investigative books and articles. I agree with some of his views and disagree with some.

On looking at his book exhibit OOS-5-3 the witness stated that he had read the book entitled 'Architecture and site of Babri Masjid of Ayodhya' written by Dr. R. Nath. He had also studied an article on the 'Authenticity of Allopnishad' by Dr. R. Nath which was printed in Oriental Institute of Journal of Baroda. In this article Dr. R. Nath has mentioned of a book on Sanskrit technology wherein 'Rahman Prasad' i.e. the process of constructing a masjid has been described. It has been mentioned in this book that Muslims worship in Rahman Devalay and that idols of deities do not exist there "rehman Suralaya Tatra Dhyantanti yavan devrup vivarjitam". While describing Rahman as formless and pure like Brahma and elaborating the important formula for construction of masjid it has been stated that masjid should be 'facing East' and equipped with a 'beautiful arch' and should only have creepers, bunch of flowers in the name of ornamentation. The witness stated, "I have told it after looking at my book document no. 289C-1/160. I have not read the original look in Sanskrit but have only read the article on the 'Authenticity of Allopnishad' by D. R. Nath. I cannot tell as to when was this article published. The above article is in English 'Prasad' is a Sanskrit word which means a palace or building. One of the shades of meanings of 'Prasad' is temple. The word 'Prasad' used for temple, for palace of the king or for masjid in the above article. The word is not used for court. The word 'prasad' has been used for masjid of the first time in the above Sanskrit book on architecture. I do not remember the name of the above Sanskrit book nor do I remember the name of its author." The witness stated of himself that a coin of the period of Mahmood Ghaznavi had

been found on which letters in Nagri were engraved. The Nagri letters are Sanskrit translation of kalma (avyaktam ekam mohammad avatar). The above Sanskrit phrase means in Hindi that God is unmanifested and is one and Mohammed Sahib is his descendent.

I have heard of the name of book 'History of Mughal Aechitecture' written by Dr R. Nath. I am not aware whether Dr R. Nath has dedicated this book to Babar and has praised Babar very much. Babar has also been very much praised in the book entitled 'Architecture of the Babri Masjid of Ayodhya' written by Dr. R. Nath.

Question: As per your statement Dr R. Nath has praised Babar very much in the book referred by you also. Do you agree with this view of Dr. R. Nath?

Answer: I agree with certain facts stated by Dr. R. Nath relating to Babar but I do not subscribe with the view that the architectural design of the masjid built by Babar was not in conformity with Mughal architecture and that is why he could not have got it constructed. I believe that Babar was the first ruler of Mughal dynasty and it is not acceptable that Mughal architectural style had developed by his time.

I am not recollecting the portions in which Dr. Nath has praised Babar and with which I agree.

At this point of time I do not remember whether I have seen records relating to this suit or not.

Paleography i.e. Science of script has been my special subject under which it is studied as to how the

development of letters took place in various times. Every script has to be studied independently. I cannot tell the number of scripts prevalent in India but scripts like Tibetan, Gurumukhi, Gujrati, Bangla, Oriya, Assamese, Tamil, Telugu, Kannad, Malayalam, Singhli have developed from the Brahmi script used by Ashoka and as such Brahmi script can be termed as the mother script of all these scripts. Besides, it is believed that a number of scripts of South-East Asia have developed from Brahmi script. I am conversant with Brahmi script only and do not know how to read scripts other than Nagri Script. Most of the scripts mentioned above have their respective languages and on the other hand, languages like Nepali, Marathi, Hindi and Sanskrit are written in Nagri Script. Modi is also a script but not a language. The script have a common alphabet but the shapes of letters differ and that is why it becomes easier for any one who is interested to practice the scripts. Even if we are well aware of Nagri Script, we cannot generally read Bangla Script etc. This goes to say that despite having a common alphabet, there is a substantial difference in the shapes of the letters of these scripts.

Verified the statement after hearing

Sd/-
(Thakur Prasad Verma)
28.2.2003

Typed by the stenographer in the open court as dictated by me. Present yourself on 3.03.2003 for further cross-examination.

Sd/-
(Narendra Prasad)
Commissioner
28.02.2003

Dated : 3.03.2003

OPW 9 Dr. Thakur Prasad Verma

Before : Commissioner Shri Narendra Prasad, Addl. Dist.
Judge/OSD, Hon'ble High Court, Lucknow.

(Appointed vide order dated 21.02.2003 of the Hon'ble
Full Bench in other Original Suit No. 5 of 1989)

(Cross-examination on oath on behalf of Defendant No.
5 initiated by Shri Mushtaq Abmed Siddiqui, Advocate in
continuation to cross-examination dated 28.02.2003)

In paleography dating can be done by mostly looking at the construction of letters. Scripts written on stone and copper plates are slightly different from the scripts written on paper and Bhojpatra reason being that scripts written on stone and copper plates have to be written in more beautiful form whereas scribbled writing is generally adopted while writing on Bhojpatre and paper. Bhojpatre is the skin of tree mostly found in Kashmir, which is specifically processed, and then matter is written on it with ink whereas a palm-leaf is the leaf of palm-tree. Palm-leaves are also cut in special sizes, boiled, rubbed by some glossy stone and made ready for writing. In case of palm-leaves a thorny pen called 'stylish' in English is used and letters are formed by scraping, later on lamp-black is smeared on the palm-leaves with which the letters become prominent. In case of palm-leaves also script is written beautifully. It is easier to determine dates of written records available on stone, copper plates and palm-leaves as compared to written records available on paper and Bhojpatra. Still dates of texts written on Paper and Bhojpatre are broadly determined on the basis of their texts.

However determination of dates of such written records cannot be done very precisely and there could be variations ranging from 40-50 years and sometimes a complete century. The writings on palm-leaves can also be called engraving which are written by thorny pen but writings on copper plates and stone are termed as engraving. In this case letters are first written in ink etc. and later on engraved with the help of small hook and hammer and that is why these two are also called engraving. As far as my knowledge goes no dating is done in respect of stones of historical age whereas geological dating is undertaken with regard to pre-historic period. Dating of metal used in copper plates cannot be undertaken but dating of palm-leaves can be done by C-14 process. However I am not aware whether any such dating has been undertaken in respect of copper plates or not. The ambit of paleography comprises only the construction of letters and not its spellings. Pre-historic period precedes historic period. A number of authentic books have been written on the construction of letters or paleography of which some notable books are "Indian paleography" by George Buler, "Bhartiya Prachin Lipi mala" by Gaurishankar Hirachand Ojha and "Indian paleography" by Ahmed Hasan Dani. The first edition of the above book by George Buler had appeared in the year 1897. The book provides details of the period starting from Ashoka till the 12th-13th century. The book written in 19th century does not provide details in respect of period from 13th to 19th century. The book was initially written in German language and subsequently translated into English. Its Hindi translation was also brought out some two decades ago. George Buler was a German Scholar. His book covers the development of scripts during the period starting from Ashoka till 12th-13th century. Existence-age of practically all the regional scripts

emerging from Brabmi script had set in by 12th century i.e. all the scripts like Gujrat, Nagri, Bangla, Oriya, Tamil, Telugu etc. had started in their respective areas. Paleographical study of the scripts of the post - 13th century has been undertaken by Dr. Gaurishankar Hirachand Ojha through his book 'Prachin lipi mala' which details the development of scripts till the 18th century. I cannot tell in precise terms whether any new script has emerged after the 12th_13th century. The above scripts continued to develop gradually. The book by George Buler contains details of scripts emerging from only Brahmi and Kharoshthi scripts. Details about Arabic and Persian scripts are not given in this book. The book of George Buler contains details of only two Indian scripts and other scripts emerging therefrom. The book does not contain details of scripts of other countries but in so far as Kharoshthi script is concerned, it was prevalent in Afghanistan and Bacteria region and therefore it covered scripts of these areas also. Hindi edition of the book of George Buler has been published in India only. There is no mention of Persian and Arabi scripts in this translation. It is a fact that Persian had been in use as the official language from the 19th century itself but its use had probably been started by the rulers of Sultanate age.

The book 'Prachin Bhartiya Lipi Mala' by Gaurishanker Hirachand Ojha was published for the first time in the year 1896 and George Buler had been motivated by this book but the modem edition of Ojhaji had been brought out in the year 1918. This edition has been substantially modified and enlarged and a number of editions of the book have been brought out so far. The above Ojhaji was of Indian origin and his above named book had been brought out in India and the most significant fact about the book is that Ojhaji

had written this book in Hindi in the last phase of 19th century and it is believed that German and European scholars had picked up Hindi to read this book of Ojhaji. The above book of George Buler had been originally brought out in German only and that he was great scholar of Sanskrit and Prakrit languages and had edited a number of old records. The above book of Ojhaji contains details only of Brahmi and Kharoshthi and scripts emerging therefrom. There is no mention of Persian and Arabic scripts in this book.

'Indian Paleography' by Dr. Ahmed Hasan Dani was published for the first time in the year 1963 by Oxford followed by its Indian editions. Dr. Ahmed Hasan Dani was also of Indian origin and had graduated from Kashi Hindu Vishwavidhyalaya. He subsequently left for Dhaka and then for Pakistan where he did lot of important work on Archaeology and Paleography. It is believed that Arabic and Persian scripts have not emerged from Kharoshthi script because Kharoshthi script had prevailed during the period 3rd century BC to 5th century AD. However there is also a theory that Kharoshthi which is written from right to left would have emerged from Aramaic script which was prevalent in ancient Iran and Persian script would have possibly emerged from this Aramaic script.

The book by Dani Sahib contains details of only Brahmi and Kharoshthi and scripts emerging therefrom with no mention of Persian and Arabic. Dani Sahib has covered scripts upto the period of 12th - 13th century in his above book.

The witness was shown document no. 289C-1/10 of his book exhibit OOS—5-3 by the learned advocate cross-

examining and a question was asked that there was a mention of Prof. R. Nath in the first line of the page - was it the same R. Nath about whom he had mentioned earlier in his statement. On looking at the above page the witness stated that Yes, this was the same R. Nath about whom he had mentioned earlier. On looking at above document no. 289C-1/10 the witness stated that the word 'Bhoomika' in the last sentence of the first para covered the 'introduction. The witness was shown the extract 'the rock inscription found from Ayodhya protected our honour' appearing in the 2nd para of the same document 289C-1/10 and a question was asked whether he agreed with this paragraph or a part thereof? On looking at this para the witness stated that this para was based on the personal memory of Dr. Swaraj Prakash Gupta and therefore question of his agreeing or disagreeing did not arise.

The witness stated, "There is nothing new in including such personal memoirs in the introduction of history books and many a scholars have added their such memoirs in their books. Most of the Gazetteers are believed to contain such memoirs. Wherever the word 'we' has been used in the above para 2 — it does not include me, rather it includes Dr. Gupta and Sudha Malayya. The word 'our' movement appearing in the above paragraph is again related to Dr. S. P. Gupta and does not include me. By movement Dr. S. P. Gupta is referring to Ram Janambhoomi movement which again refers to the movement connected with the Ram Janambhoomi premises and the disputed building located therein. At this point of time I cannot tell about the date of the launching of this movement but I have provided some reference of this movement in 10th chapter of this book. Based on my memory I cannot tell about the year and decade of the

launching of the movement. The reason behind this movement is the belief that the place where the disputed structure stood was the place of birth of Rama and the Hindu Masses have been struggling for it since the time of its construction. There had been a number of armed conflicts during the period starting from Mughal Sultanate till the period of Navabs of Avadh but after the British East India company annexed the kingdom of Navabs of Avadh, a judicial rule was set in and thereafter conflicts within the framework of law started. However since the judicial process did not meet much success, movement was on the rise. The suit of the year 1885 can be termed as the first suit of judicial conflict. The suit was filed by Mahant Raghavar Das."

The witness was shown document no. 289C-1/10 of his book exhibit 005-5-3 and his attention was drawn to sentence reading as 'I Shri Ranjeet Dutt Gupta have helped' in para 3 and a question was asked as to whether he did not subscribe with the facts mentioned in this paragraph. On looking at the paragraph the witness stated, "I am known to most of them but it appears that these persons were either photographers or Draftsmen or Typists and as such question of agreeing or not agreeing with them did not arise." The witness was shown 4th para of the same document no. 289C-1/10 by the learned advocate cross-examining and a question was asked whether he was present in the conference of journalists held in Himachal Bhawan which was surrounded by the police. On looking at the para the witness stated that he was not present in the conference and it was a personal memoir of Dr. S. P. Gupta. The witness stated, "It is not in my personal knowledge as to what has been mentioned in the paragraph about the proceedings of the conference.

Still I believe that whatever has been stated in this para should be correct. I regard all the facts mentioned in this paragraph to be true because they have been published in this book and also because they have been written by Dr. S. P. Gupta. Based on my prudence, I examine closely all the facts mentioned in any book and then only take a decision about their correctness or otherwise. Even while writing myself, I gather material from other books, evaluate them and then make a use of them in my writing. I believe that every historian should follow it and any book on history should be assessed and evaluated against this criterion only.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

3.03.2003

Typed by the stenographer in the open court as dictated by me. Present yourself on 4.03.2003 before the Hon'ble Full Bench for further cross-examination.

Sd/-

(Narendra Prasad)

Commissioner

3.03.2003

Dated 4.03.2003

OPW 9 Dr. Thakur Prasad Verma

Cross-examination on oath on behalf of Defendant No. 5 initiated by Shri Mushtaq Ahmed Siddiqui, Advocate in continuation to cross-examination dated 3.3.2003 before the Hon'ble Full Bench.

The scripts emerging from the Brahmi script had fully developed by the 13th century but the construction of letters had not taken a final shape i.e. construction of letters continued even after 13th century. There is a brief description of letters in the book 'Bhartiya prachin lipimala' by Gauri Shankar Hiranand Ojha which were developed after the 13th century. I am not aware of my other book wherein details are given about the development of regional letters of Brahmi script after 13th century. The English word 'translate' is known as "Anuvad" in Hindi. Interpretation and free translation covers only feeling and it is not a literal translation. The translation provide only a summary of the written text and not his feelings. The translation provides a summary of whatever feelings are conveyed by the text. Translation done by different translators can vary if there is a variation in the original text. Document no. 289C-1/195 and 196 of my book carry the text of stampage of the rock inscription written in Nagri script. The Nagri script engraved in the rock inscription is 800 years old and after facing a lot of difficulty in its decipherment I have rendered it in modern prevalent Nagri script at Appendix 'A'. The text appearing at Appendix 'A' does not represent the complete decipherment, but is confined to the portion upto which I could read. The process of change in the form of letters has continued upto the 20th century and that is what I have conveyed. Letters written in stampage are clear at some

places and are not clear at other places. Besides, the language of rock inscription is Sanskrit and my knowledge of Sanskrit is limited and that is why based on my paleographic knowledge I have rendered at Appendix 'A' whatever portion I could read. It is correct that during the 12th century Sanskrit language was written in Devnagri script the way we find it written now a days. I am not an expert of this language and therefore had to face a lot of difficulty at many places in deciphering the same. For the guidance of readers I have not mentioned it in my book that I could not correctly decipher the language written on the rock inscription - and what I have done is that I have left blank spaces in the form of dots at Appendix 'A' and its free-translation and such a convention of leaving dots has been prevalent amongst the decipherers of the rock inscription of the 1 century. I had some doubts about letters and words and that is why I have called it a free-translation and not translation. Wherever I could not decipher the letters I have indicated Ardhchandrekas in the shape of U and I have used dash and dots only for such letters. I have indicated the lines in Appendix 'A' of my book in the same sequence in which they appear in the stampage. The serial nos. given in the beginning, middle and end of the lines in Appendix 'A' have been given by me and do not appear in the rock inscription.

First of all I have read the stampage of the rock inscription as per my competence and then translated it followed by a free-translation. At the outset, I deciphered the text of the stampage of the rock inscription and then tried to go for a free-translation of the same because its translation was just impossible." Later on Volunteer: that he could not provide an exact translation of the text of the rock inscription. The witness stated, "During the process of;

decipherment I did not seek any help from the persons whose names appear at the bottom of document no. 289C-1/196 of my book. Recording of this was not required. I had not gone through any articles of any other paleographer about the relevant stampage before going for the above decipherment. The free translation available at document nos. 289C-1/197 to 199 has been rendered by me only.

I have mentioned about revenue records relating to the disputed building in my book. With regard to revenue records I had taken help from Prof. B. R. Grover and whatever I have written in my book is based on the version of Prof. B. R. Grover. I have not myself read any revenue records. Chapter 10 of my book has been written by me with no contribution from anyone. I have written this article after undertaking research as a historian. According to my view the word 'Kathanak' stands for the text story of any book and the incidents of ancient times, whose authenticity has not been fully proved are called myths. A historian relies on 'Kathanak' and myth both during the course of his research. 'Myth' is a word of English language. The English term 'legend' does not mean a Kathanak but it stands for a folk-legend. By folk-legends I mean such stories which have not been written anywhere but are orally conveyed from one generation to the other generation. In history folk-legends are also regarded as sources of history. If a folk-legend has been identified as a folk-legend of 20th century it will be named as the folk-legend of the same 20th century even in case when it includes any incidents which are two centuries older than the 20th century.

As stated by me earlier for purpose of research now a days the historians assay any tradition or legend before taking it to be authentic scientifically and such a practice

has been prevailing for the last 150-200 years, though this period cannot be precisely indicated. In my view it is a better technique. However it does not mean that the traditional folk-legends which were a part of the history books written till 150-200 years ago were in anyway doubtful. With regard to both the prevalent practices a basic concept has to be kept in mind. As regards writing of history books, the process has started just 150-200 years ago. History was not written in such a way prior to 150-200 years. Prior to this period we did have books written in Sanskrit and other languages like Puranas, Ramayana, Mahabharat etc. which are called history books but they have not been written in the modern style of writing history and hence we would have to differentiate in between the two forms. It is not necessary that a modern historian does not agree with books written earlier. If the earlier circumstances do not fit in his criterion, he is not bound to accept the findings of the book. I have written my book in the modern way.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

4.03.2003

Typed by the stenographer in the open court as dictated by us, Present yourself on 5.03.2003 for further cross-examination.

Sd/-

4.03.2003

Dated: 5.03.2003

OPW 9 Dr. Thakur Prasad Verma

Cross-examination on oath on behalf of Defendant No. 5 initiated by Shri Mushtaq Mohammed Siddiqui, Advocate in continuation to cross-examination dated 3.3.2003 before the Honourable Full Bench.

The fact that the forms of letters of Devnagri script have undergone changes after the 13th century was known to me even prior to 1996. I was aware of this fact from the very beginning i.e. when I was reading and when I was teaching. Shri Gauri Shankar Hirachand Ojha has not provided in his book 'Bhartiya Prachin lipimala' any century-wise table to indicate as to when and what changes had been made in the letters of Devnagari script but has furnished in his book illustrations of writings of different ages on the basis of which changes made in the letters could be ascertained. He has provided illustration in his book after going through all the articles that had been published by them. During the process of decipherment some signs are used for indicating the blanks and such a practice had started in the last phase of 19th century but no specific articles on the subject are available. It has only been a practice which is followed and used by all even today." Volunteer: that during his decipherment he had loosely and not strictly followed the 'signs'. The witness stated, "I have not written any other book except my book 289C-1 about the disputed building in collaboration with Dr. S. P. Gupta. Last two chapters of my book have been published independently by the name of 'Shri Ram Jarimabhoomi Itihasik Evam Puratatvik Sakshya'." At this point the attention of witness was drawn towards document 304C-1/4 by the learned advocate cross-examining on

looking at which he said that that was the last paragraph of the background of the book. Volunteer: that it was not written by him but by Swaraj Prakash Guptaji. The witness was shown document no. 254C-1/4 to 8 (in continuation) on looking at which the witness stated that it was the decipherment of the same rock inscription. The witness stated, "it is correct that in this article only dots have been indicated for blanks and that is why there is a difference in my style and the style of Dr. K. V. Ramesh." The witness stated of himself that the style of K. V. Ramesh was more scientific and perfect. The witness stated, "My article appears on page 11 and 12 of this paper. This article of mine was published for the first time in the journal entitled 'Itihas Darpan' in the years 1996. I have evolved a table about the forms of letters during different periods as appearing on document nos. 254C-1/14 and 15 of this article itself. I have evolved this table on the basis of my own study. Extensive details of this type are available in the Ph.D. thesis entitled 'Development of Nagri Script' written under my guidance by Dr. Arvind Kumar Singh who is presently a lecturer in Jeevaji University. Development of Devnagri scripts in a tabular form in the above book appears for the first time. It is correct that I have not written a thin about modifications made in the letters during the 12th century. However Dr. Arvind Kumar Singh has evolved a table of the records covering the period of 14th Century in his above thesis which has been written under my guidance. However nothing has been written about the modification made in the form of letters after the 14th century. The thesis of Dr. Arvind Kumar Singh covers the period till 14th century only i.e. at the time when the topic was assigned to him, he had himself opted the period till 14th century for his research. However the name of his thesis does not indicate that his research is confined upto

the record of the 14th century only. It has been mentioned in the introduction of his thesis that his research was confined to the records till the 14th century. Since the ancient period covers period upto only 13th - 14th century and our Department is known as the Department of Ancient Indian History, research beyond this was not included in the thesis. The thesis written by my other research scholars/students under my guidance were confined upto 14th century period. I do possess some rudimentary knowledge of modern age. I have a general knowledge about development and modifications in the letters of Devnagri scripts upto the period of 12th century. I have just cursory knowledge of the development and modifications in the form of letters of Devnagri script during the post century period. It will be incorrect to suggest that I have not indicated in my table about the modification made in the letters during the period beyond 12th century because my knowledge of that period was very small." Volunteer: that he had confined himself to 12th century in his document no. 254C-1/14 and 15 because this record of Ayodhya is related to 12th century and details of forms of various letters found in this record had been given in document nos. 254C-1/13 and 16.

Question: If the forms of letters of Devnagri during the 12th century were the same as had been prevalent even during the 18th century, then could the record in question be stated to be belonging to 18th century?

Answer: It is not possible at all that all the letters of the record written during the 12th century could be similar to all the letters of the record written in the 18th century.

It would be incorrect to suggest that since in my article I have shown changes made during 5th to 12th centuries - the speed of changes has been faster during this period. In fact changes have been made in every century and it would be incorrect to infer that more changes had been made in the letters of Devnagri during 5th to 12th centuries. The changes made during Kushan age and Gupta Age were minor and therefore I did not feel it necessary to include their forms in my table. There have been some minor changes from pre-Kushan age to Kushan age but again I did not show them in my table because of limited space. There are so many variations in the forms of letters during various ages that drawings have to be prepared manually to show such changes. The letters have yet to take a mechanical shape.

Personally I have never been associated with the Ram Janambhoomi movement. However I studied this subject at the time when I got an opportunity to undertake research in the capacity of a historian. I believe that I had started research on the subject during the year 1988-89 and it was probably during the year 1990 that I had met Devki Nandanji and from then onwards I am equipped with the details of this suit. Devki Nandanji used to consult me whenever he felt like doing so. My active contribution started only after I was made a party in this suit. Before my becoming a party of the suit, some records were shown to me occasionally. The records relating to the suit were shown mostly by Devki Nandanji and persons sitting around him. After becoming a party I obtained all the details of the case by visiting the advocate and going through the file of the case. The witness stated it was only after the rock inscription, whose stampage paper is on document no. 203C-1/1 and 203C-1/2 was made available that it came to

my knowledge for the first time that there had been a temple of Vishnu Hari at the place where Babri Masjid was standing. The temple had been demolished and a masjid was built in the year 1528. Before the publication of the above rock inscription, whose stampage was on document no. 203C-1/1 and 203C-1/2 people believed that there existed a temple built by Vikramaditya at the disputed site which was demolished and a masjid was built. The witness stated of himself that there was a difference of at least 16 centuries in between the Vikramaditya age and 1528 AD and therefore there was remote possibility that the temple of Ram Janambhoomi would have existed in its original form without renovation or repairing. The witness stated, "before going through this record as a historian I was not confident that temple of Vishnu Hari had been built at the disputed site in 12th century. It is correct that before the rock inscription was made available no historian knew that a splendid temple of Vishnu Hari had been built at the disputed site during the 12th century. This is equally true that since there is a mention of Vishnu Hari, I take this temple to be of Vishnu Hari. Vishnu Hari is a union of two words. Vishnu Hari mentioned in the above rock inscription is not the name of any individual or any god but it is the name of that temple of God which had been built in the 12th century." The witness stated of himself that temple of Vishnu Hari existed even before 12th century which was replicated and a splendid temple was built at the disputed site. The article of the first ruler of Gaharwal dynasty who is believed to be in position in the last phase of 11th century reveals this fact. Subsequently he added, "Vishnu Hari mandir existed at that very place even prior to 11th century and it was during the 11th century that the first ruler had offered prayers there and not that he had built the temple. The above article of the first ruler of Gaharwal

dynasty is probably available by the name of 'Chandrawati inscription of Chandradev' and was published in some volume of 'Epigraphia Indica'. At this point of time I do not remember the year in which the above volume was published. I came to know of the fact for the first time only after going through the above article and not earlier." At this point the attention of the witness was drawn to the 2nd paragraph of the second column of document no. 289C-1/110 by the cross examining advocate and a question was asked whether a mention of the above record was there in that paragraphs looking at which he stated it was true that mention of Chandravati inscription was there in the para.

The witness stated, "Besides the above two records of Gaharwal dynasty I am aware of other records also numbering more than 70 but I have not mentioned about all of them in my book. I have gone through the three records of Chander Dev referred in para 3, page 88 of my book exhibit OOS-5-3. Chander Dev was the first ruler of Gaharwal dynasty. I have gone through the book on Gaharwal dynasty written by Roma Niyogi which contains the mention of all three records. This is incorrect to suggest that Chander Dev caused himself to be called by the name of Vishnu Hari. No other ruler of Gaharwal dynasty is known by the name of Vishnu Hari. There is no such mention in the book of Roma Niyogi according to which any ruler of Gaharwal dynasty was known by the name of Vishnu Hari. Before the retrieval of the record, whose stampage was evolved it was a general belief amongst the masses that there existed a temple built by Vikramaditya at the disputed site which was demolished. A seminar had been organized in October 1992 in Ayodhya in which I had also participated. The seminar continued for 2-3 days where some resolutions were passed after deliberations.

The participants had affixed their signatures on the resolutions and I was one amongst them. It had been discussed in this seminar that there had been a temple of Gaharwal age in Ayodhya but it was not mentioned that the temple belonged to Vikramaditya age. The place below the middle dome of the disputed building was believed to be the traditional place of birth of Rama and this tradition had never altered, rather under an agreement Ram Chabootra was accepted as the birth place of Rama and people had started worshipping at that place and in view of this I believe that the tradition of believing the place below the middle dome persisted all along. There is a mention on page 135, chapter 10 of my book that Hindu people used to throng this place on every Ram Navami to worship and offer prayers and this fact is supported by tradition as well as evidences. Other evidences include gazetteers and travel accounts of Typhen Thallor. Of course there is no specific mention in Gazetteers to the effect that Hindu people worshipped and offered prayers but after going through the articles we have arrived at a conclusion that there is a clear mention of this fact in the book of Typhen Thallor. I have gone through a few extracts and my contention is based on them. In this connection I have already made a statement about which I have referred in my above statement. I have mentioned about the fact of worshipping and offering of prayers at the disputed site by the Hindu people after assessing the same in the context of modern arguments. I have mentioned about the fact of making struggle on the basis of a book and it is supported by a number of traditions. I have mentioned the above book in a footnote to indicate that I have not ascertained the authenticity of the facts mentioned in the book by any research. According to the Persian pattern of domes the design of the dome was made by placing a stone on the

other stone in a balanced manner. The domes of the disputed building were not in conformity with the Persian pattern of domes. A number of buildings were constructed in India by Muslim Sultans in the year 1528 and the domes were a part of such buildings. The domes of the disputed building had been raised as per the Indian pattern. Muslim Sultans had also raised domes of the buildings in accordance with the Indian System and the domes of the disputed building were also of the same pattern. The witness stated, "I have mentioned it para 2, page 137 of my book that the then rulers of Kerala had donated land for the construction of the masjid and I had mentioned this fact after having read some book on the subject and not on my own.

Most of the books on the basis of which I have formed my opinion, have been indicated as references in the end of my book. Like me, other historians also mention such books in their articles or books written by them on the basis of which they articulate their opinion. I have not referred to the book on the basis of which I have stated that the rulers of Kerala had donated land for the construction of the masjid."

The witness continued, "I have gone through the petition of suit no. 3/89 filed by Nirmohi Akhara and have also gone through the relief sought therein. The relief sought in that case is not completely in our favour because had it been like this, no need would have arisen to file another suit. I hold a similar opinion with regard to the petition and relief sought by Gopal Singh Visharad vide his petition no. 1/89 which has now been replaced by Rajendra Gupta. It is true that after the disputed site was acquired by the Central Government our suit has been abated with all

other cases and as far as my knowledge goes the above abatement has not been challenged by me. As per my information it was not because Supreme Court of India had repealed the provision of abatement but it was because of Presidential reference that the abatement was accepted as repealed and that is why all the cases were restored. I am not aware if the provision relating to abatement has been repealed because other parties had challenged the provision of abatement. I have indicated in my book that the level of tolerance amongst Hindu was 90% and I believe there might have been 10% tolerance on the part of Muslims too. I am seized of the fact the poet Iqbal had called Ramchanderji as 'Imamul (Pioneer) Hind'. As per my personal assessment such a tolerance would be found within ten per cent only. I am not aware if any other Urdu poet has eulogised Rama like this in his poems.

Document nos. 118C-1/129 to 118C-1/135 of Suit no. 5/89 is a report on which I have also affixed my signatures. This is the same report that had been prepared after deliberations in the seminar held in October 1992. There is a possibility that the resolutions would have been drafted on the very first day of the seminar i.e. 10th October 1992 and that discussions over them would have continued thereafter because it was not a regular seminar but a workshop. This is correct that it has been stated in para 2 of the report that a so-called Vaishnav temple belonging to the period in between 10th and 12th century existed at the disputed site. This is correct that the temple has not been called by the name of Vishnu Han temple because the rock inscription of Ayodhya had not come to light by them.

Dr. S. P. Gupta has affixed his signatures on this report on 13.10.1992 while others have signed it on 10/11/12-10-1992.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

5.03.2003

Typed by the stenographer in the open court as dictated by us. Present yourself on 10.03.2003 before the Commission for further cross-examination.

Sd/-

5.03.2003

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