



सत्यमेव जयते

REPORT OF THE
LIBERHAN
AYODHYA
COMMISSION
OF INQUIRY

CHAPTER 4
SEQUENCE OF EVENTS

17. THE SEQUENCE OF EVENTS

- 17.1. The conduct and culpability of the protagonists and the architects of the events of the 6th of December 1992 must be understood and analysed not only from the actual events themselves, but also from their conduct, speeches and acts of commission as well as acts of omission over a period of time.
- 17.2. It would also be critical to analyse and weigh the invocation of historical occurrences, resort to power politics, attempts to amalgamate religion and politics using selective historical events by various actors. Finally, the conscious effort to polarize the Muslims and the Hindu populace and widen the gap between the communities also needs to be considered.
- 17.3. The facts and events leading up to the 6th of December and of that particular day have to be unravelled from a complicated web; the conclusions and inferences have to be drawn by cutting through the deliberately created haze of obfuscation and seeming chaos. All the more, since power politics knows neither prestige nor honour for which the masses had been trapped in a labyrinth of secularism, pseudo secularism, minoritism, regionalism and casteism. The much vaunted idea of the secular state given in the Constitution was the unfortunate victim in the entire episode.
- 17.4. “*Die Religion ... ist das Opium des Volkes*”, said Karl Marx. *Religion is the opiate of the people*, and especially in a populous country like India with its teeming masses of illiterate, immensely susceptible to the influence of religious groups, Sants, Sadhus, dogmatic leaders and the self-proclaimed protectors of

various faiths. It is an impossible task for the man on the street to see through the propaganda and to decipher the motives and the intrigues of politicians and leaders – from the top levels to their foot soldiers and rabble rousers. Labelling oneself a protector of a particular faith or religion or a particular region or culture; or the messiah of the poor may be a good career move in the game of power politics but is a bitter illusion for the common man.

- 17.5. It would be impractical to try to summarise the statements of all the witnesses as well as the documents or the books referred to and produced before the Commission. These have been set out in their entirety in the appendices to this report. This report makes specific reference to critical aspects from this evidence, and quotes some statements or parts of the evidence as the rationale and basis for the conclusions drawn herein.
- 17.6. The relevant basic facts events and designs have been gleaned from the witnesses’ evidence and the documentation gathered. These facts are corroborated by the circumstances. The *mens rea* or the mental element can only be inferred from these factors for obvious reasons since the internal machinations of the human mind are rarely apparent otherwise. I have endeavoured to reach the attainable human truth, through a human approach.
- 17.7. The conspectus of facts and events are also taken from the records, White Paper of the Government India and that of the BJP, the oral evidence and the official records produced; various publications, articles and books written, apart from reports in media and the debates addressed.

18. Background

18.1. In order to appreciate and crystallize the events prior to 1947, extensive material in the form of the long histories, articles, and travelogues written about Ayodhya, Ram the incarnation of God and the ideal king, and his birthplace, Babar's acts and deeds, history books, and the BJP's own White Paper as well as the Government of India's White Paper, various articles, books brought to my notice, have been carefully examined and studied. The undeniable and uncontested facts up till the year 1949 can be summarized as follows.

18.2. An attempt to "repossess" the disputed structure was made in 1934. The disputed structure had been lying locked since. The domes had suffered some damage.

18.3. In its White Paper, the BJP recorded

"It had remained locked since then. In 1934 on account of armed conflict between the two communities on the occasion of cow slaughter the structure was damaged. British government in 1934 got the damaged mosque i.e. the disputed structure repaired by imposing fine on Hindus. The cost was recovered as punitive fine from Hindus."

18.4. Reference may be to a book titled "*Historical and legal perspective*" written by Justice Nandan Aggarwal and a booklet published by the Bar Council of India on "*The judgment about the disputed structure*". The judicial proceeding for repossession of *Ram Janamsthan* had recommenced.

- 18.5. For centuries, this was a local religious issue confined only to Ayodhya; at the most to the Faizabad Division. It was to later transform into not only a national political issue but also an internationally communal issue, which was to shape the contours of democracy of India.
- 18.6. In the year 1528, the Mughal Emperor Babar ordered his Commander Mir Baqi to erect a mosque at Ayodhya⁴⁸. Protagonists of the present movement claimed that after demolishing the temple at the birth place of Ram, Mir Baqi constructed the mosque i.e. the “disputed structure”.
- 18.7. The British rulers of the time later divided the area in two parts, one comprising of the structure described by VHP as “Babri structure” and the other comprising of “Ram Chabutra” and “Sita Ki Rasoi” with a courtyard, where Hindus used to perform Puja. The structure stood divided into inner and outer courtyards by a railing. The BJP White Paper states that “On 1767, an Austrian Jesuit traveller, *Joseph Tieffentheler*, found that in spite of the Mughal Kings’ effort to prevent them, the Hindus re-occupied the courtyard, raised the Rama Chabutra thereon, and were worshipping and celebrating Rama Navami there as well as under the domed structure.”
- 18.8. Worship of idols installed on the Ram Chabutra by Hindu devotees in general was performed for a considerable period. There were no objections from the Muslims staking the counter claim prior to the shifting of idols into the disputed structure in 1949.

⁴⁸ This finds mention in the BJP White Paper

- 18.9. It is however not the Commission's mandate to record a finding with respect to the exact question of history and a discourse on whether a mosque was constructed at the place of temple is outside the Commission's purview. Suffice it to say, the construction of the Mosque by Mir Baqi in 1528 is now an admitted fact.
- 18.10. The Ram Chabutra was built in 1767 within the courtyard of the disputed structure. The courtyard was divided by railing into inner and outer courtyard. The fact is admitted by the counsel for the Central Government during the course of his arguments. It was also admitted in BJP White paper.
- 18.11. Attempts to repossess the disputed structure were made in the past. These took the form of either military action, by way of civil litigation, through diplomacy or by means of mass movement. History books like "*The first two Nawabs*" by AL Srivastava, "*Fall of Mughal Empire Vol II*" by J.N. Sarkar, "*Marathas and Panipat*" by Hari Ram Gupta, "*History and Geography of India*" by traveller Joseph Tieffentheler, "*Gazetteer of the territories under Government of India company*" by Edward Thornton were referred to and cited before the Commission. It was sought to be established that the Hindus were retrying to re-establish and maintain their rights at Ram Janambhoomi.
- 18.12. One Mahant Raghbar Dass filed a civil suit for the construction of a temple. The BJP White Paper records the observations of one Col Chalmers in appeal in the suit, which was rejected in 1885

"I who visited the land in dispute yesterday in presence of all the parties. I have found that Masjid built by Emperor Babar stands on border of Ayodhya; that is to say, to West

and South. It is clear of habitats. It is most unfortunate, Masjid should have been built on the land specifically held sacred by the Hindus, but as the event occurred 356 years ago, it is too late now to agree with the grievances: All that can be done is to maintain the party in status quo, in such a case as the present one any innovation may cause more harm and derangement of the order than benefit.”⁴⁹

18.13. Although there was no order restraining the Muslims from going to the disputed structure or from offering namaz therein either by the judiciary or from the administration, yet namaz was not offered at the disputed structure since 1934. No processions were taken out inside the disputed structure nor any grave dug thereabouts⁵⁰.

18.14. Over time, the bifurcation of the courtyards and the cleavage between the Hindu and the Muslims intensified and became even more prominent.

18.15. I also need not go into the fact: whether security was provided to the disputed structure at all or whether there was any threat to the disputed structure earlier or even in 1947. Though some documents and books about historical background have been placed before me and some references were made of attempts of Hindus to repossess the disputed structure before 1949, the reasons for the failure are considerations which need not concern the present enquiry.

⁴⁹ Reference may be made to CW28/2 and to “Historical and Legal Perspective” by Justice Devki Nandan Aggarwal, judgment published by the Bar Council of India Trust.

⁵⁰ DB Roy (CW7)

19. The formation of the Rashtriya Swayamsevak Sangh and rise of the “Hindu Nationalism”

- 19.1. The constant bitterness between the two communities is a historically accepted and recorded fact. This Hindu-Muslim discord may possibly have been the catalyst for the birth of Hindu nationalism, Hindutva, cultural nationalism, Hindu Rashtra and for organisation of divergent groups of Hindus within the Hindu society. This and other various ills of division, castes, untouchability or other hidden desires to acquire political or other power or wield influence on the public at large may well have been the reason for the founding of the *Rashtriya Swayamsevak Sangh* (RSS). It so emerged from the reading of the objects of the RSS.
- 19.2. The sole fact worth noticing is that the proclaimed and published object of the RSS was Hindu nationalism; to organise and bring together the divergent groups within Hindu society and to revitalise it on the basis of *Dharma* and *Sanskrit*, as propagated by Veer Savarkar.
- 19.3. Veer Savarkar concluded the real cause of failure to arrive at comprehensive as well as correct definition of “Hindu” lay in the popular error of identifying the word almost entirely with a religious aspect alone. He therefore coined a new word “Hindutva” which he used to describe the religion. He used the descriptor “Hindu” to refer to the nation because they acknowledge India as their fatherland of worship. Among Hindus, he included the Jains, Sikhs etc. because these were religions of Indian origin. Christian and Muslims were

excluded, because they came from outside India. The term Hindu thus came to be used to express the totality of cultural, historical and national aspects along with religious “Hinduness”.

20. The Hindu - Muslim Divide

- 20.1. The revival of religion in the neighbouring countries caused the notion of Hindutva to gain in popularity and strength. Savarkar had developed a powerful instrument invoking the emotion and passions of Hindus against the rest. He said, it is a definition of Hinduness, essentially national in its outlook and comprehends the Hindu people as Hindu Rashtriya. He observed that it came as veritable revelation and that Hindutva corresponds exactly to the definition of nation in modern political theory. He said Hindutva is not a word but history - not the cognate term Hinduism which is part of it. "Ism" meant theory or code more or less based on spiritual religious dogma or system. Hindutva embraces all departments of thoughts and activity of the whole being off our Hindu race.
- 20.2. There was Hindu-Muslim divide before the partition of the country. Bitterness between the two communities was constant and persistent from times immemorial. This divide escalated steadily and peaked at the time of the partition of the country in 1947 when Pakistan was carved out of India. Pakistan declared and constituted itself as an Islamic state. India chose to declare herself a secular, multi-religious, multi-regional and multicultural state. The partition resulted in an unruly exchange of populations, which left a sad scar on the psyche of a large section of society in the country that persists till day in spite of a half a century having gone by.

- 20.3. The post partition leadership, inspite of its undisputed credibility and sincerity, failed to root out communalism and the division on the basis of casteism, religionalism, regionalism etc. which are the sources of communalism. The post-partition leaders did make substantive effort to root out communalism or reduce the cleavage between Hindus and Muslims.
- 20.4. Some of the leaders of present day possibly have honest intentions of rooting out communalism, casteism etc. It may however be observed, that unfortunately no serious attempt is being made by the leadership of known or proclaimed political parties, religious leaders of all shades in the country, philosophers , or thinkers or the intellectuals to remove communalism or dilute the bitterness amongst the communities or castes and among followers of the different religions specially Hindus and Muslims. LK Advani⁵¹ stated *“I would emphasise that in India, political parties are conscious of the fact that there are casteist vote banks – Brahmin vote bank, Dalit vote bank, Thakur vote bank – there are minority vote banks like Christian vote bank, Muslim vote bank, and Parsis vote bank. But there is no such thing as the Hindu vote bank and so those who are interested in vote banks appealed either to caste or minority denominations. Between 1949 and 1986, Ayodhya became a matter of public controversy or an issue. Political parties thought it would give political dividends. The turning point was Shah Bano's case.”* He went on to say *“...communalism, casteism, religionalism, regionalism etc are narrower loyalties – I feel that the weakness of the weak political parties for vote bank politics is the principal reason*

⁵¹ CW23

why these loyalties are promoted." This sentiment was corroborated by VP Singh⁵².

- 20.5. Gathering from practice, preaching thoughts, previous precedents and beliefs that bitterness slowly again grew and continued to become a morbid obsession with section of society as it was before partition. Predominantly majority of Muslims were believed to be violent. It was because of the cleavage between Hindus and Muslims, and the assumption that Muslims tended to be violent, that Swayam Sevaks were given training in wielding Lathis etc. to counter it. Hindu nationalism admittedly is preached or imbibed through over 40,000 *Shakas* held all over the country⁵³.

⁵² Reference may be made to the statement of LK Advani, VP Singh, and Narasimha Rao.

⁵³ Reference may be made to the statement of Madhav Godbole and his book "Unfinished innings"

21. The events from 1949 onwards

- 21.1. After the partition of the country in 1947, Mahatma Gandhi was assassinated on 31.1.1948. Subsequently and as a consequence, members of RSS were arrested and the organisation was banned up till 1949.
- 21.2. A grievance was made in early December 1949 that travellers coming to stay in the Babri mosque were teased. The Puja used to take place on the platform. As a result of the airing of this grievance, a danger to the mosque i.e. the “disputed structure” was apprehended. A police picket was thereafter set up because of this ongoing bickering between Hindus and Muslims with respect to the spot. A police post was established on the 10th of December 1949 as is evident from the report of the *Wakf* Inspector of even date.
- 21.3. No noticeable event took place between 1947 and the 23rd December, 1949. On that date, idols of Ram Chander Ji (Ram Lalla) with inscription of ‘Sri Ram’ were installed in Garb Grah. As a consequence, an FIR was registered against Abhay Ram, Sideshwar Rao, Shiv Charan Dass and 60 others. The Commission need not go into the question whether idols were installed or they had miraculously appeared as some of hard-core fundamentalists and the protagonists of the movement claimed during the course of their evidence. That controversy is not within the purview of this inquiry.
- 21.4. Ram Dubey, officer in-charge of police station recorded the following FIR.
"At about 7 AM I reached Janam Bhoomi, I came to know from the constable Mata

Pershad who was on duty, that in the night 50 to 60 persons had entered in the mosque by breaking lock, scaled the walls, established the idols of Shri Ram Lalla, and written with geru and yellow colours on the wall 'Shri Ram'. Constable Hans Raj who was present on duty at that time told them not to act in that manner but they failed to listen to him. The PAC force which was posted there was called, but by the time it reached there, they had already entered the mosque." Puja and Bhajan were started.

21.5. The Central Government as well as the State Government had taken an exception to the installing of the idols. Enquiries were made from the then District Magistrate and Deputy Inspector General about their conduct as to why they were not able to prevent the crowd effectively when it was not so large.

21.6. Extracts from a letter written by Jawaharlal Nehru and a later letter written by Vallabh Bhai Patel to GB Pant sheds some light on the situation. *"Controversy has been raised at most inopportune time both from the point of view of the country at large and of your own province in particular. Communal issues recently resolved to the most satisfaction of various communities – Muslims are just settling, their new loyalties – it is unlikely there would be any transfer of loyalty on a mass scale. Communal relations have generally improved very considerably since 1946. We have our own difficulties in U.P. organisationally and administratively because of group formations. Issue should be resolved amicably in the spirit of mutual toleration and goodwill between the two communities. Great deal of sentiments behind the move was there which has taken place. Take the willing consent of the Muslim community with us – no question of resolving such dispute by*

force – forces of law and order will have to maintain peace at all costs – matter should not be made a live issue – any accomplished facts should not be allowed to stand in the way of an amicable settlement.” After a tentative initial technical objection about the admissibility, which was not pressed later, the factum and contents of the correspondence were admitted by LK Advani.

21.7. District Magistrate KK Nayyar stated *inter alia* that there was no forewarning through any intelligence channel despite the rumours that idols would be installed on the occasion of *Ram Naami*. There were no complaints about it, and none in fact from Akshay Bhramchari, a strong protagonist of the Muslims. The rumours about contemplation and declaration of installing the idols by one Abhay Ram Das, a self-proclaimed Sadhu who was not a popular or credible Mahant or leader were not believed to be trustworthy. The Mosque was used for only one hour on Fridays, while the people did puja in the temple round the clock. A declaration of any preventive steps including the arrest of the leaders would not have prevented the mischief. In order to prevent the Hindus from entering into mosque a permanent policing arrangement would have been required, which had not been implemented despite over 36 years of controversy. The decision for policing lies with the Government however no such case for policing was made out.

21.8. Reference with respect to Banaras and Mathura was made by the District Magistrate. It was pointed out that the surreptitious removal idols, though possible, would have raised a question of administrative consequences, and administrative bankruptcy and tyranny. Such a removal of idols would amount to interference in his administrative and judicially justifiable order,

which he did not want to exercise other way for removal of the idols. He opined that a solution other than the removal of idols be found. He also pointed out that removal of idols was liable to endanger public peace over the entire district. Emphasis was laid that Hindus were behind the demand of keeping the idols in spite of their divergent opinions about the way they had been installed. As a believer in Hindu rituals, he also pointed out that nobody was available to remove the idols in a ritualistic manner. He sought to be relieved rather than to risk aggravating the situation. At the same time, the District Magistrate agreed that the installation of idols in the mosque was certainly an illegal act, which had put not only the local authorities but also the government in an awkward situation. He specifically mentioned to the government that the situation was pregnant with the possibility of future riots despite a decision being in favour of Muslims. He suggested that an amicable settlement between the two communities outside the court was the only solution to the dispute. He informed further that thousands of licensed firearms owners had promised support against the police and its officers in the eventuality of idols being removed. It was observed that the Hindus were united in the demand for retaining the idols despite their dis-uniformity with respect to propriety of the act. Their readiness to kill and die for the cause too was observed. A number of other apprehensions were pointed out in his reply. A similar reply was sent to the Chief Secretary on 27th of December 1949⁵⁴.

⁵⁴ Refer to CW8/A, CW8/B

- 21.9. The District Magistrate pointed out that there was a public demand for opening the gates of the temple and bemoaned that a popular slogan coined and prevalent was “*Nayyar anyay karna chodh do, Nayyar Bhagwan ka phatak khol do*”.
- 21.10. A police presence consisting of 1+4 personnel drawn from the district police was deployed during this period at the spot. This fact is not in dispute.
- 21.11. Post 1949, interestingly enough, the District Magistrate and his wife and even his employee contested election on the ticket of Hindu organisations.
- 21.12. The stance adopted at the time, apart from the refusal to remove the idols, would constitute a clear signal that a war had started brewing in the minds of the people and diagonally opposite views had started to be formed on whether disputed structure was a mosque or a temple. The seeds of future discord were sown by the District Magistrate.
- 21.13. It is equally clear that the post-independence polity and the constitutional executive had surrendered to the bureaucracy. The country which was barely settling down and recovering from the scars of partition was faced with this bureaucratic insolence and bias evidenced from the correspondence between the Chief Minister and Pandit Jawaharlal Nehru; letters addressed by the District Magistrate to the Government, acts of insolence and defiance and a conscious disregard for the Government’s orders. It cannot be lost sight of that it was one of the circumstances which finally led to the fateful event.
- 21.14. From the various undisputed facts and from a close reading of the entire evidence, oral and documentary, the following facts emerge. No significant

event worth noticing took place from 1950 to 1959. It may be observed that two suits were filed, one by Gopal Singh Visharad and other by Mahant Paramhans Ramchander Dass of *Nirmohi Akhara* for removal of receiver and handing over the charge of the disputed structure to them and receiving the offerings. An injunction restraining the UP Government from removing the idols and interfering with the puja was also sought.

21.15. No movement, much less involving any political party or religious stalwarts of the time was launched by way of agitation, etc. No steps were taken either through the process of courts or legislation or by any other means relating to the disputed structure by any political party or social organisations like the RSS, VHP, Hindu Maha Sabha, Jan Sangh – the predecessor of the BJP etc. The issue remained on the back burner and was of no general consequence, even for the forerunners of the movement. This state of affairs was to continue until 1984, when the possibility of using this as a political tool dawned on a few self styled leaders on the pretext of protecting Hinduism or Hindu culture. It was thus propagated by high-profile thinkers/philosophers and by some literate section of Hindus.

21.16. The Hindu and the Muslim leadership thus embarked upon this misadventure without even remotely considering the common good or the good of the nation as such. They were busy in articulating their claim and counterclaim and airing issues, generating and perpetuating fissiparous feelings for their own political gains. The follies of the past were brought to the forefront even while the nation was in the process of rehabilitation and establishing a united country.

- 21.17. It was pointed out by Acharya Dharminder Dev⁵⁵ that in 1959, the Hindu Mahasabha can loosely be termed to be *in para materia* with the RSS or its predecessor and it started the movement for liberation of Kashi and Vishavnath Mandir at Varanasi. From evidence recorded or produced, it is obvious that during all these years the Ayodhya dispute was limited to local religious organizations, i.e. within Faizabad district primarily.
- 21.18. From 1949 to 1961 the only claimants were the Pujaris or local Sants who were litigating in the civil courts. Substantively, their claim and prayer in the civil cases was only respect to their right to construct the temple, either at disputed structure or Chabutra, to worship and perform Puja Archana or Aarti and the collection of offerings to idols. However, consequential and incidental relief for restraining the Muslims from going to disputed structure, injuncting the authorities from interfering with rights of Hindus to worship or perform puja and Archana, etc of the idols installed in disputed structure in 1949 was also sought.
- 21.19. Thus the installation of idols gave rise to civil and criminal litigations. The Disputed structure was attached and a receiver was appointed; an injunction was issued on 19.1.1950 restraining the removal of idols and this was affirmed by the High Court on 26.4.1955. Permission to carry out puja of the idols was granted. The inner courtyard was locked. Muslims were not allowed entry in the mosque by the administration. Various suits like the one filed by Gopal Singh Visharad and Paramhans Ramchander Dass, Sunni Wakf Board, Devki Nandan, Nirmohi Akhara etc, were filed from time to

⁵⁵ CW10

time commencing from 1950. No immediate significant event took place except the civil litigation and orders of courts in court proceedings during the years 1950 to 1959.

21.20. It was only in 1961 that the *Sunni Wakf Board* firstly staked its claim for possession of the disputed structure and land around it through a civil court. The Board in December 1961 filed a civil suit for possession. It was accepted in the White Paper. All the suits pending at the time were thereafter consolidated and issues were framed by the High Court.

21.21. There was neither any agitation nor movement nor any coherent demand projected up till 1975. There was no question raised about it in any legally recognised forum, except in the civil courts by way of suits referred to earlier. The situation in Ayodhya was a non-event as far as the legislatures of UP, the Central Government, the Jan Sangh⁵⁶, RSS, or the VHP⁵⁷ were concerned. No contrary evidence was placed before the Commission by anyone. It was neither pointed out during the course of enquiry, nor when the Commission was being addressed, nor can any mention in any record or the write ups or the articles or the history that any such dispute was either raised, latently or patently, by them or staked any claim to it.

21.22. No party or organisation or association other than individuals like Paramhans Ramchander Dass or his Akhara or the Wakf Board ever approached the court or became a party to the litigations either to defend or to prosecute the

⁵⁶ *the predecessor of the BJP*

⁵⁷ *a front organisation of the RSS*

same. It is thus abundantly clear, uncontroverted and clearly established that the dispute, if at all there was any, remained confined to Ayodhya or the local vicinity. It was not even a state dispute much less national or international. This was not a dispute relating to the Hindu religion; no major religious sect or followers had exhibited any interest in the matter nor staked any claim therein. It was only local self-styled leaders or Mahants who were themselves pursuing the civil litigation for possession of the disputed site.

22. The emergence of the *Sangh Parivar*

- 22.1. VHP was constituted in 1964 with the object of consolidating and strengthening Hindu society. The stated aim was to spread Hindu faith and to protect, develop and spread the Hindu values of life within the ethical and spiritual domains. It was also desired to establish and reinforce contacts with Hindus living abroad; to establish an order of missionaries in order to initiate the propagation of dynamic Hinduism representing the fundamental values comprehended by various faiths and denominations. The Parishad included Buddhist, Jains, Sikhs, Lingayats, etc. It was supposed to spread knowledge and to preach ethical and spiritual principles, to spread practice of Hinduism suited to modern times in all parts of the world. Branches of the association were started in different states and Union Territories throughout India.
- 22.2. The Parishad functioned as such till it jumped onto the Ayodhya bandwagon sometime in 1980. After the 1980s, calls for various *Andolan*, *Karsevas* were made. The VHP claimed to be the lone voice of the believers in Ram, and Hindu religious community till 1990.
- 22.3. The Rashtriya Swayamsevak Sangh and its leadership supported the claim for the demolition of the disputed structure and reconstruction of temple Ayodhya issue from the very beginning directly or indirectly, some time while some time other openly. The BJP joined the bandwagon by passing a resolution at Palampur in 1989 to support the construction of the temple at the disputed structure and various other programmes associated with it. It

was admitted that the important leaders were already supporting the claim and other programmes associated with the construction of temple.

- 22.4. It was tacitly admitted and in the absence of any suggestions to the contrary, nobody other than VHP was the frontal organisation and the face of the movement. The individuals claiming the rights to the temple, or intending to launch the movement, at some point of time or other, all became a part of VHP, or religious bodies or associations claiming to be protagonists of movement.
- 22.5. All the supporters of the construction of the temple at the disputed structure collectively came to be known as the *Sangh Parivar*.

23. The 1960s and later events

- 23.1. In 1967 with the support and participation of Jan Sangh, a non-Congress Government was formed in the Uttar Pradesh. No dispute was raised with respect to disputed structure. It was claimed by Mulayam Singh⁵⁸ that there was tendency to use the support of religious organisations claiming the disputed structure. It used to be there secretly with an object to provoke Hindu sentiments. No opinion needs to be expressed on it.
- 23.2. No significant event or fact has come on record either in the oral evidence or documentary evidence or records for the period between 1967 and 1975 except for the continued legal wrangling which were in progress.
- 23.3. In 1983, Rajinder Singh of the RSS, Dau Dayal Khanna and Gulzari Lal Nanda⁵⁹ intermittently raised the question with respect to the “liberation” of disputed structure.

⁵⁸ *DW 12*

⁵⁹ *Union Minister*

24. Ayodhya turns into an “issue”; the creation of specialized organisations

24.1. The VHP took charge over the management of the dispute and the cause of “liberation” of the alleged temple at Ayodhya in November-December 1983. Paramhans Ramchander Dass⁶⁰ candidly admitted before the Commission that multiple *Rath Yatras* including the *Kalash Yatra* etc were taken out and other measures were taken with respect to raising awareness and raising the public sentiment and ire over the disputed structure; especially in the Hindi-belt and in UP by small time local self-proclaimed religious leaders and other political garnerers.

24.2. These *Yatras* did not have the desired effect. It did not create any impact on the people or the public at all, in and around Ayodhya, much less at the state or national level⁶¹.

24.3. Following a decision, the movement launched on the 24th September 1984. In continuation, a *Sankalp Divas* was observed on the 7th October 1984 at the banks of Saryu River. Oaths to protect Hinduism, liberation of disputed structure and for securing the opening of the locks at the disputed structure were administered. A procession was organised from *Sita Marhi* in Bihar to Ayodhya. *Ram-Janki Rath Yatra* started from *Bhagwad Acharya Sadan* on the 8th of October 1984 for Lucknow. These efforts were neither successful nor

⁶⁰ DW-11

⁶¹ Reference may be made to the memorandum of association, the statement of V.H. Dalmia (CW27), Asbok Singhal (DW9), Acharya Giriraj (CW28), Kishore, Mulayam Singh (CW12) and NC Pandhi (CGW32) etc.

noticed by any significant section of the people. Ram Janam Bhoomi action committee was constituted for launching the *Tala Khola* movement.

- 24.4. In April 1984, the VHP constituted a *Dharam Sansad* as the frontal face for the movement. Though devoid of any legal status, the *Dharam Sansad* was for reasons of expediency and the need, put at the forefront of the movement with respect to disputed structure. It held its first meeting in Delhi on 7th and 8th of April 1984, where the movement was accepted by the most of the prominent leaders including Ashok Singhal. Similarly a *Kendriya Marg Darshak Mandal* too was constituted as one of the bodies of VHP, again with no legal status.
- 24.5. Another organizational unit named the *Bajrang Dal* was constituted in Digamber Akhara on the 7th of October 1984. This was the youth wing of VHP and received the blessings of the Paramhans Ramchander Dass who was present on the occasion and was its guiding force. Vinay Katiyar was appointed the president of the Dal. He stated that its object was to eradicate the evil customs, western culture amongst Hindu young men and to mobilise support for the construction of temple in Ayodhya in place of the disputed structure. The protection of cows, stopping the forcible conversions and to convert the Hindu youth into a strong force capable of a solution for construction of the temple, were other stated objectives. A local legislator, Katiyar declared himself to be the Bajrang Dal; Bajrang Dal was his life; he lived for Bajrang Dal, he said. He admitted that it had a fluid structure without any constitution. Anybody wearing a saffron *Patti*⁶² of the Bajrang

⁶² Saffron headband

Dal was its member. The principles and rules were capable of being changed by him at will and this was done not infrequently. On the 19th of December 1985, a *bandh* was enforced by the Bajrang Dal in support of its demand for the opening of the locks at Ayodhya.

24.6. The *Ram Janam Bhoomi Mukti Yajna Samiti* or *Dharam Sthan Mukti Yajna Samiti* was formed in the Digamber Akhara in June 1984. Dau Dayal Khanna was nominated its convenor and general secretary; Nritya Gopal Dass, Paramhans Ramchander Dass were the Vice-Presidents and Aavidyanath the President. Later, Mahant Aavidyanath was elected as its President, who on 1st July 1984 in the meeting held at Balmiki Bhavan nominated Nritya Gopal Dass and Paramhans Ramchander Dass as Vice Presidents with Onkar Bhawe, Mahesh Narain Singh and Dinesh Tyagi as Secretaries. On the same day the *Ram Janam Bhoomi Action Committee* was constituted to launch the *Tala Kholo* movement. This was admitted by Ashok Singhal⁶³ and others before the Commission.

24.7. A *Ram-Janki Rath Yatra* was taken out from Delhi via Prayag on 16th of October 1984, reaching Chitrakoot on the 22nd of October 1984. The *yatra* covered the entire country and in particular was in UP on Vijaydashmi day. Vociferous demands for the “liberation” of the disputed structure and opening of its locks were made. The *yatra* was postponed only on the 31st October 1984 following the assassination of Indira Gandhi⁶⁴. It was never in

⁶³ DW9

⁶⁴ Refer to the statements of Acharya Dharminder Dev (CW10) and Ashok Singhal (DW9)

dispute that the Yatra neither met with any success nor was it noticed by the people in any significant numbers.

- 24.8. A reception was held in Lucknow in October when the Ram-Janki Rath Yatra reached there. It was followed by a *Virat Hindu Sammelan* where it was decided to submit a memorandum to the then Chief Minister. A delegation of Mahant Avaidyanath, Dau Dayal Khanna, Bhooma Nand, Paramhans Ramchander Dass, Ram Murat Sharan, Jagatguru Ramchander Acharya, Shiv Ram Acharya and Ashok Singhal met the Chief Minister thereafter. Significantly, no demand for demolition of disputed structure or construction of a temple in its place was made⁶⁵.
- 24.9. In his testimony before the Commission, Vinay Katiyar employed the metaphor of “a displaced person” for the disputed structure. “They accept it to be illegally owned by them, we pay quarter tax and house tax; they spread dirt, we broom it.”
- 24.10. The movement for the opening of locks by VHP and *Ram Janam Bhoomi Mukti Yajna Samiti* continued until February 1985. A decision was taken on the 20th of March 1985 to raise a cadre of 50,00,000 *Ram Bhakts* as sacrificial groups. It was threatened that if the locks were not opened by the 8th of March 1986, the Sants would forcibly open the locks themselves. Mahant Paramhans Ram Chander Dass announced his decision to immolate himself on the 18th of April 1985, if the locks of the disputed structure were not opened by the forthcoming *Ram Naomi*.

⁶⁵ Refer be the statement of Ashok Singhal (DW9)

24.11. There was no other significant event in 1985 as such. Ram Janki Rath Yatra was restarted on 23rd October 1985; The second Dharam Sansad meeting was held. Struggle for liberation of disputed structure was planned⁶⁶.

24.12. Though no specific evidence has come on the record, the statements of Ashok Singhal DW-9 and other witnesses strongly suggests that support was mobilised from the VHP, RSS and other Hindu minded parties and also of prominent members of the Hindu society. Mahant Paramhans Ram Chander Dass testified that the RSS, VHP and other Hindu organisations and believers in Hinduism were requested to support the movement as they were of the opinion that it could not succeed without the support of a party at the national level. It would be expedient to reproduce the statement of Mahant Paramhans Ram Chander Dass⁶⁷ in verbatim,

"Since we were of the opinion that movement cannot succeed without the help of party at national level. Since the RSS and VHP are believers in Hinduism so were requested to do so."

24.13. One can safely conclude that he was referring to the VHP, RSS, and BJP, Bajrang Dal, Hindu Maha Sabha, Shiv Sena etc as the Hindu minded parties. In public perception too they are reputed to be Hindu minded organisations.

24.14. KS Sudarshan corroborated the fact by stating that Ram Janam Bhoomi Yajna Samiti rightly sought the support of gentlemen of Hindu society in the

⁶⁶ This finds corroboration in the BJP White Paper

⁶⁷ DW11

country. He exhorted them and asked them to follow Sants' decisions on the movement. The All India working committee of the RSS gave an assurance of its total support. The RSS welcomed the idea of the opening of locks and exhorted its workers to support the rambling movement⁶⁸. It emerged from the statements of Paramhans Ramchander Dass & KS Sudarshan, that only Hindu organisations and believers in Hinduism were requested to join the movement as without their support it could not succeed. The Akhil Bharatiya Pratinidhi Sabha, a wing of the RSS, passed the following resolution

“The Ram Janambhoomi complex locked by the Government has been opened because of Court orders. The restrictions were removed. The Puja ceremonies started there in full swing... .. Yet the task of renovation of the temple remains incomplete. Independent demands were raised that all public vestiges of foreign domination disfiguring our national scene need to be washed clean. The ancient but dilapidated Ram Janambhoomi temple too needs to be restored to its old glory. Then alone the agonised cry of the nation's conscience will be assuaged.”

24.15. On 19th January 1986 in Sants' conference at Lucknow, it was decided to commence the struggle on 8th March 1986 and break open the locks if the same were not opened by that time⁶⁹.

⁶⁸ Refer to CW18/14

⁶⁹ Mentioned in the BJP White Paper

25. The opening of the locks at Ayodhya

- 25.1. In January 1986, the campaign for opening of the locks formally started. Umesh Chandra Pandey on 21st of January 1986, made an application to the *Munsif* for opening of locks on the gates in the railing and hearing on the application was fixed for the 1st of February. In fact, he was not a party to any of the suits in which the application for opening of locks was made. The application for preponing the date was declined.
- 25.2. In an appeal preferred by Umesh Chander Pandey on 1st of February 1986, against the order declining the preponement of the date of hearing, the District Judge directed the opening of locks holding that the law and order problem would have to be addressed by the District Magistrate and the Government of the day. The District Magistrate told the District Judge that unlocking of the locks would not pose any law and order problem. The reason for such an order passed by the District Judge, as given in his autobiography, makes interesting reading.
- 25.3. It narrates the visit of a monkey to his home, then to his courtroom and then back to his house before, during and after the pronouncement of his judgment. The monkey, he said, did no harm. He made an attempt to convey that the monkey inspired or directed him to pass a judicial order in an appeal against the order declining the preponement of the date by the subordinate judicial officer, that too on the application made by a non-party to the suit.

26. Protests and other initiatives after the opening of the locks

- 26.1. The Muslim's *All India Babri Masjid Action Committee* was constituted on the 15th of February, 1986⁷⁰. The opening of locks was challenged in public meetings and a "black day" against the opening of locks was observed on 12th May 1986 as a protest. Various Muslim organisations like *Babri Masjid Movement*, *Central Action Committee for Restoration of Babri Masjid* and various other committees or their affiliates were floated. Competitive mobilisation was carried out in 1987 by the AIBMC and the protagonists of construction of temple movement by giving calls for bandhs etc. The calls were followed by unrestrained provocative speeches.
- 26.2. Muslim members of the legislative assembly (MLAs) of UP met the Chief Minister to request a relocking of the site. It is noteworthy that no member of the Muslim community from Ayodhya was a member of the Babri Masjid Action Committee or any other committee protesting the opening of locks at the disputed structure. Sultan Shahabuddin Owaisi, a member of parliament from Hyderabad challenged the opening of locks and along with some others became a forerunner for taking on the Hindu organisations.
- 26.3. A Cabinet Committee on Political Affairs headed by Narasimha Rao was constituted on 27th of April 1987. The objective of the committee was to suggest ways and means to resolve the issue. On 21st and 28th of May, Buta Singh the Union Home Minister at the time requested the Chief Minister to

⁷⁰ Stated by Shahabuddin and corroborated by Ashok Singhal.

take steps in time frame to resolve the issue. Finally, it was decided to leave the matter to be decided at local level with local initiative. At this time, it can safely be stated, that the construction of temple movement had started assuming political dimensions and overtones. The political significance and potentiality for electoral purpose was becoming increasingly obvious.

- 26.4. Muslims variously protested between 1st of January to the 30th of March 1987. Apart from giving calls for, boycotting Republic Day (which call was later withdrawn) *bandhs* were observed and a public rally held at Boat Club in Delhi. Public threats of violence were made by personalities no less than the *Shahi Imam* of the *Jama Masjid*, Shahabuddin and Suleiman Sait etc.
- 26.5. Protagonists on either side of the dispute mobilised the people, held meetings, gave calls for *bandhs* etc throughout 1987. They gave emotional and provocative speeches and made appeals for their respective claims. At political and governmental levels, some insignificant steps of constituting committees to deal with the situation were taken however a conscious decision as already mentioned, to allow the issue to be decided or resolved at the local level was already in place.
- 26.6. Given the political and electoral dimensions of the issue, proposals for a compromise were shot down and dubbed as mischievous by both sides⁷¹.
- 26.7. The third Dharam Sansad was held at Kumbh at Prayag on January 30th and 31st, 1986. At the Sant Sammelan, programmes for Ram Shila Pujan and Shilanyas on 6th November 1986 were announced. It was proclaimed that this

⁷¹ Refer to the letter by Shahabuddin exhibit Mark X3

decision had been confirmed in the meeting of Sants of all sects in Haridwar on 27th May 1986.

- 26.8. The *Dharam Sansad* in January 1988 at Kumbh at Prayag declared the details of the programme for Shila Pujan with effect from 9.10.1989⁷².
- 26.9. Protagonists of Masjid Group decided to oppose it, by taking out long march, while the Sants decided to oppose it in their meeting held at Haridwar.
- 26.10. Shahabuddin⁷³ shunned all rumours of a compromise with respect to shifting of the mosque alleged to be proposed by RSS. He expressed the opinion that accepting such a proposal would open the proverbial Pandora's box of issues and problem. He denied having made any such offer of a compromise and dubbed a mischief of the RSS⁷⁴.
- 26.11. The UP Government on the 15th of December 1987 made an application to the UP High Court of UP requesting it to withdraw all pending suits from the subordinate courts to the High Court file for trial and disposal.
- 26.12. During negotiations and the attempt to bring compromise, the Home Minister asked the Chief Minister to prepare alternative plans for resolving the issue by 31st of March 1988.

⁷² Refer to the statement of Ashok Singhal

⁷³ vide his letter dated 11th July

⁷⁴ Refer to his letter of 4th July 1987

- 26.13. The Masjid group took a decision to go on a march to Ayodhya on 12th of August 1988 and then to take out a long march on 14th of October 1988 to Ayodhya. The Sants at Hardwar decided on 4th July 1988 to oppose this programme⁷⁵.
- 26.14. A meeting to review the situation and in order to find solution and in order to defuse the tension was held by the Home Minister of India with the Chief Minister UP, the Government of UP, Central Government, Shahabuddin and Suleiman Seth etc. Col. B.S. Zaidi, Kalyan Singh, Khursheed Alam Khan also participated in the meeting held on the 13th July 1988. The leaders of both sides asserted that there was neither any question of negotiation on Ayodhya issue, nor the problem could be solved through judicial process as it related to the centuries-old faiths. At the same time, various reasons and evidence was put forth with respect to their respective claims.
- 26.15. The Government of India issued a Press release on 13th of July 1988 stating that “[t]he Government is determined to take necessary steps to find an acceptable solution through negotiations and urged upon all concerned to respond positively to the negotiations. The Government offers its good office to respective parties in this respect. In the unlikely event of negotiated settlement, not coming through, the Government would take steps to expedite the legal process through the High Court. I, therefore, earnestly appeal to all the concerned to give up the agitational approach and cooperate with the government to find an acceptable solution”⁷⁶. The Home

⁷⁵ Refer to the BJP's White Paper

⁷⁶ This finds corroboration by Ashok Singhal.

Minister repeated his request to the Muslim members to give up the confrontationist stand.

26.16. The Home Minister of India held a number of meetings with Shahabuddin, Khursheed Alam Khan, Suleiman Seth, Kalyan Singh and Ram Janambhoomi Mukti Yajna Samiti between the 1st of September and the 13th of October 1988, where it used to be proclaimed that the question of negotiations on Ayodhya does not arise. Protagonists of the temple movement kept repeating that Ayodhya being one of the most sacred places of Hindus, the solution of the problem through judicial process or the legal solution to the problem would not be effective, as it related to centuries-old faith of Hindus; the scriptures and historical evidence establishes it to be a temple. It was emphasized out that key elements found in most mosques, like the *minars* were not present in the disputed structure. It was also claimed that the structure had Hindu religious signs engraved upon it whilst Islam did not permit any sharing of a mosque. On the other hand, the Muslim group demanded the removal of idols from the mosque. It was pointed out that solution was not possible through negotiations as hardliners among Hindus would not accept it. Impartial administration at local level and steps for expediting the legal process were sought.

26.17. Kalyan Singh admitted that there was a tense situation in existence, riots were taking place in Ajmer and Muzzafar Nagar. This situation was attributed to the proposed long march on 14th of October and the proposed Bandh against long march by Paramhans Ramchander Dass. Aggravation from either side was not disputed before the Commission.

26.18. During a meeting on 12th October 1988, the call for the proposed long march was withdrawn. Still, the *bandh* was observed in UP on 14th of October 1988⁷⁷.

⁷⁷ Refer to the statements of Shahabuddin and Ashok Singhal.

27. The events of 1989

- 27.1. On 1st February 1989, the Sants made a declaration that the foundation stone for construction of Ram Temple would be laid on November 10, 1989⁷⁸.
- 27.2. Leaders of the movement in a conference at Prayag Raj during Kumbh announced the proposed Shilanyas to be carried out on 9th of November 1989. A model of the proposed Ram temple was displayed and approved.
- 27.3. Simultaneously a meeting was held by the Home Minister with Shahabuddin. A letter dated 25th January 1989 was addressed to the Government of India for expediting the legal proceedings and the process of enactment of law to protect all the places of worship as they existed on 15th of August 1947 to be carried out. Release of persons arrested in connection with the agitation, action against inflammatory and defamatory publications and slogans mongers against any community and putting of restraint on such acts was sought.
- 27.4. The Home Minister of India held a meeting on 29th of March 1989, with the senior leaders of the opposition parties. It was attended by Home Minister Narasimha Rao, KC Pant, Mr. Bhagat, Rajendra Singh and two Ministers of State for Home. No representative of BJP was present in the meeting. Narasimha Rao acknowledged it to be a national problem and a problem concerning all political parties and that it had political dimensions. It was

⁷⁸ Refer to the VHP booklet "EK Parichya" marked MX and to the BJP White Paper.

pointed out that if it was not legally settled, a way had to be found for defusing the situation. No common ground emerged however, in the meeting.

27.5. In June 1989, the BJP took a historical decision not only to support the Ayodhya movement but to participate in it, if any step were taken for it and spelled out various reasons for this decision. It was alleged that the Congress had campaigned against the BJP and the VHP in order to get Muslim votes and had accused the BJP of defying judicial determination of the issue. The BJP perceived that Congress was taking an anti-Hindu stance under the veneer of secularism to appease Muslims. The other political parties accused the BJP of betraying the minorities in the country.

27.6. It was commonly held view within the BJP that the nature of controversy was such that it just could not be sorted out by court of law i.e. whether did Babar invade Ayodhya, destroyed temple and built a mosque in its place? Courts, it was said, could not suggest ways to undo the vandalism of history. The pending civil suits and the observations made by various judicial officers were recounted. It was concluded that Muslims had not used the disputed structure since 1936 and that the Hindus had been performing Puja there. References to the restoration of the Somnath temple were also employed. “Secularism” had come to be equated with “allergy to Hinduism” and synonym for minority appeasement. Muslim League lobby acquired new militancy and aggressiveness. The legislative amendments brought in law after Shah Bano’s case was given as yet another example of the lack of earnest desire to solve the problem.

27.7. Other instances or events were also cited in support of the stance adopted by the BJP. These included the bifurcation of the country and the formation of Pakistan. It was said that secularism according to our constitution means *Sarva Dharma Sama Bhava*. It did not connote an irreligious state, and certainly did not mean rejection of our history and cultural heritage.

27.8. The Rajiv Gandhi Government at the Centre was asked to hand over the disputed structure to Hindus through negotiated settlement or else by legislation. Litigation was rejected as incapable of providing a lasting solution. In June 1989, the BJP passed a most significant resolution at its Palampur National Executive meeting. It was resolved that

“The National Executive of the Bharatiya Janta Party regards the current debate on the Ram Janambhoomi issue as one which has dramatically highlighted the callous unconcern which the Congress Party in particular, and the other political parties in general, betray towards the sentiments of the overwhelming majority in this country - the Hindus.

“... Though efforts have been continuing to persuade Muslims to respect the feelings of the Hindus and abandon their claim to the site, this site has also been subject matter of prolonged litigation.

“Lately, the Congress Government has unleashed a virulent campaign against the BJP and the Vishwa Hindu Parishad, which has been representing the Hindu point of view in the negotiations with Government, alleging that while other sections of opinion have accepted reference of the dispute to the Allahabad High Court, the BJP and the VHP are unwilling to abide by a judicial verdict

in this case. This propaganda is slanderous, and is based on a total misrepresentation of facts.

“The BJP holds that the nature of this controversy is such that it just cannot be sorted out by a court of law. A court of law can settle issues of title, trespass, possession etc. But it cannot adjudicate as to whether Babar did actually invade Ayodhya, destroyed a temple and built a mosque in its place. Even where a court does pronounce on such facts, it cannot suggest remedies to undo the vandalism of history. As far back as in 1885 a British Judge Col. F.E.A. Chalmers disposing off a civil appeal relating to the site observed in a helpless vein: ‘It is most unfortunate that a Masjid should have been built on land specially held sacred by the Hindus, but as that occurred 356 years ago it is too late to remedy the grievance...’ (Dated 18th March, 1886, Civil Appeal No.27 of 1885, District Court, Faizabad).

“In this context, it should not be forgotten that the present turmoil itself stems from two court decisions, one of 1951 and the second of 1986. “On March 3, 1951, in Gopal Singh Visharad versus Zabur Ahmad and others, the Civil Judge, Faizabad observed, inter alia, that ‘...at best from 1936 onwards the Muslims have neither used the site as a mosque nor offered prayers there, and that the Hindus have been performing their Puja etc. on the disputed site.’

“Then on 1st February, 1986, District Judge Faizabad referred to this 1951 order and directed that as “for the last 35 years Hindus have (had) an unrestricted right of worship” at the place, the locks put on two gates in 1951 on grounds of law and order should be removed.

“The 1951 order had provoked little reaction. Till then, secularism had not yet become a euphemism for Hindu-baiting, as it has become today. It is noteworthy that around this very time the Government of India, under the leadership of Pandit Nehru and Sardar Patel, and with the blessings of Gandhiji, had itself decided to undo a similar act of vandalism and to restore the great Somnath Temple at Prabhas Patan (Gujarat).

“When the Jyotirling was formally installed at Somnath, the country’s Rashtrapati, Dr. Rajendra Prasad, participated in the ceremony.

“However, by the time the second court order of 1986 came, secularism had come to be equated with an allergy to Hinduism and a synonym for minority appeasement. The Muslim League lobby in the country had acquired a new militancy and aggressiveness. The campaign launched by this lobby against the Supreme Court’s judgment in the Shah Bano Case in 1985 had brought it rich dividends. A panic-stricken Government had amended the criminal law; the Supreme Court judgment was legislatively annulled. Having thus tasted blood, this lobby set up the Babri Masjid Action Committee, and mounted a vicious assault on the decisions of the Faizabad Court, and went to the length of boycotting Republic Day celebrations in protest against these orders. A rally organised by this lobby in front of Parliament House actually held out threats of violence unless these orders were reversed. It is significant that most of the members of the Babri Action Committee belonged to the Congress (I).

“Against the above background, the reference made to the High Court is just an expedient device to sweep issues beneath the carpet. The move satisfied the Muslim League lobby, and so is electorally convenient. It certainly does not reveal any earnest desire on the part of Government to solve the problem.

“The BJP believes that theocracy is alien to our history and tradition. It is, therefore, that in 1947 even though India was partitioned on religious grounds and even though Pakistan declared itself an Islamic state, India opted for the present Constitution, and guaranteed equality to all citizens irrespective of their religion.

“Secularism, according to our Constitution-makers, meant Sarva-Dharma-Sambhava. It did not connote an irreligious state. It certainly did not mean rejection of our history and cultural heritage.

“The National Executive records its appreciation of the attempts made by some Shia leaders to persuade the community that it was contrary to the tenets of Islam to have a mosque built upon a place of worship of another religion, and that, therefore, the site in dispute should be handed over to the Hindus and a mosque built at some other suitable place. The BJP calls upon the Rajiv Government to adopt the same positive approach in respect of Ayodhya that the Nehru Government did with regard to Somnath. The sentiments of the people must be respected, and Rama Janamasthan handed over to the Hindus - if possible through a negotiated settlement, or else, by legislation. Litigation certainly is no answer.”

- 27.9. The VHP took over the stance which the RSS had, prior to 1989, canvassed covertly, overtly and finally openly, along with the underlying agenda. Ayodhya had finally become an issue, four decades after independence. Shila Pujan programme declared by the VHP had the unstinted support of the *Dharam Sansad* and the RSS; it was implemented through the RSS Swayam Sevaks⁷⁹.
- 27.10. Further tension started building up in 1989 with the decision of VHP to carry consecrated bricks (*Ram Shilas*) from all over the country for laying foundation stone of temple on 9.11.1989.
- 27.11. A highly sophisticated system was evolved; twenty two states were divided into eleven zones and twenty two provincial *sanyojaks* were appointed. The *Shila Pujan* was to be carried out for 3 to 5 days in every village and at subdivision. *Shilas* were to be taken in procession to the centre where for 3 to 5 days, a *Maha Yagya* was to be performed. Finally the *Shilas* were to be sent to Ayodhya by the 9th of November 1989.
- 27.12. The Sants conducted *Yatras* by travelling 20 to 25 kilometres everyday to various places canvassing the message of *Ram Janam Bhoomi*. The other members of Sangh Parivar mobilized, persuaded and motivated people for Shila Pujan in innumerable ways as well.
- 27.13. The Allahabad High Court on 10th of July 1989 while allowed the 1987 application of UP Government of 1987 and withdrawing all pending petitions to itself, and ordered them to be disposed off by the full Bench.

⁷⁹ Report on the activities of VHP with respect to Shila puja was noted in File No 4.200/30/D/89.

27.14. On 14th July 1989, a suit was filed by Devki Nandan Aggarwal, Vice President of VHP, seeking injunction.

27.15. The court also rejected an application for injunction against demolition vide its order dated 20th march 1989. In the order it was observed,

“that instant cases admittedly there is no such evidence which may lead us to hold that the Babri Masjid is intended to be demolished. The government had neither permitted nor negotiated with the VHP for demolition of the mosque, nor is encouraging them.”

27.16. The Allahabad High Court on 14th August 1989, while declining to injunct the Shilanyas, and the carrying of Shilas from all over the country for laying foundation stone of the proposed temple 9.11.1989, directed *status quo* to be maintained with respect to disputed site. It ordered that the nature of the property in dispute would not be altered and that it communal harmony must be maintained. The Allahabad High Court later issued a clarificatory order on the 7th of November 1989 that the *status quo* order included the site where Shilanyas was proposed to be carried out. It was left to the State Government to decide whether the Shilanyas Site was within the disputed site or not.

27.17. Around the time, a *Virat Hindu Sammelan* was held in England in August 1989. The religious leadership embarked on a tour for “awakening” the Hindus.

27.18. A public meeting was held at Boat Club Delhi on 22nd of September 1989. Warning was issued for launching bitter struggle, if any impediments or hurdles were placed in the Shilanyas programme, or Shila Puja programme or

in the steps declared by the organisers of temple construction movement. Various banners were put. Provocative slogans were raised and provocative speeches were made without any restraint either in the language and tone or texture. Slogans and speeches were directed against particular community. Slogans and speeches were innuendo, communal in the nature. Emotions were raised. It surcharged the atmosphere and emotions.

27.19. The Central Government was against using force at the time of Shilanyas. Ashok Singhal in Marg Darshak Mandal meeting described the Shilanyas as the *Karseva* for construction of temple.

27.20. A meeting of the Chief Minister, Home Minister of India and VHP took place on the 27th of September 1989. It was agreed between Government, VHP and Ashok Singhal not to force the issue, not to carry out VHP's perceived programme of Ram Shila and Shilanyas, and to respect the Court order of August 1989 for maintaining status-quo. A written accord between VHP, Ashok Singhal and Buta Singh who was acting for the Government was reached on the 27th of September 1989. The VHP agreed to give prior intimation to the concerned district authorities about Shila's processions, and agree for change of routes with them. The VHP also agreed that it would not raise any provocative slogans which might endanger communal harmony. *Ram Shilas* would be carried in trucks via predefined routes. Senior leaders or functionaries of VHP would take responsibility for guiding the processions and finally the *Ram Shilas* would be collected at a pre-decided spot at Ayodhya. It was categorically undertaken that VHP would abide by the

directions of Lucknow Bench of Allahabad High Court and to maintain communal harmony and peace⁸⁰.

- 27.21. Shila Puja Programme started being organised in villages and towns by the 30th September 1989 as per earlier declared programme.
- 27.22. During the parliament session, on 13th of October all the political parties resolved not to permit in or cooperate with the Shilanyas. The VHP was called upon to cancel the programme; the BJP did not participate in these parliamentary proceedings.
- 27.23. The general elections to the Lok Sabha was announced on 16th of October 1989. The VHP representatives informed the Home Minister on the 17th of October that the Shilanyas programme would not be postponed.
- 27.24. During the general elections of 1989, the issue was brought to the centre-stage of the national politics by BJP and RSS. Janta Dal secured 143 seats while BJP won 86 seats. A Janta Dal government was formed at the Centre with the support of BJP and Left Parties.
- 27.25. VM Tarkunde filed a writ petition in the Supreme Court and sought an injunction against the Shilanyas programme. The Supreme Court declined to interfere vide its order dated the 27th of October 1989. It was held by the court that the right to conduct religious processions was a fundamental right

⁸⁰ *The agreement between Buta Singh and Ashok Singhal is annexed to the report*

and therefore the ceremonial carriage of Shri Ram Shilas to Ayodhya cannot be stopped⁸¹.

27.26. By a notification⁸², the government acquired the land popularly known as Ram Janambhoomi for development of tourism.

27.27. On the call of VHP ostensibly given by the Sants, 3,50,000 Shilas were brought to Ayodhya by the 5th of November 1989 reached Ayodhya, for laying the foundation stones for the proposed temple at Ayodhya, by thousands of Sants and priests mounted on *raths* flying the flags bearing the Ram monogram. Devraha Baba rejected a request for change of venue of the Shilanyas.

27.28. UP Government had already declared the Shilanyas site as undisputed site on 7th of November 1989. It was declared that the site of Shilanyas did not form part of the disputed land or the structure. The UP Government and the VHP agreed to abide by the order of 14th of August 1989, mandating *status quo* over the land in dispute including the boundary wall. Shahabuddin and other Muslims expressed satisfaction at this. Ashok Singhal⁸³ claimed that the site for Shilanyas was selected by the scholars of Kashi and Chandrika Som Pura, an architect.

⁸¹ Refer to the statement of Shakshi Ji Maharaj (DW8)

⁸² DW-12/49, dated the 18th of October 1989.

⁸³ DW9

- 27.29. Shilanyas was carried out on the rectangular platform at the predetermined spot. According to Shakshi Ji Maharaj⁸⁴ and Ashok Singhal⁸⁵, the Shilanyas was carried out under the leadership of Ashok Singhal, Baikunth Lal Sharma⁸⁶, along with other leaders. On 9th of November 1989, one Kemeshawer Chopal, a Harijan Bandhu laid the first Shila in presence of people. Bajrang Dal hoisted a flag on the site on the 2nd of November 1989.
- 27.30. Ashok Singhal⁸⁷ and the *Marg Darshak Mandal* in public meetings termed the *Shila Nyas* as construction of temple⁸⁸.
- 27.31. As already noticed, the Marg Darshak Mandal and the Dharam Sansad etc. concededly had no legal status. They were an aggregation of individuals organised by and under the aegis of VHP. The VHP used to determine their agenda and decide those matters for them. The VHP would then proceed to carry out “decisions” of those aggregations.
- 27.32. The VHP in turn was the frontal organization for the RSS. A detailed analysis of the evidence and records made available to the Commission leaves no doubt that the author and architect of the movement was the RSS and it was carried out by the RSS through the Sangh Parivar and the frontal organisation namely VHP and the BJP etc.

⁸⁴ DW8

⁸⁵ DW9

⁸⁶ Member Parliament of BJP

⁸⁷ DW9

⁸⁸ Corroborated by Shakshi Ji Maharaj (DW8) and Ashok Singhal (DW9)

- 27.33. The Marg Darshak Mandal, Kendriya Marg Darshak Mandal etc. were all established only for the sake of expediency and in order to swell the ranks of the Sangh parivar by bringing together the masses who were followers of one or the other sect, or the followers of diverse Sants, Sadhus etc.
- 27.34. Acharya Dharmendra Dev used to assert in 1989 as attributed to him in the FIR registered in 1989 that the Hindu says that let the entire world live - while Muslims or their Prophet Mohammad says that allow only persons believing in its sayings to live – and ones who do not believe in his teachings are kafirs and they have no right to live in this world. Prophet Mohammad gives him ticket to heaven irrespective of one being a thief, dacoit or even murderer – while Lord Krishna said those who are murderer etc., are durachari, irrespective of relationship and have no right to live. Muslims not only in India but wherever in the world they are present, they have created nuisance. They did not let anybody sleep peacefully in the world. Reference used to be made to foreign dignitaries who would not sleep peacefully because of the Muslims. Babar destroyed temples. It used to be said that how can you show such graciousness that you and Maan Singh got your sister married to the grandson of Babar. Consistent with the stand of the protagonists of the movement, particularly of Shiv Sena or Hindu Mahasabha, emphasis was laid by small time leadership that one part of the population is not patriotic. They were portrayed as objects of hatred and ridicule. The political overtones were unmistakably prominent by the year 1992. The convergence of the religious and the political content of the issue had the effect of sharpening the sentiments and opinions amongst different sections of the population and

also hardened the respective political stances, to a point when the issue had political colours with barely a resemblance to its genetic roots. Clearly, the game was now being played for acquiring electoral constituencies. The prominent witnesses admitted that the support for the ostensible Hindu cause was solicited and galvanized for foreseeable electoral gains. The leadership of the movement exhorted Hindus and made appeals for all sacrifices and maintaining the façade of religion, through what I can say the facile association of Sadhus and Sants⁸⁹.

⁸⁹ See statement of Param Hans Ramchander Dass, KS Sudarshan and CW 18/14.

28. The architects of the Shila Nyas and the *Karseva*

- 28.1. I am of the considered opinion that it was commonly believed and accepted that events were being planned and implemented by the VHP according to its convenience and agenda. Whilst the VHP stated and declared that it was only executer of the programmes given by religious bodies, it was well known and as such perceived everything was being done by VHP and in its name.
- 28.2. Though the VHP is ostensibly an independent legal entity, for all intent and purposes as evidenced from the evidence before the Commission and the testimony received, that the VHP is yet another organ of the RSS and directly under its influence. In all the negotiations leaders from VHP, RSS and BJP alone used to participate. At no point of time did any Sadhus or Sants participate in any negotiations either with the Muslims or the Governments of the State or the Centre.
- 28.3. It was only around 1990 that consequent to the suggestions implanted, a crude attempt was made by the leadership to make the general public start to believe that the call for *Karseva* was given by the *Marg Darshak Mandal* or the *Kendriya Marg Darshak Mandal* or Sadhus and Sants. The VHP declared itself to be merely the executor of the orders of the religious icons or organizations, which in fact was not the case. Factually, all calls for *Karseva* prior or subsequent to 1990 were given by VHP or were given in its name. Even the ardent supporters of this movement like Peeyush Srivastava⁹⁰

⁹⁰ CGW10

Additional Senior Superintendent of Police, Faizabad admitted that the call for *Karseva* was given by BJP, VHP, Bajrang Dal, and Shiv Sena who organised food, boarding and lodging etc. There is nothing on record to show that the *Dharam Sansad* or *Kendriya Marg Darshak Mandal* etc. ever gave a call for *Karseva* or the construction of the temple. There is no evidence on the record that known Sants or recluses or the important personalities in the realm of religion exhorted or persuaded their followers to participate in the construction of the temple. Of course, there are a few exceptions like Paramhans Ramchander Das who was heading the local Nirmohi Akhara or other persons though may be using the suffix of Mahant or Acharya etc. These persons were not Sadhus Sants in the real sense of the terms since Sadhus and Sants are considered to be recluses and not interested in worldly affair; especially the worldly affairs dictated by the VHP or its leadership who admittedly constituted these bodies. Ashok Singhal admitted that the agenda for these bodies used to be set by the RSS or the VHP in whose offices their meetings used to be held. It was the VHP which used to set the dates and times and venues for them. I may observe that like pepper or salt, some of the politically oriented Sants like some Shankaracharyas did offer their services as intermediaries for affecting a compromise between the two communities and the governments of the time. I may also note that on persuasion and suggestion of LK Advani, AB Vajpayee and other leaders of the RSS and the VHP, one meeting was held by the Prime Minister Narasimha Rao with the persons suggested by the BJP, RSS, and VHP etc. Even the Sadhus and Sants who met the PM were briefed at RSS headquarters by Ashok Singhal, KS Sudarshan, HV Sheshadhari and other organizers before meeting the

PM. All subsequent steps as a consequence of the meeting were taken by the VHP, RSS or the Bajrang Dal or the BJP on their reporting back to the debriefers at RSS headquarters. All subsequent declarations were also made by the VHP and the RSS. The VHP also launched the Ram Janambhoomi Mukti Andolan.

- 28.4. The District Magistrate vide his order dated 11th of November 1989 stopped the *Karseva* in view of the impending elections. There were also communal riots during 1989 due to the program for construction of Singh Dwar.
- 28.5. Various emotive speeches were made at various places by the protagonists of the movement and the local leadership. Though it was asserted by witnesses before the Commission during the course of their statements that LK Advani made speeches with restraint and scrupulously avoided making any reference to Muslims, it is not possible to name or identify the local leaders all over the country who made communal or provocative speeches.
- 28.6. LK Advani stated during the course of movement, that initially an appeal to stop the *Rath Yatra* was made; then the language of request was used; then finally threats were issued. He had also said, that in spite of this, the *Rath Yatra* would not stop and would conclude only at Ayodhya. *“I feel whole nation is behind this Ram Rath and ask a question – will the Government arrest the whole nation?”* Parmod Mahajan also made emotively surcharged speeches. It has been reported that Parmod Mahajan in a speech at Indore said, *“This Ram Rath is a foot of Angad in the durbar of Ravan which cannot be moved by anybody. This storm arising from Somnath which cannot be stopped*

now. It is an arrow from the bow of Ram which cannot come back without hitting the object". Atal Bihari Vajpayee said at Delhi, "We are not against Muslims or opposed to them but with respect to the reconstruction of temple we will not compromise with anybody." While at Lucknow he said, "That the Government has committed a mistake in arresting Advani as he would have proved useful in an unwarranted situation for its avoiding on 30th of October."

- 28.7. Further, during this period leaders of the movement like Ashok Singhal and Shri Chander Dixit issued a statement exhorting and calling upon the people to make every sacrifice necessary for the construction of temple.
- 28.8. Mulayam Singh declared at press conference during the Rath Yatra taken out that under no circumstances would the demolition of the disputed structure be allowed; the dispute should be settled amicably.
- 28.9. Ostensibly, the Sants in their conference organised by VHP at Prayag on 27th of January 1990 decided upon the 14th of February 1990 as the date for commencing the construction of temple. This was however later postponed.

29. February 1990

- 29.1. Around this time, the movement for the construction of the temple started picking up. Various judicial orders were passed by the High Court and the Supreme Court between the 10th of January and the 12th of January 1990. These included the appointment of a Survey Commissioner for surveying the site, taking photograph of mosque along with pillars inscribed with all dates etc. The issue of limitations was raised, however the Supreme Court declined to treat it as preliminary issue.
- 29.2. VP Singh called a meeting with the leaders of the movement on the 6th of February 1990 and sought time to discuss the matter with his colleagues in order to sort out the issue through negotiations. Four months time was sought and given to resolve the issue.
- 29.3. In April 1990, the VHP organised a meeting of the Sadhus and Sants at the Boat Club in Delhi to chalk out the programme for construction of temple. It was in fact a rally organised and supported by BJP, RSS, and Bajrang Dal along with the other protagonists of the temple movement and other members of the Sangh Parivar. The purpose of the rally was to mobilize people for construction of temple, politically “awaken” Hindus and unite them as one unit or to open a debate on constitutional secularism. The objects of the rally and the Rath Yatra conducted by LK Advani in fact was the construction of the temple on behalf of the BJP. It clearly leads to an inference that the rally was in fact by the BJP and the RSS etc.

- 29.4. Insinuations and innuendo against other religions, specifically the Muslims were made at this public platform. Emotive speeches were delivered; some were articulated while some of the speakers exercised neither reins nor control over their language. Double meaning slogans were raised in the presence of leaders. Slogan like *“Jo Hindu Hit Ki Baat Karega, Wohi Hindustan Par Raaj Karega.”* were raised and prominently displayed under the rostrum. The witnesses testifying before the Commission were at pains however to explain that the “Hindu” did not mean the Hindu religion. It is safe to conclude that whatever the post facto intent might be, the crowd present there with its mixed educational background would not be able to dissect the words and realize the distinction between “Hindu” and “Hindu religion” or understand the articulated meaning thus put. In popular parlance, “Hindu” is the religion and is as such understood by a common person. The various associations of the believers, Sants, Sadhus etc. on the persuasion of the VHP or the dispute having been raised by Mahant Paramhans Ramchander Das of the Nirmohi Akhara, had asserted the issue of the reconstruction of the temple at Ayodhya as a religious question. Throughout the movement and even before me, all the witnesses with one exception tried to explain the meaning of the Hindu philosophy in the context of Hindu substantially being a religion. I am left with the impression that the word Hindu in the context of the movement and the issues raised by the various persons could be attributed and accepted as referring to the religion. It further acquired the colours of religion when it was used in a sense contrary to the sense conveyed by Muslim or Christian, which terms concededly refer to religions. There is no doubt that the word Hindu and Hindu Religion raised in slogans and speeches refers to the

religion and I have thus observed in my report in numerous places. It may be observed that the whole process was aimed at creating a Hindu votebank. It was vehemently asserted by the protagonists of the temple construction movement though simultaneously accepted that the Hindu religion has in inherent caste system and constitutes a votebank and the policy to cultivate this vote bank by means of appeasement or otherwise was attributed to political parties opposed to the BJP and its similarly minded allies. It was admitted by one no less than LK Advani that in the present day, the democracy was suffering from the ills of the castes system as for acquiring power, the only thing that mattered was numbers. The number may be secured irrespective of the means and the effect on society. All the efforts of the Sants, Sadhus and other reformers for a long time has been to undo the caste system and to end the discrimination or the divisions in the human society which it causes. The whole of the Ayodhya issue, though not patently, was an attempt to defeat the constitutional objectives of creating a casteless society or providing equality irrespective of religion or region. It defeats the very idea of India as a union comprising of a multicultural and multi-spectrum society spread over this vast land. It cannot be denied that the dialects and the very belief system of people changes every few tens of kilometres. However, one cannot impose one's own beliefs on others, even if the others be in very small numbers. Another phenomenon that I observed was that the leaders were saying something which conveyed different meaning to different sections of the people. The leadership used to carefully articulate words which carried different meanings according to the audience or the ambience or the tone or texture or the expediency of any given

situation. The language used was couched in careful terms to ensure that in any case, the speakers could not be saddled with the consequences in case the words were used for unlawful purposes.

- 29.5. The massive and unprecedented rally at the Boat Club served to hype up the religious sentiments and sharpen emotions towards the construction of temple movement as well as at the disputed structure. Most of the participants in the rally were BJP leaders; others from different background like political, religious were invited to participate as well. The rally succeeded in its object of rallying around more people to the BJP as well as politically uniting the Hindus, thereby creating the votebank which may not have existed hitherto. The statement of Vamdev is clearly suggestive of this, though one reaches the same conclusion even independently on the analysis of other evidence.
- 29.6. A committee of Ministers comprising of Madhu Dandavate, George Fernandes and Mukhtar Anees was constituted during this period. It was not too successful at finding a negotiated settlement either. Simultaneously the mobilisation of *Karsevaks* too went on. *Ram Karseva Samities* were constituted for mobilising *Karsevaks* for construction of temple.
- 29.7. Negotiations between the parties concerned with the disputed structure were undertaken at the highest level on 7th of June 1990 but virtually failed.
- 29.8. A decision for construction of temple on 30th of October 1990 from the *Garb Grah* was taken. The call for *Karseva* for the construction was given by the VHP. LK Advani in an interview in a Hindu fortnightly 'Panch Yajanya'

made a declaration of his party's commitment to cooperate with the VHP's plan of *Karseva* on the 30th of October 1990. The BJP also assured that it would participate. He also warned that if any attempt was made to scuttle the VHP's stand, it would snowball into next biggest mass movement after the independence struggle. After the BJP also declared its commitment of cooperation with the VHP's plan of *Karseva*, the mobilisation of *Karsevaks* was intensified. Rath Yatras including LK Advani's famous *Rath Yatra* were conducted for mobilising *Karsevaks*

- 29.9. The BJP governments in the states of Gujarat, Madhya Pradesh, Rajasthan and Himachal Pradesh not only supported the movement and contributed towards the construction of the temple, but also mobilised the *Karsevaks* for construction of temple at the disputed site.
- 29.10. It was declared on 31st of July 1990 that the efforts of Prime Minister for settlement through negotiations had failed and suggestions like shifting of structure, removal of idols, etc had been rejected. Meetings held by Subodh Kant Sahay with the leaders of VHP, AIBMAC, and attempts made by Jama Masjid Imam, Shankaracharyas, Swami Jayendra Parshad of Kanchi Peeth also failed.
- 29.11. A *Ram Jyoti* was lit on 1st of August, 1990. It was proposed to light Diwali lamps from this flame on the 18th of October.
- 29.12. Ashok Singhal declared that 5,000 brigades with 101 *Karsevaks* each would be raised in the country and would reach Ayodhya by the 30th of October 1990. Hoisting of saffron flags and blowing of Conch shells all over the

country was promised on the 15th of August 1990. At the same time UP Government decided to stop the construction at the disputed site. VP Singh took the decision that courts orders would be accepted. Thus all the ingredients for a confrontation was in place.

29.13. Around this time, *Ram Sankirtan Samities* were constituted. The carving of stones for the temple commenced on 31st August 1990 at Ayodhya. *Dharma Yatras* were taken out all over the country between 21st and 31st of August.

29.14. Leaders of movement stated that courts could not decide highly religious and political matters and thus the civil suit filed by Paramhans Ramchander Dass was withdrawn. Paramhans Ramchander Dass said that court's decision would conflict with the clear mandate to build the temple at the disputed site; the delay in the judicial process was also cited as a reason for this decision. The leaders of the movement unhesitatingly and publicly stated that the court decision could neither detract from the people's mandate for construction of temple at the disputed site, nor were the courts competent to decide issues of religious faith or question of history⁹¹.

29.15. LK Advani announced the beginning of his Rath Yatra from Somnath to Ayodhya on the 25th of September 1990, the day of Deen Dayal Jayanti by whom he claimed to have been inspired. The Rath Yatra was to reach Ayodhya on 30th of October 1990, the date fixed for *Karseva* for the construction of temple at the disputed site. This declaration was consistent with the warning issued on the 28th of June 1990 about an unprecedented

⁹¹ This finds reiteration in the BJP White Paper

movement to be faced by the country in the event that hurdles were put in the construction of temple. The objectives of the Rath Yatra were “awakening the awareness about the dispute amongst the people, spreading the view point of BJP amongst the people, “awakening” the people politically and opening a debate on secularism”.

29.16. At this time, the Bajrang Dal also decided to recruit *Karsevaks* in UP and send 2,00,000 *Karsevaks* with swords, sticks and trishuls, etc.

29.17. LK Advani, accompanied by Parmod Mahajan, commenced his Rath Yatra on the 25th of September 1990 from Somnath after a Shiv Puja, as was supposed to have been done by Ram before his march towards Lanka. Smt. Vijay Raja Scindia, Sikander Bakht, Shanker Singh Vaghela⁹², Parmod Mahajan, etc were present at the commencement of Rath Yatra. Leaders, ranging from the fiery to the violent as well as the peaceful, were present along with the *Karsevaks*. Some of them were armed as well. Swayamsevaks of RSS, members and *Karsevaks* of Bajrang Dal etc along with the local leaders were also present, also along the route of the Yatra. Many of the local leaders were not only fiery and provocative but also fanatics apart from being violent. The Rath Yatra was blessed by Murari Bapu and Bala Sahib Deoras, the president of the RSS.

29.18. The lack of interest by political parties and other bodies and individuals in naming them or producing any evidence for their identification, apart from their sheer numbers makes the identification of local leaders is almost

⁹² President Gujarat BJP

impossible; though some video recordings were produced before the Commission.

- 29.19. The movement leadership also ensured that the Central Government did not act as it might have. LK Advani warned the Janta Dal government on 14th of September 1990, before the commencement of Rath Yatra, that BJP's support to the Government would be withdrawn, if they tried to stop the Rath Yatra. This warning was repeated by BJP on 9th October 1990. Another similar warning was also issued on the 23rd of October 1990 after LK Advani had been arrested on the 22nd of October 1990.
- 29.20. Declarations to the contrary were also made by opponents of the construction movement that under no circumstances would the demolition of disputed structure be allowed. Abdul Syed Bukhari said "Muslim community would not accept any formula in which suggestion to put idols in disputed structure is proposed".
- 29.21. Warnings were also issued by Bal Thackeray and Shatrugan Sinha from Bombay against the creation of any hurdles on 30th of October 1990, the day fixed for the *Karseva*. It was stated that the entire country would have to witness a serious situation which no power on earth would be able to stop. Similar warnings were issued by other leaders. Leaders of the movement including Ashok Singhal and Shri Chander Dixit also issued statements exhorting the people to any sacrifice for the construction of temple during this period.

- 29.22. The *Rath yatra* entered Delhi on the 14th of October and left for Bihar on the 18th of October 1990. It ended on the 22nd of October 1990 with the arrest of LK Advani and Parmod Mahajan, Youdh Nath Pandey, Kailash Patti Mishra and Shalinder Nath, etc at Samastipur (Bihar) under the orders of Laloo Prasad Yadav, then the Chief Minister of Bihar. Other leaders of temple construction movement at Ayodhya, like Prof Rajendra Singh, V.H. Dalmia, GM Lodha, Mahant Avaidhyanath, Swami Chinmayanand, Atal Bihari Vajpayee etc, were arrested while heading for *Karseva* at Ayodhya.
- 29.23. Statements carefully crafted to play on the emotions of the masses were made by either side to the dispute. The protagonist of construction of Ram temple said that “*Construction of Ram Temple is not being opposed by the Muslims but by those who have become experts in using religion to fulfil their ambitions (Mahatavkansha).*” The protagonists of the movement declared that secularism was not limited to tolerance of feelings of other religion, it also meant respecting their feelings. Sikander Bakht declared that people who claimed that Ayodhya was a question relating to Hindus were liars; the demolition of the temple was an insult to the whole of India for which reason it ought to be reconstructed. Vijay Raja Scindia claimed, “*Mritpriya Hindu Society got a new awakening, new life, new conscience or alertness or people who thought Hindus to be impotent should have thought that now it is not so*”.
- 29.24. The ordinance for acquisition of the land which was issued on the 19th of October 1990 was subsequently withdrawn on the 20th of October 1990. In the meantime the government led by VP Singh declared the decision

regarding implementation of the Mandal Commission report providing reservations for the Scheduled Castes etc.

29.25. The Rath Yatra was welcomed at Bombay on 6th of October. The Chief Minister of Madhya Pradesh and his cabinet colleagues received and welcomed Rath Yatra when it reached that state. Public speeches consistent with the one made in a public meeting at Ujjain by LK Advani etc. were again delivered.

29.26. Security around the disputed structure was tightened by the 25th of October 1990 keeping in view koshi festival. *Karsevaks* were prevented from coming to Ayodhya from other states and other districts of UP. The entire State was declared a prohibited area and trains were diverted, bus services suspended. At every three kilometres barriers were put, all imaginable physical acts were undertaken to make sure that the *Karsevaks* should not be able to reach Ayodhya, in spite of the order of the High Court directing, to allow the performing of Punch Kosi Parikarma and directed not to stop *Karseva*. Stringent checking was enforced. Shilanyas Sthal was sealed. CRPF was deployed for the security of the disputed structure. This unprecedented tightening of security had Mulayam Singh proclaiming “*Yahan Parinda Bhi Par Nahin Maar Sakta*”.

29.27. Although some of the movement leadership and *Karsevaks* were arrested, the organisers had anticipated these measures and had stationed the *Karsevaks* in villages surrounding Ayodhya which were sympathetic to the movement, and these *Karsevaks* sneaked into Ayodhya for karseva on the 30th October 1990

inspite of all the security arrangements. GM Lodha, Swami Chinmayanand, Mahant Avidhyanath along with *Karsevaks* were arrested on 25th of October 1990 at Gonda. Ashok Singhal, Uma Bharti etc. not only evaded arrest but also snuck into Ayodhya for the event. Ashok Singhal had proclaimed that even the security forces would participate in the *Karseva* and construction of temple.

29.28. The RSS admitted in its written submissions before me that the Janam Sthan Bhoomi Mukti Sangharsh Samities were formed throughout the country for getting the Ram Janam Sthan “liberated” and with the object of constructing Ram Janam Sthan temple on the very site on which the disputed structure stood. That the RSS extended its support to this movement; that all the organisations which were spearheading such movement including VHP, an organisation established for the spread of Hindu philosophy ensured that lakhs of *Karsevaks* reached Ayodhya on 30th October 1990 and 2nd November 1990.

29.29. There was indiscriminate firing on the *Karsevaks*, resulting in large number of casualties and in view of this development further activities were suspended. It was submitted that the Sants who were spearheading the movement thereafter took the decision to do the karseva on July 9 1992. The process was suspended for three months for a possible resolution of the problem with the intervention of the Prime Minister. And once that initiative also failed, the Dharam Sansad decided to recommence the karseva with effect from the 6th of December 1992. It is Sadhus and Sants who decided to build a magnificent Ram temple on the opening of locks in 1986. He referred to the

various facts which had been mentioned to in the earlier part of the narration of facts in this report.

29.30. The only other fact which specifically finds mentions in the written submissions is that Sharad Pawar⁹³, Prof Rajendra Singh⁹⁴, Kumar Mangalam⁹⁵ and Bhairaon Singh Shekhawat met in Bombay at the residence of Sharad Pawar where a decision was taken to get the court's decision delivered before December 6, 1992.

29.31. Throughout the year 1990, negotiations were carried out. An attempt to blow up the disputed structure was made by one Suresh Kumar on 8th of December 1990. This was however foiled.

29.32. Around 28,000 PAC personnel had been deployed in Ayodhya alone. The total number of deployed personnel in UP was 1,00,000 suggesting the strict security measures which had been taken. Other states and especially those not ruled by the BJP, helped in preventing the *Karsevaks* from going to Ayodhya. Out of approximately 40,000 *Karsevaks* who had gathered around Ayodhya before 3^{0th} October 1990 about 1000 *Karsevaks* managed to enter Ayodhya.

29.33. The government forces resorted to firing in order to prevent them from implementing their plans to damage the disputed structure etc. There were those bent upon the destruction of the structures and then there were those persons opposed to demolition of disputed structure, who were at the helm of

⁹³ *Defence Minister*

⁹⁴ *Joint General Secretary*

⁹⁵ *State Minister*

the government at the time. However, the attempt to seal the disputed structure and prevent the miscreants from reaching it failed.

29.34. There have been suggestions that the arms of local police and PAC were withdrawn and only the personnel *trusted* by VP Singh were posted. That 90% of the police personnel supported the *Karsevaks*, and in fact the police opened the locks at the gates; that the CRPF and BSF Jawans refused to open fire despite direct orders; guns were snatched from the Jawans of 61st and 68th Battalions. No evidence to this effect was produced before the Commission. The only remote support for the suggestion is drawn from the text of a book “*Karseva Se Karseva Tak*” by a journalist⁹⁶ wherein it was recorded that the BSF Commandant ordered his men to commence firing, which was defied. That the Additional Superintendent of Police fired from his own revolver on a gathering of about two or three thousand people with little effect. That the CRPF posted at the spot refused to fire as well. Or that the forces were tasked with getting Ayodhya vacated at all costs including resort to firearms or teargas or lath charges as long as the disputed structure was saved.

29.35. The Chandrasekhar government invited the Hindu organisations and the Babri Masjid Action Committee for negotiations on 1st of December 1990. During the negotiations, VH Dalmia, DP Toshniwal, Shri Chander Dixit, Morpanth Pingle, Acharya Giriraj Kishore and Surya Krishan, etc participated on behalf of VHP. Members of AIBMC represented the

⁹⁶ Gopal Sharma, 1993, *Rajasthan Patrika Press*

Muslim claimants. Even at the time of the negotiations in December, the Satya Grah, mobilisation of *Karsevaks* etc continued.

- 29.36. VHP announced that 20th of October would be observed as ‘Shaurya Diwas’ in the memory of *Karsevaks* who had lost their lives in October 1990. Ram Jyotis were lit all over the country on the occasion of Diwali on 18th of October, 1990.

30. The incidents of 1991

30.1. Negotiations continued between the VHP and Babri Masjid Action Committee along with some Government representatives and experts. Documents were produced and sorted into categories like literature, history, ancient governmental and legal documents. Abdullah Bukhari, Naib Imam of Jama Masjid and one Afjal Beg were against any dialogue, despite which the negotiations continued. During these negotiations it was agreed to exchange statements of claims and to file rejoinders etc. Report of Historians of AIBMAC was to be presented by May 1991. VHP filed the statement of claim while Babri Masjid Action Committee did not file any claim or documents. Prof RS Sharma, Prof Athar Ali, Prof DN Jha, Shri Jawed Habib, Prof BP Sinha, Shri SP Gupta, Harash Narain, Prof KS Lal, Prof Devendra Swaroop, Shri BR Grover, Prof Suraj Bhan, Justice Ghuman Mal Lodha, Deoiki Nandan Aggarwal, Justice DV Sehgal, VKS Chaudhry and Ashok Singhal represented the view of the protagonists of the movement. Shri Zafaryab Jilani, Shri MA Siddiqi, Shri SA Sayed, Shri Zaffer Ali Siddiqi, Arif Mohammad Khan, Mohd Zilani etc. represented the opposite view⁹⁷. Finally, the negotiations failed at this point of time, though they resumed later.

⁹⁷ Refer to the Government's White Paper and Statement of SB Chavan (CW4)

- 30.2. The Intelligence Bureau perceived an imminent threat to the disputed structure and sent a security plan⁹⁸ on 28th of February 1991 to the Director General of UP Police for approval of the government. It was requested to review the security accordingly. It reached the SSP, Faizabad for compliance through official channels. The security plan suggested the construction of a parameter wall, restricting the convergence of people at the disputed structure, and the need for deployment of force apart from other attendant measures. These suggestions were not implemented.
- 30.3. Elections were declared in March, 1991. The *Vishwa Hindu Sammelan* was organised at Boat Club New Delhi in the 1st week of April 1991. It was sought to be portrayed as having been organised under the aegis of VHP; in fact it was a public meeting held in the course of the 1991 elections by the BJP and its allied parties including VHP. This was an unprecedented gathering and a large number of people, the leaders, associations like RSS, or religious leaders, Shiv Sena, Bajrang Dal etc. including the VHP participated in it. The event served to actively mobilise the people for the upcoming elections to politically support the BJP or other Hindu minded parties or protagonists of temple construction or of the Hindu religion.
- 30.4. Some Mahants and Sants not only participated but also took active part in the political rally. I am of the considered view that it was purely an elections public meeting. All kinds of speeches, ranging from the emotional to the provocative were delivered at the event and people were exhorted to participate not only in the construction movement but in karseva too as and

⁹⁸ CW-14/2

when call for it would be given as well extend their support to BJP as the only political party supporting the Temple agenda. By innuendo or otherwise, it was conveyed to the public that the BJP was supporting the RSS in its objectives and was working for the establishment of the Hindu Rashtra. Each participant claimed himself a leader, outside the control or discipline of anyone else. Slogans like “*Jo Hindu Hit Ki Baat Karega, Wohee Desh Par Raj Karega*” were shouted and displayed.

- 30.5. The BJP presented the idea of Ram Rajya and revealed its manifesto for the construction of temple in this meeting. It was declared that any government opposing the Hindus would not be allowed to succeed. The temple was thus made a part of the election process and brought on the national political scene. People were exhorted to support parties supporting the cause of construction of the temple at the disputed site.
- 30.6. BJP and its associates secured about 119 parliamentary seats while the Congress secured 249 seats. In the UP Legislature, the BJP secured 211 seats.
- 30.7. P.V. Narasimha Rao became the Prime Minister of the Congress Government at the Centre. Kalyan Singh became the BJP Chief Minister of Uttar Pradesh. BJP formed the governments in Rajasthan, Himachal Pradesh and Madhya Pradesh and a coalition government with Shiv Sena in Maharashtra.
- 30.8. Kalyan Singh, on assuming the office of Chief Minister on 26th June 1991, along with Murli Manohar Joshi and some of his cabinet colleagues

apparently went to Ayodhya in July 1991 to pay obeisance. Slogans like "Ram Lalla Hum Ayain Hain Mandir Yahin Banayenga" were raised. An oath for construction of temple at the disputed site was taken by them and the other people present there.

- 30.9. The BJP Government as well as the party, took its success at the hustings as an electoral mandate for construction of temple after removing all hurdles. They had secured the power on the plank of the construction of temple and now proclaimed that it was their democratic duty and obligation to construct the temple at Ayodhya. They assumed that others were opposed to construction of temple and inclined to ensure that the BJP should not redeem its electoral promise. Temple construction at Ayodhya movement became part of the Governments perceived democratic responsibility and obligation.
- 30.10. Sadhus, Sants, VHP proclaimed the government to be theirs, by them for them. VHP asked the government on 20th July 1991 for clearing the decks for the construction and removing any surviving hurdles. It demanded that the possession of the disputed structure and of the acquired area be handed to them by the 18th of November 1991. A Ram Janam Bhoomi Nyas was constituted for construction of temple at the disputed site.
- 30.11. The UP government under the garb of promoting tourism and providing amenities for the visitors; acquired 2.77 acres of land in front of disputed structure on 10th of July 1991. Out of this 2.77 acres of land sought to be acquired, the VHP claimed ownership over 2.04 acres. The remaining tiny parcel containing the disputed structure was not acquired.

30.12. The acquisition of the land was judicially challenged on a number of grounds including that it had been done for extraneous considerations. The Supreme Court by an order dated 15th of November 1991⁹⁹, allowed the government to take possession of the land but prevented the construction of a permanent nature in the complex. It was stated since the High Court was already *seised* of the matter and had even passed an interim order and was to be taken up for final disposal sometime in December that year, it would be neither necessary nor justifiable to transfer the Writ Petition from the High Court to the Supreme Court. Instead, the pending three petitions on the issue were transferred to the High Court for analogous disposal. It was made clear in the order that it was the State Government's responsibility to protect the Ram Janam Bhoomi-Babri Masjid structure and to ensure compliance of the High Court's orders in the land acquisition proceeding¹⁰⁰.

30.13. The High Court ordered maintaining of status quo while permitting repairs of the damage done to parts of the structure in 1990; temporary constructions were permitted.

30.14. The UP Government and the leaders of the temple construction movement stated that the 2.77 acres of land had been acquired for construction of temple. The possession of this land was given to Ram Janam Bhoomi Nyas for construction on long lease for a consideration of one rupee. The Government itself employed tractors for digging a twelve feet wide area for levelling of the Ram Janam Bhoomi-Babri Masjid complex. One wall of the

⁹⁹ *in Civil Writ 972 and 977 of 1991*

¹⁰⁰ *Refer to DW-13/20.*

Sankat Mochan Temple was removed on 24th of October 1991 at the instance of Vinay Katiyar despite the clear injunction from the Court. The structure like Sakshiji Gopal Mandir and a part of Sankat Mochan Mandir, compound wall around structure etc. in front of the disputed structure were demolished on the beginning of *Rudra Maha Yagya* on 28th of September 1991 despite the *status quo* orders. MM Joshi had to thereafter visit Ayodhya personally in order to stop the demolition being carried out in violation of the orders of the High Court. The Government submitted that the acquisition was for construction of temple through the Ram Janambhoomi Nyas. The acquisition was quashed by the High Court holding it to be for Mandir – a finding later affirmed by the Supreme Court. It was held the acquisition was malafide and for extraneous consideration.

- 30.15. A meeting held by the Chief minister on 2nd of August 1991 for reviewing security arrangements etc. was attended by RK Gupta¹⁰¹, Lal Ji Tandon¹⁰², BD Dewedi¹⁰³, Surya Partap Sahi¹⁰⁴, the Chief Secretary, DGP, IG Lucknow Zone and the IG Security. Bowing to the pressure mounted by Vinay Katiyar, Ashok Singhal, Brahm Dutt Dwivedi, Lal Ji Tandon, Kalraj Mishra etc of Ashok Singhal and Vinay Katiyar, the security arrangement were diluted. It was decided that some of the barricades which were in existence since 1990 should be removed before March. Piped barricade cordon in the front of Ram Janam Bhoomi exit gate was removed. Five barricades from

¹⁰¹ *Finance Minister*

¹⁰² *Energy Minister*

¹⁰³ *Revenue Minister*

¹⁰⁴ *State Minister*

feeder roads and fencing under the barriers were removed by August 1991. This rendered these measures completely inadequate against any serious mischief.

30.16. The VHP now proposed a *Bajrang Maha Rudra Yagya* from 1^{8th} October to November 1991. Mahant Paramhans Ram Chander Dass, Mahant Avidhyanath, Morpanth Pingle, VH Dalmia, Acharya Giriraj Kishore, Uma Bharti, Vinay Katiyar etc were not only present but also actively participated in the Shaurya Diwas celebrated on the 30th of October 1991. Muslim observed it as the *Hatalma Samiti* day.

30.17. On 31st of October 1991, *Karsevaks* climbed the domes of the disputed structure by jumping over the security cordons. They were detected were removed from there along with their flags.

30.18. In a meeting of the National Integration Council held on the 2nd of November 1991, Kalyan Singh gave an assurance

“as regard the disputed structure I want to make it clear that I assured you the entire responsibility of the protection of the disputed structure is ours. We would be vigilant about the disputed structure. We have strengthened the arrangements for its protection. Now nobody will be able to go there. No incident would be allowed to be repeated when three persons climbed on the top the dome. I want to convey this assurance to you through this council. Overall, it is our clear submission regarding

*the court; we will abide by the order given by the court. We do not want to do anything by violating its order.*¹⁰⁵

30.19. A team of MJ Akbar, Subodh Kant Sahay, and Suresh Kalmadi with 7 members of the NIC went to Ayodhya despite being advised against it by the administration. There was a skirmish and some *Karsevaks* attacked them. Vinay Katiyar admitted this but justified it since allegedly MJ Akbar had reached Ram Janambhoomi with shoes on¹⁰⁶. In my considered opinion, no body, much less a person like MJ Akbar would go to any religious place with shoes on, particularly to a sensitive place like the disputed structure. It appears that Vinay Katiyar justified it simply as something must be said to justify an act of naked vandalism, of which he was a past master.

30.20. The state DGP visited the site in November 1991 and claimed to have reviewed the security arrangements as well as the security plan. This security plan was never produced before the Commission despite a number of opportunities given for the purpose. The Advocate General as also officers of UP government were requested by the Commission to produce the security plan for December 6, 1992; orders to the same effect were passed a number of times and the Commission even sent an investigating team to find security plan.. No such security plan was found. It is thus clear that no such plan existed at all.

¹⁰⁵ Corroborated by the affidavit of Kalyan Singh DW-13/20 in the Supreme Court. Reference may be also made to Governments White Paper.

¹⁰⁶ The skirmish was corroborated by Ashok Singhal (DW9), Syed Shahabuddin (DW14), and RK Sinha (CGW19)

- 30.21. On 3rd of November 91, instructions were issued by DGP to IG Lucknow Zone and DIG Faizabad emphasizing that the stairs leading to the top of the disputed structure should be adequately guarded.
- 30.22. On 13th of December 1991 a group of about 250 workers of the *All India Hindu Shakti Dal* Shahjhanpur under the leadership of Vijay Singh (Divisional President Bareilly) and Ramchander, and Sanyojaks took a bath in Saryu River and proceeded towards the disputed structure. The security people were able to forestall and arrest them.
- 30.23. The BJP White Paper had spelt out the intent of Ayodhya movement since 1991. It was only to construct temple while leaving the structure intact. In my opinion, neither *Karsevaks* nor any other organisations nor any of the protagonists of the construction of temple movement including RSS, VHP, and Bajrang Dal etc. shared this innocuous manifesto.
- 30.24. It was stated before me that the Chief Minister told the Prime Minister that he could not shoot the *Karsevaks* and the Central Government alone could be instrumental in stopping the work. Constitutional hurdles had to be overcome.
- 30.25. Commissioner, Faizabad requested the Government that the security of the disputed structure be assessed and instructions be given for arrangements during sensitive times i.e. during the presence of large crowd as well as for normal times. No order was passed on the request.

- 30.26. Brahm Dutt Dwivedi¹⁰⁷, Shri Chand Dixit¹⁰⁸ and Vinay Katiyar¹⁰⁹ on the 14th of December, 1991 instructed that the barriers should be removed by the 15th of December 1991 and frisking stopped. The District Magistrate and DIG told Brahm Dutt Dwivedi, S.C. Dixit and Vinay Katiyar that this could not be done until these orders were received by him from the superior officers of the Government. These officials were later transferred¹¹⁰.
- 30.27. Building of the stack with bricks and cement around the foundation site was thwarted on 16th of December 1991.
- 30.28. The security was reviewed on 27th and 28th December 1991. VK Saxena¹¹¹ admitted that no weight was attached to recommendations made by the Central Government nor were they sent to the state and the DGP. VK Saxena, Chief Secretary admitted it.
- 30.29. The road barriers were removed from the feeder roads leading to the disputed structure by 30th of December 1991. Five out of seven Road barriers were removed i.e. one from near Manas Bhawan, two near Ved Mandir, one barrier at Rang Mahal and one at Devki Kuan. Removal of barriers allowed freedom of movement to the larger members of public visiting the disputed structure. Barbed wires and barriers, especially those immediately behind the disputed structure, were removed on or about 2nd of January 1992.

¹⁰⁷ *Revenue Minister*

¹⁰⁸ *BJP MP*

¹⁰⁹ *BJP MP*

¹¹⁰ *Refer to CW-14/3, as well to statement of Peeyush Srivastava.*

¹¹¹ *CW13, Chief Secretary*

31. The events of 1992

31.1. The paramilitary forces and other forces expressed concern about the lax security. The Principal Secretary (Home) in January 1992 reported that the removed barriers could be resurrected immediately as and when the need arose. This was in fact never done. Removal of barriers and fencing commenced in January 1992¹¹².

31.2. RC Aggarwal¹¹³ the then Home Secretary pointed out to the DGP, that the security in isolation cordon had been adversely affected and the forces deployed were likely to be outnumbered by *Karsevaks* which might result in panic reaction by the forces. The efficiency of the CRPF in the isolation cordon depended on the extent to which state police deployed would be able to control and direct the crowd from outside the isolation cordon¹¹⁴.

31.3. Kalyan Singh at the time proclaimed, *"The Centre is out to create civil war like situation in the State by sending Central Forces without our consent. Do they want clash between the Central and State forces?"* The statement was widely published by the media. The Prime Minister perceived the *Karseva* as illegal and made it clear that the Central Government would implement Courts Orders.

31.4. The VHP decided in January 1992 that Sadhus and Sants should meet the Chief Minister and have direct talks with respect to Ram Janam Bhoomi

¹¹² This fact is corroborated by N.C. Pandhi (CGW32), Parkash Singh (CW14) etc.

¹¹³ CGW31

¹¹⁴ Refer to CGW-13/2

with him. They met the Chief Minister. Ram Janam Bhoomi Nyas made an offer to the Chief Minister for developing the area of Ram Katha Kunj. They offered to build *Sheshavtar Temple*, *Hanuman Mandir* and *Ram Sthal* at their own cost. Sequel to it, the Kalyan Singh Government decided to lease out 52 acres of land at the rate of one rupee per year to Ram Janam Bhoomi Nyas. Possession of land thus leased was delivered by the State on 20th March 1992 to Ram Janam Bhoomi Nyas. This fact was not challenged before the Commission.

- 31.5. The State Cabinet including Brahm Dutt Dewedi, Lalji Tandon, etc visited the disputed site several times after January 1992 to discuss the security arrangements. I am of the considered view that all the security arrangements, if any were actually present at all, used to be made on an ad hoc basis.
- 31.6. The evidence and testimony of NC Pandhi¹¹⁵, SC Chaubey¹¹⁶, and Peeyush Srivastava¹¹⁷ clearly establishes that up to January 1992 security arrangements were made in coordination with paramilitary forces, central and other available intelligence agencies etc. After January 1992 these agencies were not taken into confidence and were not even informed of formation of any security plans for the disputed structure. Even if some security plans were made for the disputed structure, CRPF, Central Government and other agencies were neither consulted, nor associated with security arrangements nor were informed it or about any such plan. The security arrangements

¹¹⁵ CGW32

¹¹⁶ CGW23

¹¹⁷ CGW10

remained confined to the State Government or local administration. I have observed in my report that the State Government had no contingency plan or security plan for the protection of the disputed structure. NC Pandhi¹¹⁸ specifically stated, *“Till January arrangements used to be made in coordination with Paramilitary forces etc. Thereafter they were not taken into confidence.”*

- 31.7. The decision to remove the barriers and barricades can be clearly attributed to Vinay Katiyar, Ashok Singhal, Brahm Dutt Dewedi, SC Dixit, Champat Rai, Paramhans Ramchander Das etc. This removal from the disputed structure, its feeder roads, and Ram Janam Bhoomi complex commenced on 2nd January 1992. This has not been disputed before the Commission.
- 31.8. The Joint Secretary Home of the Government of India wrote to the Chief Secretary and Home Secretary of UP State that the flag hoisting by the Ram Janambhoomi Seva Samiti had been preponed to 3rd of January 1992. It would lead to difficulties and risk for the disputed structure. Only some of the security measures from the security plan sent by the Central Government were implemented, the non-implementation of the rest was specifically pointed out. Request was made to stop the flag hoisting and to implement the security plan and to provide security arrangements. It was also requested that the DGP should discuss the details of the security arrangements with the IG CRPF. Appropriate action was solicited on the letter dated 26.12.1991.
- 31.9. The Chief Minister was the pivotal figure and played the key role in the whole episode of demolition and the temple construction movement in the

¹¹⁸ CGW 32

state and in Ayodhya. It is evident from the statement of Shekhar Aggarwal¹¹⁹, Prabhat Kumar¹²⁰, Parkash Singh¹²¹ etc. that the Chief Minister was regularly monitoring the situation at Ayodhya on day to day basis. The Chief Secretary, Principal Secretary (Home), DGP, SSP DB Roy and the District Magistrate were in direct communication with him; despite a denial of this by SSP DB Roy. It was categorically accepted by almost all the witnesses who appeared before the Commission that nobody else could take any decision be it a policy matter or other matters at micro level, with respect to Ayodhya except the chief Minister Kalyan Singh in person. No other officer in the administration was either authorised or delegated the power to take decision with respect to Ayodhya.

¹¹⁹ DW7

¹²⁰ CW16

¹²¹ CW14

32. February 1992

32.1. VK Jain, Special Secretary in Union Home Ministry on the 4th of February 1992 asked the UP Chief Minister for a review of the security plan. This was done keeping in view the recommended security arrangements and the security reviewed on 27th and 28th December 1991 by S. Raghunathan Deputy Director, Umesh Kumar AD and KG Rana. In the review, their recommendations were however not given any weight nor attention paid to any suggestion for providing security. VK Saxena¹²² Chief Secretary accepted that no weight was attached to recommendations. On 4th of April 1992, the Central Government pointed out urgent security measures needed to be implemented, to the State Government. In response, the UP DGP informed the Central Government that 9 points referred for review of security were already complied with; defective doorframe metal detectors were replaced; monitoring by CCTV was reorganized; gate in front of Shakshi Gopal Mandir used for exit was made serviceable; watch towers were manned, required barriers at strategic location were made functional, deployment of forces on roof tops was made¹²³. The Home Secretary of India expressed concern about fragile communal situation in the area having serious repercussions¹²⁴.

¹²² *CW13*

¹²³ *Refer to the statements of V.K. Saxena (CW13), Murli Manohar Joshi (CW22), RN Srivastava (CW30), Surinder Kumar (CGW34), Abdul Hakim (CGW38) and Amitabh Agnihotri (CGW 39).*

¹²⁴ *Refer to CW 13/39*

- 32.2. From the evidence lead, it emerged that the ongoing negotiations were finally brought to an end by hard core elements from both sides by 5th February 1992.
- 32.3. A conjoined analysis of the contradictory and sometimes evasive evidence of the witnesses reveals that the construction by UP government of the security wall known as Ram Dewar measuring 8 to 10 feet in height, on the three sides of the acquired land at Ayodhya including the disputed structure commenced on 17.2.1992. It was reported to the Principal Secretary (Home) Government of UP on 17th of February 1992 that the construction of boundary wall was started at Ayodhya by the special area development authority in presence of Revenue Minister Braham Dutt Dwivedi, Ashok Singhal, Acharya Giriraj Kishore, Vinay Katiyar National Convenor of Bajrang Dal, Paramhans Ramchander Dass, Laloo Singh, Rao Priya Darshi who admittedly performed the Bhoomi Puja and other rituals. It is undisputed that the boundary wall or *Ram Dewar* represented the boundary of the proposed temple to be constructed at the disputed site.
- 32.4. Not only did the protagonists of the movement name the security wall as the Ram Dewar, it was so referred to by the public at large, leaders of movement, administration, media etc. It is evident from the oral and documentary testimony, which is too voluminous to reproduce here, that the UP Government by its actions and conduct expressly and impliedly accepted it to be the boundary of the proposed Ram Temple including the Ram Janam Bhoomi complex. The construction of this wall was hailed as a step towards the ultimate construction of the temple by the members of the political

executive and leaders of BJP and VHP etc¹²⁵. Reference may be made to the statement issued to the media in press conferences etc. by SC Dixit and Sunder Singh Bhandari, who were the office bearers of the BJP. Even the VHP in its resolution at *Ardh Kumbh* in Haridwar on 4th of April 1992 at the meeting of the Marg Darshak Mandal asserted it be so. Ashok Singhal described it as Ram Deewar and the first the step taken for the reconstruction of the temple. This was too obviously a preplanned act of the state, political executive, administration and the organisers of the movement. All the persons held responsible for the demolition, in my opinion, were party to this conscious act of the government and the organisers of the movement.

32.5. Objections were raised to the giving the land on lease to Ram Janam Bhoomi Nyas, demolition of Sankat Mochan Mandir, Shakshi Gopal Mandir, Summitra Bhawan, Lomas Ashram, Gopal Bhawan, shops, dumping of earth near Ram Janam Bhoomi-Babri Masjid structure having steep slope on the west. Levelling and digging operation pointed out the intentions behind the operation effecting the strength, security and safety of the disputed structure. This was published in the media also.

32.6. It is thus abundantly clear that an overall impression was created that construction of Ram Dewar was a major step taken for construction of temple by the state. This was corroborated by the statement of Kalraj Mishra¹²⁶. Even Sunder Singh Bhandari, one of the well known leaders of BJP claimed, sometime expressly while at other times by innuendo, that the money spent

¹²⁵ Refer to exhibit CW-4/14 which was published on 24th of June 1992

¹²⁶ CW 10. Also by DW11/11

on wall was by the UP Government. It was declared as commencement of the Construction of temple¹²⁷.

- 32.7. Ashok Singhal, while describing the steps taken and success for the reconstruction of temple achieved, stated, that land had been acquired, Ram Dewar was being constructed which would take about one and half months. About 42 acres of land was leased out for Shri Ram Katha Park. Levelling of Ram Janam Bhoomi had already commenced. He specifically pointed out that except BJP all other political parties were opposed to the construction of temple and he therefore exhorted Hindus to be ready to deal with the situation.
- 32.8. The state administration as well as the bureaucracy intentionally, consciously and in order to please the government of the day collaborated in the acts of the government and the political executive, concealing the real intentions from the record. The bureaucracy committed acts of deceit and not that of transparency in governance.
- 32.9. On 23th of February 1992, Home Minister SB Chavan informed Chief Minister Kalyan Singh of his apprehension, and those arising in the minds of the people because of construction of the Ram Dewar, even though for the record, it was only a security wall. The media also conjectured on the 18th of March 1992 that the construction of the Ram Dewar by VHP activists had distinct political overtones.

¹²⁷ CW 4/15

- 32.10. It was reported that Government took notice of the visit of Sunder Singh Bhandari to Ayodhya. They were alleged to have stated in order to restore the credibility of BJP with respect to construction of temple *“State Government has sanctioned 21 lakhs for the construction of wall around the proposed temple – which would be followed by construction of temple according to VHP leaders”*.
- 32.11. The Government of UP observed that the construction of Ram Dewar has been undertaken to assuage the feelings of VHP, Bajrang Dal who were impatient over BJP Government’s studied silence on the issue. Senior Police officers like DIG Faizabad, Uma Shanker Bajpai and District Magistrate Net Ram supervised the demarcation of the line along with the wall. The Chief Minister on 10th March maintained that the security wall was only a masonry wall and it ought not to raise any concerns¹²⁸.
- 32.12. The District Magistrate Faizabad was transferred and RN Srivastava joined on 28th of February 1992 as the new District Magistrate. Other officers like DB Rai SSP and AK Saran were posted at Ayodhya on assuming the office of the Chief Minister by Kalyan Singh, despite of the protest made by the then DGP within official constraints¹²⁹.

¹²⁸ Officially noticed in File No 22.200/13/D/92.

¹²⁹ Refer to the statement of DGP Parkash Singh (CW14)

33. March 1992

- 33.1. In view of orders of the Supreme Court, Finance Minister of Uttar Pradesh Lal Ji Tondon, Urban Development Minister U.P, Brahma Dutt Dwivedi and the DGP, UP took a tour of Ayodhya for the purpose of the security of the disputed structure. After consultation with the local administration, suggestions were made regarding the security arrangements. To wit, identity Cards should be given to the *Karsevaks* for their identification; organisers of the movement should provide assistance to help with the identification. The organisers should remain at entry gates and only such person should be enquired or checked separately about whom there was a need felt; as far as possible *Karsevaks* should go in small batches and during the day time, entering from one gate and exiting from the other. The building material for Shesh Avatar Temple should come from the Western gate and the passage leading from this gate should be levelled. On the North and East of Shesh Avatar Temple, there should be a double wooden barricade made of poles as well as a police force deployment to prevent unchecked persons from going in and to make it impossible for anyone to make it to the disputed structure. Since the security wall from disputed structure to the East of the security wall was half open because the barricade has not been not drawn up to the Eastern wall for the entry of pilgrims, hence a full barricade be erected. Finally, it was

recommended that a buffer zone of 20-30 feet be kept between the disputed structure and the *Karsevaks*¹³⁰.

- 33.2. The proposals for double barricade from North to East of the Shesh Avatar Temple and rendering it impossible for *Karsevaks* to enter the disputed structure from Shesh Avatar Temple were not approved. The consequence of this was that it resulted in easy access to the disputed structure from the site of the Shesh Avatar Temple where the construction was continuing and the construction material was readily available.
- 33.3. The Principal Home Secretary of UP, Prabhat Kumar was reminded for the review of security on 19th of March 1992¹³¹.
- 33.4. Levelling of Ram Janam Bhoomi complex commenced by the State Government and Ram Janambhoomi Nyas. The plan for this development has not seen the light of the day till date.
- 33.5. It is easily discernible from the record and the oral evidence that UP state authorities including Tourism Department, VHP and other protagonist of temple construction movement undertook demolition of structures in Ram Janam Bhoomi complex or inhibited area. *Shakshi Gopal Mandir, Manas Ashram, Gopal Mandir, Shops, Summitra Bhawan, Privesh Ashram, Pehli Bahu's Kothi* and *Sankat Mochan Temple* etc were demolished under the leadership of Vinay Katiyar despite of injunction from the court against construction. Concededly the demolitions were in front of the structure.

¹³⁰ Recorded in official File No.15 200/541/D/92.

¹³¹ vide CW-13/8

There was a steep slope on the west with a gradient on the north south and levelled ground on the east. Earth dug up was dumped on the western and southern sides of disputed structure where there were deep slopes. There was a gradient on western and north side. South and East were having levelled ground. The levelling resulted in 12 feet depression on eastern side apart from reducing the height of perimeter wall, the Ram Dewar.

33.6. The intelligence agencies had been writing that the act of levelling and demolition of different structures etc by the state in collaboration with Ram Janam Bhoomi Nyas was raising apprehensions in the minds of people about the adverse effect on the safety and security of structure and that it would render the steps taken for security ineffective. Statement of NC Pandhi¹³² was not challenged before the Commission by any of the counsel appearing for any party or the Central Government or the State Government. This witness specifically asserted and corroborated it.

33.7. The Home Minister addressed a letter to Chief Minister Kalyan Singh pointing out therein the levelling, collecting of construction machinery, digging of area for construction of proposed temple, widening of Durahi Kuan Road, construction of the wall on the northern side of the disputed structure, gathering of about 7000 people in the Ram Janam Bhoomi Complex where the plans for reconstruction were reiterated and provocative speeches delivered. It was stated that these acts had lead to an apprehension about security of the disputed structure as well as about its adequacy to meet

¹³² CGW32

any contingency with possible implications. Augmenting of the security was requested. A note to that effect was put to Government too.

33.8. Chief Minister Kalyan Singh replied to the letter of Home Minister pointing out various steps taken.

33.9. The Home Secretary of India vide his letter dated 3rd of June 1992 enquired from the Chief Secretary of UP, the details of the proposed construction programme in order to know the purpose for such large scale filling and digging was undertaken. He enquired what its impact was¹³³.

33.10. The Deputy Commissioner / District Magistrate and Superintendent of Police reported the digging of a 10 feet deep area in front of the disputed structure and the levelling work etc would not result in collection of the rainy water as the water was flowing through west and south. Resultantly there was no possibility of stagnation. It was pointed out that since digging being done at a distance of 7.45 meters from outer wall and 25.39 meter from the disputed structure, consequently it would not affect the foundation and the wall. Dumping of earth near it would not result in reducing the height of the security wall/ Ram Dewar in as much as already the height of the wall is 10 feet with a proposal for its increase by another 10 feet. The filling of earth would be of no consequence. Even otherwise the consequence of reducing the height was pointed to be of insignificance because there will be PAC Jawans with rifle on 13 places, three patrolling parties of PAC from Manas Bhawan to Laxman Tekri, from Laxman Tekri to Durahi Kuan and from

¹³³ The note prepared by the UP Government is on File No. 22.200/13/D/92

Durahi Kuan to Manas Bhawan. On the interior portion of security wall from southern part to eastern part, sentry for security had been deployed on duty along with PAC round the clock. It was opined with respect to barricades, that they were constructed for stopping the movement at the main places. On the important barricades, police was placed on duty. SSP and Additional SP and Assistant Commandant were required to keep a close watch with surprise check. A single barricade had been erected in *Manas Bhawan Gali*. Thus putting up of barriers and closing of Darshan, would not allow any pilgrim to enter the disputed premises. Separate barricades had been arranged for controlling the mobs for going from foundation side to the disputed structure. Two DFMDs were installed and were functioning with civil and lady police on duty on the main gate of the disputed building. One CCTV was installed in the Garbha Grah, the other was on the foundation (Shilanyas) site, and the third was on the main eastern gate. All of them were functioning. The height of the iron pipe barricading, concertina and barbed wire and outer barricading was 5 feet to 5.5 feet which had been replaced by 10 feet high security wall with PAC and civil police deployed in the inner cordon of the disputed structure, while CRPF was deployed in the isolation cordon¹³⁴.

- 33.11. Some suggestions made by Central Government were accepted, viz for deploying Magistrate and Gazetted Officer round the clock for supervising the security arrangements at the Complex, nearby buildings required to be

¹³⁴ Recorded in official File No. 22.200/13/D/92

secured against missiles, doorframe metal detectors and other equipments to be made functional, drop gates to be reactivated.

33.12. In view of the various contradictions, it emerged that though in principle the suggestions were accepted but were not implemented in its letter and spirit. Superficial and fallacious record was maintained with respect to suggestions having been accepted and implemented.

33.13. The Central Government was getting understandably perturbed by the acts and conduct of the State Government. During the course, the Central Government asked for a report from the State, as well as the plans of the tourism department. A mild threat that if the instructions of the Central Government were not followed, then the later would be forced to impose *President's Rule* in the state by invoking Article 356 of the Constitution was also held out in a fax sent by the Home Minister.

33.14. Kalyan Singh, the Chief Minister responded to the threat of imposing President's Rule on 24th of March 1992, asking the Central Government to stop thinking of dismissal of State Government. He then made public statement to the effect, "Irrespective of the fact that State Government stays or go, Mandir must be constructed.

33.15. When the question arose from the threat of the Home Minister for choosing between Government or Mandir, the Chief Minister Kalyan Singh stated that if it was a question of Government or Mandir, Mandir would be preferred. Land given to Nyas was not disputed since the Supreme Court held acquisition of 2.77 acres of land as valid. Possession of the same was

taken. Buildings were removed with consent. Whatever was going on in Ayodhya was in accordance with law.

- 33.16. The Home Minister pointed out on 29th of March 1992, that construction of compound wall did not obviate the need for barricades and concertina wires i.e. if the determined crowd within the walled enclosure attempt to damage the structure, there would be no physical barriers which would stop them in the absence of barricades. Digging would further endanger the structure. Damage to structure would widespread repercussions¹³⁵.

¹³⁵ Recorded in official record File No. 22.200/13/D/92

34. April 1992

- 34.1. Chief Secretary VK Saxena¹³⁶ pointed out that on 3rd of April 1992 during Ramzaan, Abdullah Bukhari made a statement, “*if Government failed to take right decision country may disintegrate.*”
- 34.2. Home Secretary and the Home Minister expressed concern about the fragile communal situation in the area with potentiality of serious repercussions¹³⁷.
- 34.3. Chief Secretary VK Saxena¹³⁸, stated that on the pointing out by the Central Government about the security measures in the Ram Janambhoomi complex, nine points were complied on the review of the security on 4th of April 1992¹³⁹.
- 34.4. Necessary orders were issued on 5th of April 1992, i.e. defective DFMD were replaced, monitoring by CCTV was reorganized, gate in front of Shakshi Gopal Mandir was used for exit only and was serviceable. Watch towers were to be manned. Required barriers at strategic locations to be made functional. It emerged from the evidence and statements that an arrangement for deploying security personal on roof tops were made. Five of the existing barriers were not removed and only rods were removed to avoid unnecessary inconvenience to the public. They would be installed when required, conduct

¹³⁶ CW13

¹³⁷ Refer to CW 13/39

¹³⁸ CW13

¹³⁹ Refer to CW 13/46 and CW13/20

and nature of the crowd to be seen; Manas Bhawan barrier was to be made functional, to put up three barriers, the approval for increasing the height to 20 feet was taken on 4th December 1992 by the home department and communicated on fifth of December 1992¹⁴⁰.

- 34.5. Ram Navami festival was held on 1st of April. Several lakhs Pilgrims were expected to visit Ayodhya for Darshan of Ram Lalla and they visited. Special arrangements were made during this festival. It was in this context that Shri SC Chaubey, commander of the paramilitary forces of Ram Janam Bhoomi-Babri Masjid Complex, along with CK Malik IG Security, DV Mehta DIG, DB Rai SSP Faizabad visited Ram Janam Bhoomi disputed structure on 1st of April 1992 to take stock of new dimensions of security. The visit was carried out on the asking of DGP Onkar Singh. At about 1.25 pm when about 30000 pilgrims were having Darshan around Shilanyas site some Shiv Sainiks raised provocative slogans and the situation was brought under control by arresting some of them. NC Pandhi¹⁴¹ and SC Chaubey¹⁴² submitted a detailed report on 25th of April 1992 with respect to past events and their analysis of the Ram Navmi festival. It was observed in the report that batches of 400 to 500 people were allowed to enter the Ram Janam Bhoomi-Babri Masjid Complex on the eve of the Ram Naumi, which was managed by local authorities and not by CRPF. It was admitted that not only

¹⁴⁰Corroborated by Madhav Godbole (DW13), SVM Tripathi (CW15), V.K. Sexena (CW13), and Murli Manohar Joshi (CW22), RN Srivastava and the affidavit of Kalyan Singh, DW-13/20

¹⁴¹ CGW32

¹⁴² CGW23

the festival was managed but also the arrangements were made by the local administration. About 7 lakh people/Pilgrims gathered in Ayodhya.

- 34.6. The distinction between pilgrims and *Karsevaks* as understood by one and all may be noticed. *Karsevaks* or the people who converged to Ayodhya on mobilisation or persuasion of organisers of the construction movement had got definite object or purpose i.e. their contribution in any form for the construction of the temple. Pilgrims were the ones who used to visit at Ayodhya on particular religious days or religious functions or for performing particular religious rituals. It was admitted that not only the festival was managed but also the arrangements were made by the local administration. The festival passed off peacefully¹⁴³.
- 34.7. A meeting was held in which District Magistrate participated. Measures for beefing up the existing security arrangements especially in the light of the recent demolitions of buildings in the complex, levelling of adjoining land, forthcoming Ram Navami festival on 11th of April 1992 were discussed. A request was made for deployment of the paramilitary forces in the inner cordon¹⁴⁴.
- 34.8. Subsequent to the visit of the NIC comprising of Subodh Kant Sahay, Suresh Kalmadi, MJ Akbar, etc. it was reported in media on 6th April 1992 that Khasa Bara Mosque was demolished.

¹⁴³ Refer to affidavit (DW-13/21) DW-13/21 and corroboration by Madhav Godbole

¹⁴⁴ Admitted by OPS Malik, (CGW16). Refer also to CGW-16/3

- 34.9. Simultaneously a legislative committee under the leadership of Sikander Bhakt went to Ayodhya on 7th of April 1992. The legality and propriety of the Committee led by SR Bommai was challenged. Undisputedly press arrangements used to be made by the District Magistrate and security used to be provided by the police on such occasions. NIC members were offered security and all traditions of protocol during their visit to Ayodhya. It may be noted here that it was declared that no demonstration would be allowed to be held.
- 34.10. LK Advani accompanied by Braham Dutt Dewedi and Anil Tiwari visited Ayodhya on 15th of April 1992 where he was received by Ashok Singhal and Paramhans Ramchander Dass. He admitted that acquisition of land by Government of UP was for temple and so far as the camouflage story woven by the government was concerned; it was for the government to explain it¹⁴⁵.
- 34.11. The Commissioner Faizabad wrote a letter to Chief Secretary on 18th of April 1992 for review of the security arrangements, which was repeated on 29th of June 1992. It was alleged that a security plan was prepared by IG Security, IG Lucknow Zone, IG CRPF, DIG Faizabad, and SSP Faizabad which, as stated earlier, was never produced before the Commission.

¹⁴⁵ Refer to the statement of LK Advani (CW23)

35. May 1992

- 35.1. In the *Sant Samelan* and during its meeting at Ujjain in May 1992, Marg Darshak Mandal was constituted of Shankracharya Swami Satyanandji Maharaj, Swami Vam Devji, Paramhans Ramchander Dass, and Ashok Singhal. Decision was taken in the meeting to demolish the disputed structure and construct the Ram temple. Swami Vam Devji, Paramhans Ramchander Dass, and Ashok Singhal participated in the meeting. The Sants were invited to observe *Chaturmas*¹⁴⁶.
- 35.2. The police reported about a meeting of about 100 Sadhus, Sants and Mahants including Jagatguru Sankracharya Satyamitra Nand, Mahant Nritya Gopal Dass, Mahant Paramhans Ramchander Dass, Dr. Ram Vilas Vedanti, Jagatguru Purushotamacharya, Vishavnath Dass Shastri, Swami Dharam Das, Jagatguru Ramanujacharyaji, Vasudev Acharya, Jagdish Muni, Swami Chinmayanand, Mahant Aavidyanath, Swami Vasudev Nand Jyotipeeth, Ashok Singhal, Acharya Giri Raj Kishore at the Manas Bhawan Trust. A committee of Swami Vamdev Ji, Paramhans Ramchander Dass, Mahant Aavidhyanath, Mahant Permanand and Chinmayanand was constituted and named the Advisory Committee for the Reconstruction of the Temple. It was decided by this committee that before taking any hard decision, they

¹⁴⁶ Refer to statement of Suman Gupta (CGW9) and N.C. Pandhi (CGW32). It was also mentioned in CGW 9/x and CGW 9/12. Neither publication nor facts stated therein were challenged by VHP or any other organisation.

should meet Prime Minister and apprise him of decision dated 13th of May 1992 taken at Ujjain to start karseva on 9th of July 1992.

- 35.3. Barbed wire, concertina rolls and iron pipe barricades were removed by 4th May 1992 from part of western, and eastern and southern sides and from the road outside the complex even as the Home Minister asked for review of security People and *Karsevaks* had an access to the complex. The Chief Minister replied that removal of barriers and concertina wire or barricades would not dilute the security in any manner. Measures suggested by the Home Secretary too were approved¹⁴⁷.
- 35.4. Mahant Avaidhyanath, Chinmayanand, Swami Parmanand Ji, and Swami Pariraj Ji, in their meeting with Prime Minister on 5th May, 1992 told him, that as nothing had been done during one year the karseva would commence on 9th July 1992. Prime Minister was told that he had no place for Hindus in his mind and was always thinking of minorities alone. Prime Minister replied by observing that the issue had got mixed up with politics and it should be separated. He further requested the religious leaders to proceed from the stage where dialogue with Muslims was broken during Chandra Shekhar during the tenure of his Prime Ministership.
- 35.5. The media published on the 20th of May 1992 that the centre was alarmed about the intentions of UP Government because of their attempt at dismantling the security and protective fencing around the disputed structure

¹⁴⁷ Admitted by Parkash Singh (CW14), DGP and VK Sexena CW13. Corroborated by CW 14/2, CW 3/20

and complex. A letter¹⁴⁸ was written to the State Government, pointing out the instances of breaking promises.

- 35.6. Home Ministry of India sought a report from the state and the district administration about dilution of the security vide its letter dated 29/30th of May 1992¹⁴⁹.
- 35.7. On the basis of the report, it was pointed out to the Chief Minister on 30th of May 1992 that digging 10 feet deep in front of the structure would result in collection of water. Dumping of earth would reduce the height of the parameter wall and fencing. Removal of barriers, barricading, or of concertina wire rolls was the lapses in security. Other lapses in the security were non-functioning of DFMD and HHMD, malfunctioning of channel gates, CCTV. Watch towers were absent. VHP and other speakers advocated drastic action at Ujjain during *Virat Hindu Sammelan*, including the declaration that next phase of karseva would be demolition of the structure. In view of an aggressive posture of VHP and other speakers, it was pointed out, that all these would add to the difficulty to prevent the determined crowd from rushing into the disputed structure or the complex¹⁵⁰.
- 35.8. Paramilitary forces and others pointed out that the security was being diluted. Principal Home Secretary UP informed one and all, especially the Central Government, that removed barriers can be resurrected immediately when the need arises. In fact, they were never resurrected thereafter. The facts were

¹⁴⁸ CW-4/10

¹⁴⁹ CW 13/20

¹⁵⁰ Note given by office in File No. 22.200/13/D/92.

corroborated by Parkash Singh¹⁵¹ the DGP UP. Recommendation for security too was made by S. Raghunathan, Deputy Director, Umesh Kumar Assistant Director and KG Rana, a team of IB Officers.

¹⁵¹ *CW14*

36. June 1992

36.1. The Home Secretary of India expressed concern at the fragile communal situation in the area having serious repercussions¹⁵²

36.2. VK Shukla on 7th of June 1992 informed DGP and Joint Secretary Home that digging/levelling and putting earth had weakened the security. Outer ring was removed, by removal of iron barricades and security walls. It became easy to enter the building from every place of Ram Dewar. Any person could ascend the barricading with the support of any wooden object because of putting of earth on the west and south side of the building. To the west of the disputed structure in the gate between newly built wall and barricade, iron piped gate was fixed with neither barbed wire put on the gate nor the gate being locked. Anybody could enter after opening the gate. Due to the commencement of levelling, security personnel, i.e. PAC deployed were not as vigilant as they were earlier. The workers of VHP or Bajrang Dal were negligibly stopped from entering. There was need for reviewing of the security. Apprehension of undesirable and determined persons harming the disputed building was expressed. Review of the security was requested¹⁵³.

36.3. Additional DG Security and Intelligence, IG Lucknow Zone and other senior officers of DG headquarters inspected the Ram Janam Bhoomi-Babri

¹⁵² *vide CW 13/39*

¹⁵³ *From the note recorded in File No. 22.200/13/D/92.*

Masjid complex on 10th of June 1992 and they prepared a report. Necessity of issuance of guidelines at state level was suggested¹⁵⁴.

- 36.4. Mr. Tripathi addressed a letter to Mr Prabhat Kumar on 11.6.1992 reporting the submissions made by DV Mehta, IG Lucknow Zone, RC Sharma, DIG Security who visited the site on 10th June 1992 and reviewed the security along with District Magistrate and SSP Faizabad. It was noticed that because of the dumping of earth especially on the western-southern side of the structure, the effective height of the security wall was reduced to 4 to 5 feet. It was opined that though there is no danger from inside but observed that from outside from the south side the height was reduced to 4 feet as compared to 12-15 feet, from where anybody by jumping the wall could enter the site. On east-west corner, the height was reduced to 7 feet. It was noticed that iron bars on wall was still bulging out and it was on completion of height to 20 feet the height would come to 15 to 16 feet. On security review, they were asked to complete the job of raising the height quickly.
- 36.5. It was observed that there were 13 sentry posts, 4 patrolling groups in uniform. The inner cordon was of pipes and concertina wire which was rendered useless for providing security because of filling of earth and any determined person by putting a wooden plank could cross the security barricade. In order to meet the situation patrolling for 24 hours, round the clock and deployment of police personnel in uniform round the clock, where the height was reduced, was ordered. It was difficult for police to come from the eastern side of the wall. Iron Gate on the western corner was found to be

¹⁵⁴ Letter CW-9/11

useful for police reserve to go in and come out. Local officers were directed to put lock and put sentry on duty round the clock on the gate with further direction of putting concertina wire on the gate to increase the security.

36.6. The National Integration Council was now reconvened. Chief Ministers of BJP and CPM ruled states were absent in the NIC meeting. SR Bommai demanded the structure to be declared as protected monument. He expressed apprehensions that water logging could seep into the foundation of the structure and weaken it. The State Government did not disclose the purpose of digging and levelling operation. The Government was making all efforts to resolve the Ram Janam Bhoomi issue amicably. A suggestion was made by Indrajeet Gupta in the NIC meeting that the Government should make a request to High Court to hear the Ayodhya controversy on day-to-day basis and expedite the judgment. This statement was published in the media which was reported in the Statesman.

36.7. SB Chavan stated that UP Government was fully responsible for the protection of the structure. The UP Government had shown scant respect and attention to approve the comprehensive security plan drawn up to protect the disputed structure by experts of central agencies. Steps were being taken since December 1991, which would affect and help in diluting the safety of the structure¹⁵⁵.

¹⁵⁵ Refer to CW-4/12

- 36.8. IG Lucknow Zone on 27 June 1992 sought clear instructions regarding the exact area to be protected.¹⁵⁶
- 36.9. Dharam Veer Mehta addressed a letter on the 27th of June 1992¹⁵⁷. It was said to have mentioned about some rough forecast for the likely construction plan made available by 15th of June 1992. It was examined by the local SSP and DIG Faizabad. One of the issues addressed in the letter was identification of the security zone. It was suggested that keeping in view the development concerning levelling of the ground since 22nd March 1992 on the acquisition of land surrounding the disputed structure, security may be provided to the disputed structure rather than buildings and land falling outside it. The security arrangements were not to interfere with the activities of the Tourism Development Department on 2.77 acres.
- 36.10. The Muslims' Wakf Board claimed the disputed building known as Masjid and land around it known as Ganj Suhidan. There was a court order for maintenance of security of the disputed structure which was within the isolation cordon guarded by CRPF. There was an outer cordon of barbed wire guarded by the PAC and unauthorized entry was barred. Vinay Katiyar suggested putting of the tin sheets around the outer cordon of the disputed structure or shrine with windows on the eastern and western side to lookout points for the sentries. The suggestion was not accepted and was considered pregnant with dishonest motive.

¹⁵⁶ Corroborated by VK Sexana (CW 13) Chief Secretary

¹⁵⁷ This letter was not produced before the Commission and hence Its contents are not verified

36.11. The work was going round the clock. It was to be regulated through the gate commonly known as Raghu Gate which was however closed. The proposal with respect to entry and exit was rejected on the ground that this was not possible till the metalled road of 10 feet width from the Raghu gate to Channel gate was ready. The road was to provide three barricaded lanes; one for men, one for women and the third for the police. The proposal to shift the steel pipe barricading on the eastern side to be pushed towards the wall in order to make space of 100 to 120 feet was approved. It was left to the Government to take a decision on the proposal to allow putting *Mandaps* during *Chaturmas* festival. Sadhus, organizers and devotees within the area, after frisking, were to be provided free movement in the area falling outside the barbed wire fencing. A suggestion about security around the *Sheshavtar* temple on the south and the west of acquired portion, for which a gate was required to be provided by breaking the masonry wall, was allowed. It was observed that since the construction was at a distance of 500 feet from the shrine consequently, this was of no consequence. It was observed that the anti-sabotage check, by the bomb disposal squad, falling within the masonry wall would not be possible unless the wall was cleared of crowd. The proposal to shift the control room near the channel gate to Sita Rasoi was considered approved. Maintenance of lighting was proposed to be taken care of after the decision on the sharing of expenditure¹⁵⁸.

36.12. Apprehensions were expressed in view of the statements made by Hindu religious leaders and the declarations of Marg Darshak Mandal that

¹⁵⁸. These proposals were approved vide DW-5/6

Chaturmas would be observed in Ayodhya to propagate the construction of temple. There were apprehensions of demolition when Ram Janam Bhoomi Nyas requested the State Government for permission for Puja on 9th of July 1992 in view of the apprehensions of the gathering of a large number of Hindu religious leaders and the easy access to the disputed structure in view of the changed circumstances. The need for more security arrangements was acutely felt, especially because of the charged Muslim emotions and their demands which might have lead to communal violence. The Government's instructions were further sought in view of the security arrangements to the disputed structure alone. Apprehensions of possibility of situation going out of control of organizers over the people within the walled area were expressed. A suggestion to issue badges to the local workers was not implemented as it was felt that checking entry by badges was not possible for such a large number of people coming in thousands daily. The Central Government continually conveyed its desire for the tightening of security¹⁵⁹.

- 36.13. It was pointed out that the levelling had changed the ground situation. The Commissioner on 29th of June 1992 wrote to the Chief Secretary that in view of the levelling, the security scenario at Ram Janam Bhoomi Babri Masjid had drastically changed. Local administration had supposedly prepared a new security plan, which however never saw the light of the day and was never produced before the Commission. The Commissioner made a request for review of security afresh and for constitution of a high level committee for

¹⁵⁹ Corroborated by VK Sexana, Chief Secretary (CW 13). Also refer to File No. 14.200/36/D/92.

guidance; he sought clear instructions regarding the exact area to be protected and the identification of security zone.

37. July 1992.

- 37.1. AK Saran made his first visit to the disputed structure in July 1992. The question of deployment of PAC force for security was considered. At this point of time, it was noticed that the coordination between IB and district police had broken down¹⁶⁰. He admitted that security of the disputed structure required beefing up in July 1992. There was likelihood of congregation of large number of *Karsevaks*, Sadhus and Sants around the disputed structure in Ram Janambhoomi-Babri Masjid complex. He admitted that the strength of the PAC was raised from seven companies to 10 Companies in July 1992 along with posting of SSPs and District Magistrate.
- 37.2. During July 1992 till the 27th of July 1992 when the *Karseva* was stopped, the print and electronic media covering the temple movement was constantly providing a progress report of the work done on each day and target for next day.
- 37.3. District Magistrate addressed a letter to the Chief Secretary for the need of discussion for security of disputed structure at a higher level in view of the karseva on 9th of July 1992. He informed the state and other high ups in administration about the Anusthan Yagya on 6th of July 1992 in 11 Mandaps, with an anticipated gathering of thousands of Sadhus, who would stay till 13th of August for Sawan Jhula festival. District Magistrate and SSP

¹⁶⁰ Refer to DW 13/21

Faizabad also informed Home Secretary UP about the Sant Sammellans for Sarvdharma Anusthan on 9th July at Ayodhya on the acquired land. They reported that they anticipated a formal declaration of the starting of construction. A request for constitution of a high level committee for guidance and review of security was made.

37.4. The following suggestions made by the government of India had been accepted. A Magistrate and gazetted police officer had been deputed for round-the-clock duty for supervising the security arrangement at the complex. Nearby buildings had been secured against the threat of missiles. Bomb explosive detective squad had been deployed. Door frame metal detectors and other equipment was repaired and made functional and ten drop gates reactivated. It is significant that though the suggestions had been accepted in principle but these were not implemented, especially regarding the activation of the drop gates, increasing the height of the security wall etc. The acceptance of the suggestions was a paper exercise and did not translate into actual action.

37.5. Various leaders made varying declaration in or around July. Ashok Singhal spelt out various achievements during the construction movement and expressed apprehensions of hurdles likely to be placed by Central Government in the construction of the temple. He urged the UP Government not to succumb to the pressure of Central Government and asked the Sants to use their influence with the politician to facilitate the construction of the temple and not yield to any pressure. He challenged the claim of parties for secularism. The success of the construction movement

was claimed on the basis of the construction of Ram Dewar, acquisition of land, giving of land on long lease to Ram Janambhoomi Nyas, levelling of land etc.

37.6. Swami Satyanandji declared that the sentiments of the people could not survive by the mere passing of resolutions. One had to take concrete and constructive steps and therefore urged the people for demolition of the structure without bulldozers or permission from High Court, even if it resulted in the dismissal of the government. A committee of Sants was constituted for this purpose¹⁶¹.

37.7. Before the Commission, it emerged that Mahant Nritya Gopal Dass exhorted the Sants to participate in the *Karseva* programme of Sarv Dharma Yagna Avan Anusthan commencing on 9th July 1992 which would later prove to be the backbone of the temple construction campaign. He stated that the Hindu community had been waiting anxiously for construction of the temple. He further exhorted the people to make the further decision towards the second step for the construction of temple.

37.8. Other leaders of the movement like Paramhans Ramchander Das urged the commencement of construction of the temple from Garb Grah, where idols of Ram Lalla were installed. He and all other Sants openly expressed the view that structure should be demolished.

37.9. Apprehensions of consequences of demolition of structure at the international level were also expressed at this time. Demands for taking

¹⁶¹ Refer to CW 9/X, a pamphlet published and widely distributed by the VHP.

action against the person responsible for the incidents of 1990, for withdrawal of the cases were made and payment of compensation to the dependents of deceased of 1990 was sought¹⁶².

37.10. Vamdev Ji labelled the VP Singh and Samajwadi Party as anti-Hindu, Congress anti-national and declared that they could not be trusted, being corrupt. He cited the giving of 3 Bigha land to Bangladesh as conclusive evidence of this corruption. Steps taken by the UP State Government for the construction of temple and other administrative act were appreciated. It was also proclaimed that the unity of Hindus which had been secured over the ages with great difficulty was in danger of being jeopardized and therefore urged the people to support BJP during elections.

37.11. Mahant Avaidyanath admitted that had there been not a BJP Government, VHP by itself would not have succeeded on their own in the construction campaign. It had been successful because of the active participation of the government of the time, which was appreciated by him. He opined that the mere declaration of a date for commencement of the construction would create more problems and without doing so the success achieved would be redundant. He appreciated the Kalyan Singh government's courageous stance to honour its election promise for the construction of temple. Various references relating to political steps, and other development works by BJP were made; the emphasis was on widening the gap between Hindus and Muslims. The people were assured that the Sants would be present along

¹⁶² Refer to CW 9/X

with the *Karsevaks* and were eager for the construction of the temple. The Hindus were exhorted to strike back at Muslims¹⁶³.

37.12. Yugpursh Parmanand expressed apprehensions that the Central Government would create obstacles for the construction of temple¹⁶⁴.

37.13. Ashok Singhal, in the foreword to his booklet "*Shipra Aur Saryu Ki Tarango Tak*", claimed that the secular parties were worried because of the success achieved by VHP towards the construction of the temple spearheaded by the Sants. The success of the campaign was projected citing figures regarding the number of people participating in the Ram Janki Rath Yatra, Ramshila Pujan, Shila Nyas and Ram Jyoti etc. It was proclaimed that cooperation for the construction of temple had been offered irrespective of religion, area, or sects¹⁶⁵.

37.14. It was stated that *Karsevaks* were now ready for the final fight, which they had amply demonstrated by their contribution to the *Karseva* on the 9th of July 1992 and as demonstrated by the speeches of various leaders made in May 1992 at Ujjain.

37.15. Vam Devji claimed the existence of a congenial atmosphere for talks between the Prime Minister Narasimha Rao and the Sadhus and Sants and he also claimed that the manner in which talks were conducted indicated that there would be no question of raising any objection at all for the construction of the

¹⁶³ Refer to CW 9/X

¹⁶⁴ Refer to CW 9/X

¹⁶⁵ Refer to CW 9/X

temple. Jagat guru Ramanucharya Vasudev exhorted the Sadhus and Sants to participate in their full strength in Sarvadev Anusthan to be held on 9th July during Chaturmas celebrations in Ayodhya.

37.16. The Chief Minister expressed his inability to shoot the *Karsevaks* and told the Prime Minister that he alone could order it, if needed. It was further mentioned that only the Central Government could stop the work.

37.17. The call for karseva was on 2.77 acres and at the disputed structure was to commence on 9th of July 1992. According to BJP White Paper it was the culmination of the events of the past 21 months. Sadhus and Sants, *Karsevaks* started converging on Ayodhya since the first week of July 1992 for *Chaturmas* religious ceremony, Sarvadev Yagna Avam Anusthan and for *Karseva* for construction of platform adjacent to disputed structure on 2.77 acres. Pilgrims too started arriving in Ayodhya for the Hindu festivals from the 13th of July 1992 till August 1992.

37.18. The security forces were under the explicit orders from political executive and the Chief Minister Kalyan Singh¹⁶⁶ not to use force against *Karsevaks*. Police, administration thus became a silent spectator and a part and parcel of the *Karsevaks*. The number of *Karsevaks*, Sadhus and Sants including pilgrims arrived in July 1992 in Ayodhya was assessed at 50,000 to 60,000. *Karsevaks*, Sadhus and Sants numbering about 10,000 to 20,000 present at any given time around the clock at the Ram Janam Bhoomi Complex or near the disputed structure or the site, while the remaining forty to fifty thousand

¹⁶⁶ as stated by Parkash Singh (CW14)

would be in Ayodhya town for the event. They stayed over till September 1992 in Ayodhya¹⁶⁷.

37.19. VHP and Marg Darshak Mandal now expressed dissatisfaction over the Central Government's slow pace in redressing the dispute. They expressed appreciation for the steps taken by the State Government in levelling and providing the facilities of broader roads for *Karsevaks*. A note with respect to *Karseva* and *Karsevaks* was submitted to Chief Minister¹⁶⁸.

37.20. SC Chaubey¹⁶⁹ stated that on 3rd of July 1992 it was noticed by the media that VHP was organizing convention of Sants, which was being opposed by Muslims. There were chances of skirmish with forces and damage to property. A request for proper frisking and presence of District Magistrate and a Gazetted officer near isolation cordon was made.

37.21. Home Secretary Prabhat Kumar sent a note to the Government on 6th of July 1992. Wherein the presence of 20,000 *Karsevaks* in the Ram Janambhoomi-Babri Masjid complex was pointed. The further likelihood of lakhs of pilgrims coming for Chaturmas and possibility of damage to the disputed structure being caused was highlighted by the UP Home Secretary Perbhat Kumar. The IG pointed at the IB's concern at the statements of Hindu leaders in the background of the judgment, and expressed his apprehensions of damage to the disputed structure, pointing it out as fact to

¹⁶⁷ Refer to statements of NC Pandhi (CGW32), and Madhav Godbole (DW13), to BJP White Paper and DW 13/21

¹⁶⁸ Affirmed by NC Pandhi (CGW32) and Madhav Godbole (DW13)

¹⁶⁹ CGW23

the State. IB pointed out at the urgent need of addressing this grave issue by the Government. The Chief Minister had also received similar information from various other sources and was reminded of his undertaking to NIC as well. The DGPs and IG Lucknow zone pointed out urgent measures required for the security of the disputed structure.

37.22. The Home Secretary made further recommendations to identify a security zone, provide tin sheet barriers around the disputed structure, isolating the disputed shrine by digging pitches outside the barbed wire fencing from eastern and southern side. He also recommended the regulation of entrance and exit through the Raghu Gate, readjustment of the steel pipe barricading on the eastern sides, regulation of visitors to areas falling within the masonry wall and strengthening of security around Sheshavtar Temple. A gate was proposed to be provided by breaking a portion of masonry wall for men and material; regular anti-sabotage checks by the bomb disposal squad; restricting the anti-sabotage check to the area falling within the isolation cordon, or up to the barbed wire fencing. The recommendations also included the shifting of control room, maintenance of lighting arrangement around the disputed shrine and that the responsibility of ensuring satisfactory lighting arrangement around the shrine should continue to rest with the State Electricity Board¹⁷⁰.

37.23. The Chief Minister approved some of the suggestions e.g. installation of doorframe metal detectors on the gates of security wall, providing a separate gate for construction material for the Sheshavtar Temple, provision of funds

¹⁷⁰ Mentioned in DW 13/22

to the District Magistrate Faizabad for further increasing the height of the Ram Dewar / security wall, strengthening the barricading and installation of channel gates at the entry point of devotees. Orders were also issued to station the PAC company within the inner cordon; to provide funds for expenditure on lighting in Ram Janam Bhoomi Complex from the budget of the Home Department. Five additional posts each of Magistrates, Deputy Superintendent of Police were created for supervising security arrangements¹⁷¹.

37.24. Prabhat Kumar, Principal Secretary Home asked the UP DGP and the District Magistrate Faizabad to carry out the suggestions. He emphasized the need for 24-hours supply of electricity in view of large gathering¹⁷².

37.25. Chief Minister assured the Home Minister of India that the State Government was bound to take all appropriate steps at all costs for the protection of disputed structure.

37.26. Discussion with respect to security as well as review of security was undertaken on 6th July 1992. Principal Home Secretary submitted a note¹⁷³ to Chief Secretary. Commissioner affirmed the meeting and the security and threat perception was discussed. SP Gaur¹⁷⁴, Commissioner Faizabad admitted that there was a record of discussions held on 6th of July 1992 but

¹⁷¹ Mentioned in DW13/22. Refer also to DW 13/21

¹⁷² vide DW 5/16

¹⁷³ CW 16/2

¹⁷⁴ CW9

this was not produced before the Commission, for reasons best known to UP State Government and its officers.

- 37.27. AK Saran was posted to Ayodhya on 6th July 1992. He accepted that security arrangements decided by State Government were made by IG Security in consultation with local and other officials and thereafter necessary instruction were issued. He himself visited the site only on 8th July 1992 and no change was brought about Security till December 1992.
- 37.28. VHP started proclaiming by 7th of July, 1992 that the structure would be demolished and temple would be reconstructed by giving a new terminology or name for construction as "*Jeernodhar*."
- 37.29. There is overwhelming evidence before the Commission from which it can be concluded that *Karsevaks*, Sadhus and Sants, organisers, leaders of VHP, Paramhans Ramchander Dass, Vinay Katiyar, Acharya Giraj Kishore and other leaders present in Ayodhya in July 1992 were in a defiant, rebellious and aggressive mood. DB Roy¹⁷⁵ consciously made a false statement that the mood of *Karsevaks* in July 1992 gathering was peaceful. This statement is contrary to statements made by leaders of the movement who were present at the spot. This and the other evidence mentioned in this report supports the statement made by Parkash Singh that DB Roy and AK Saran were posted against his advice and they were reported to be in hand and glove with political executive. They were subservient to the local leadership. The differences about the postings and transfers of the officers, imposition of

¹⁷⁵ CW7

political decisions on him and arm pulling by the political leadership, local leadership of Ayodhya and the protagonists of movement resulted in his being relieved of his charge of DGP on 30th of September 1992.

37.30. VHP and Ashok Singhal, Sadhus and Sants or *Karsevaks* gathered at the spot and refused to stop construction of platform undertaken from Singh Dewar or obey the orders of the High Court. Paramhans Ramchander Dass etc, who were in the forefront while declaring the commencement of the *Karseva* later disowned responsibility for it, asking the Central Government was asked to speak to the Sadhus and Sants. They refused to own the responsibility for the ongoing construction work and the campaign was portrayed as being without any centralised leadership; no one knew who was in charge of *Karseva*.

37.31. BJP leadership and Government of UP failed to stop the construction. They chose to be mute spectators. BJP leadership expressed their lack of capacity to talk to the leaders of the movement, and asked the Central Government or the Prime Minister to hold discussions with the Sadhus and Sants and *Karsevaks*.

37.32. Godbole¹⁷⁶ said that despite of stay, construction of Chabutra was undertaken while the State Government disowned the responsibility of the ongoing work and further refused to take recourse to stop the work and to disclose the identity of police officers helping *Karsevaks*. He stated that prior to 7th of July 1992 the movement was without a central leader. The Chief Minister claimed that use of force would pollute the atmosphere and instead asked the

¹⁷⁶ DW13

Prime Minister and Home Minister to persuade the Sadhus and Sants to stop construction¹⁷⁷.

37.33. A committee reported that considerable government machinery was being used on the site¹⁷⁸.

37.34. Commissioner Faizabad SP Gaur¹⁷⁹ accepted that the security and crowd control was the responsibility of state, yet he said that he had no knowledge about the demolitions which took place in April 1992 to July 1992. He accepted that the arrangements for security in July and December 1992 were the same¹⁸⁰. SP Gaur also admitted that instructions issued by State were not brought on record wherein security was reviewed keeping in view the threat perception. SP Gaur as the Commissioner Faizabad convened a meeting attended by DIG police, District Magistrate, SSP Faizabad wherein the security plan dated 13th of July 1992 (which has not been produced before the Commission) was discussed. Braham Dutt Dewedi and Rajinder Gupta, Ministers were admittedly in charge of Ayodhya and development of Faizabad.

37.35. Ministry of Home Affairs on 11th of July 1992 pointed out as many as 12 serious security lapses and deficiencies. There was an inadequate deployment of the CRPF. There was a need barricade supplementation. Arrangements

¹⁷⁷ Refer to DW 13/54. See also a book by the Home Secretary of India, Madhav Godbole DW13, "Unfinished innings"

¹⁷⁸ Corroborated by Madhav Godbole DW13

¹⁷⁹ CW9

¹⁸⁰ Refer to CW 9/9. This was sent to the Home Secretary by the District Magistrate.

for frisking were inadequate. There was a need for protecting the policemen against projectiles which may be hurled from nearby residential houses, possibly by deployment of police on the nearby rooftops. Door frame metal detectors and close circuit TV cameras were not being regularly used. The effective height of the barbed wire fencing had been reduced due to the dumping of soil around it. A police post was required along with the physical presence of senior police officers at the site. There was a threat perception due to the large number of people staying in and around Ayodhya and congregating within the complex. It was desirable that Sadhus and Sants did not bring items like *trishuls* with them. Need for better crowd control around the structure, i.e. not more than 20 persons to be permitted at one time. On account of removal of the various barriers around the structure, isolation cordon had become vulnerable, and needed concentric rings of police personnel to stop the possibility of large crowds coming too close to the structure. Additional security plan prepared by the State did not contain anything substantive and yet the central plan was not being implemented.

- 37.36. The Home Secretary pointed out that 45 companies of paramilitary forces were placed at the disposal of the State Government out of which only 3 had been deployed. The UP Government was requested to place at least 5 of these companies in Ayodhya itself, 5 additional companies could be released on the condition that they would be deployed in Ayodhya alone. The government was also requested to suspend the construction. It was pointed out that with reference to letter dated March 30, 1992 Home Secretary had not received the plans. Technical evaluation of the effect of digging etc was

also requested. These points were repeated and reiterated in a letter dated 13th July 1992¹⁸¹.

37.37. The Home Minister of India visited the site on 12th July 1992 and gave suggestions for strengthening of security, which were accepted and communicated to DGP for their implementation¹⁸².

37.38. On July 12, 1992, Kalyan Singh expressed gratitude for the expression of satisfaction of the security arrangements on the visit of the Home Minister and repeated assurances for the complete safety of the structure. The Chief Minister also mentioned additional steps that had been taken for the security of the structure. These included some of the items pointed out in the Home Ministry's letter of July 11, 1992. He also stated that inspite of the Central Government not providing enough force to deal with terrorism in Tarai, there was communal harmony in the state¹⁸³.

37.39. SSP Faizabad undertook a security review on 13.7.1992 and submitted a report to DIG Faizabad¹⁸⁴.

37.40. Uma Shanker Vajpayee wrote to Surinder Pal Gaur, Commissioner Faizabad Mandal with reference to the 12 points relating to security suggested by the Intelligence Bureau. It was informed that some action had taken. An 18-inch wide and 10 feet high security wall security had been completed. A

¹⁸¹ Refer to CW 16/A, DW 7/4

¹⁸² Refer to DW-13/22

¹⁸³ Refer to DW 5/9

¹⁸⁴ Refer to DW 13/20

further increase in the height by 10 feet would obviate the necessity for barbed wire on it. Mobile security teams had been deployed around the under-construction wall on the outside, on the road. Since pilgrims were expected to go on the road along the wall, it would not be appropriate to put pressure sensors there. So far as infra-red beam pillars were concerned, the details were being worked out with Intelligence Bureau. Three CCTV cameras were working and 6 more were being procured. After the height was increased to 20 feet, there would be no need of digging a trench around the security wall. An electricity generator was being connected through a separate line. Dragon lights were being arranged separately. All DFMDs were working and appropriate barriers had been put in to regulate the entry of the people. Mounted police had been deployed the police had been properly briefed. According to the Intelligence Bureau planning, urinals and police control room were and in place and road was being broadened; the entrance and the exit were now separated. The security plan had been reviewed and would be implemented. According to this plan 7 companies of PAC and 4 companies of CRPF were to be deployed. In view of the Sarvdev Anusthan Yagya, security measures had been tightened by providing 3 more companies of PAC and 175 constables. In view of the changed circumstances, putting up of tin-sheets would not provide any additional security and a decision would be taken on the issue in the future. No weapon was allowed to be taken in the disputed structure. Control Room had been established in Sita Rasoi, on the side of the 100 feet wide road for which land had been given.

37.41. Some noticeable events during the period of 13th to 15th July 1992 were that S.B.Chavan the Home Minister of India informed the Lok Sabha that the UP Government had violated the court's orders. Allahabad High Court refused to stop excavation. It was proclaimed by one and all that structure would not be allowed to be touched. Prime Minister stated in Lok Sabha that structure would not be allowed to be demolished. He invited the VHP for talks. The Supreme Court asked for details as to whether any permanent construction had been made etc. The High Court directed construction to be stopped.

37.42. Traffic plans for pilgrims coming and going is alleged to have been prepared. It was noticed that exit and entrance passage of road from Singhdwar to Durahi Kuan would be divided into three parts, one for men, one for women and one designated as the exit. For the area within security wall from eastern side of security wall to near Sita Koop, a passage had been made available for entrance and exit, from where the entry to the disputed structure was not possible. No traffic plan has actually been produced before the Commission¹⁸⁵.

37.43. High Court on 15th of July 1992 ordered the construction activity to be stopped. The administration however failed to implement this order although it proclaimed to have made attempts to implement it.

¹⁸⁵ Recorded officially in File No 14.200/36/92.

37.44. The Home Minister also asked the Chief Minister vide Letter dated 16th of July 1992 to implement the High Court's order¹⁸⁶.

37.45. DGP, UP informed the Chief Secretary on 16.7.1992 that there was no need to handover the security of the Isolation Cordon to the CRPF, as withdrawal of 3 companies of CRPF from other district would be needed for this purpose. He pointed out that the Magistrate and gazetted officer on duty in isolation cordon were conscious about threat from explosives and therefore anti-sabotage team and bomb-disposal squad had been deployed. He suggested the entry of the visitors to Garb Grah should be restricted to groups of 20 people; more on festivals and busy days. Regulating the pilgrims in various places within and outside the Ayodhya town was also suggested. Frisking for security was being done. DFMD and other equipments were already there. Reply on these lines was sent to Home Ministry.

37.46. The Counsel for the state of UP informed the Supreme Court on the 16th of July, that Sadhus and Sants were preventing officials from visiting the site. The Additional District Magistrate and Additional SP had failed to persuade the 10,000 to 20,000 *Karsevaks* present at the spot to stop the construction. District Magistrate and SSP, Faizabad too failed to persuade the *Karsevaks* to stop the construction¹⁸⁷.

37.47. The publicized attempts of the administration themselves contributed to a surcharged environment. To comply with the court's order was not possible

¹⁸⁶ Recorded in official record in File No 14.200/36/92.

¹⁸⁷ Corroborated by RC Aggarwal (CGW31) the then Home Secretary.

without risking of lives, it was stated. Ashok Singhal, Paramhans Ramchander Dass, Onkar Bhave, Mahant Nritya Gopal Das, Swami Permanand, Ramanujacharya Swami Purushotamcharyaji; Ram Vilas Das Vedanti, Pandit Akhileshwar Das-Janaki Ghat; Swami Ram Das-Haridwara, Swami Ram Surat Sharan-Golaghat; Mahant Saryu Das-Raghav Mandir; Prem Das Ramayani; Rajinder Singh Pankaj-Saharanpur; and Kaushal Kishore-Varindavan refused to stop the construction at any cost.

37.48. Paramhans Ramchander Dass said that notice would need to be served on all the *Karsevaks* who were doing the *Karseva* in order to stop the construction.

37.49. The Governor asked for a report about the compliance of the Supreme Court's order. The Home Minister of India asked the District Magistrate to enforce the Court's order. The District Magistrate sought directions from the Chief Secretary, who told District Magistrate to comply with the orders of the Supreme Court. District Magistrate got back with a report on the unwillingness of Sadhus to stop construction¹⁸⁸.

37.50. During this period, around the 20th of July 1992 a meeting of BJP and VHP leaders including L.K. Advani, Vijay Raja Scindia, Murli Manohar Joshi with the Chief Minister took place at Lucknow. There is nothing on the record about what transpired in this meeting. LK Advani disclosed that in the meeting emphasis was focused on Government to take the initiative for a dialogue between the two parties, who were brought to the negotiating table

¹⁸⁸ Refer to CW13/50 and CW13/51, CW13/55, CW13/56, CW38/57, CW13/58, and CW13/59

by Chander Shekhar. Objection with respect to the use of word ‘mosque’ by the Prime Minister for disputed structure was taken.

37.51. The Home Minister was informed that there was no danger from *Karsevaks* to the peace and security. Additional forces of 10 companies of PAC, four companies of CRPF, 1CO, 3 DSP, 25 sub-inspectors and 210 Constable were deployed for the security.

37.52. The security arrangements were now centred only around the disputed area. Earlier the arrangement had been widespread and extensive, but had now shrunk. It was not possible to control the number of people within the security wall. It was suggested to the organizers to give identity cards to the *Karsevaks*. Suggestion was accepted but no action was taken. Anti sabotage, checks were carried out at the time of opening of temple and closing of the temple, which was not possible in the adjoining premises because about 4,000 to 5,000 people were there around it. The security of the disputed structure was reported to be associated with the security of the disputed premises¹⁸⁹.

37.53. Faizabad administration on 19th July, 1992 refused to use force to evict the *Karsevaks* for due compliance of the court’s orders. Kalyan Singh Chief Minister had already expressly prohibited the use force or any other coercive process against the *Karsevaks* or their leaders after his taking over as the Chief Minister as the temple construction was the election manifesto of BJP. The administration therefore now reported that it was not possible to use force as it would lead to large-scale violence. This report was perfectly in furtherance

¹⁸⁹ Refer to CW 16/5

and inconsonance of the election manifesto; the eviction of the *Karsevaks* was now next to impossible. This was reported to the Chief Secretary.

37.54. Kalyan Singh Chief Minister warned the Central Government on 21st of July 1992 against sending Central forces or their use against the *Karsevaks* as it would lead to a law and order crises.¹⁹⁰

37.55. Shaker Aggarwal¹⁹¹, the Special Secretary Home at the relevant time accepted that the administration depended on VHP to control the crowd of *Karsevaks*.

37.56. RC Aggarwal¹⁹² pointed out the ineffective and casual frisking by the security forces, referring to the incident of recovery of a knife from one Ram Parkash. VHP and Ashok Singhal still refused to stop construction of platform undertaken from Singh Dewar.

37.57. BJP leaders LK Advani, A. B. Vajpayee, MM Joshi, Rajmata Vijay Raja Scindia, met the Prime Minister on the 21st of July 1992. AB Vajpayee suggested that the Prime Minister should call the Sadhus and Sants and talk to them about construction. The Prime Minister wanted the suspension of the *Karseva*. The RSS told the Prime Minister to talk to Sants and Sadhus for this¹⁹³. It was claimed that no one knew who was in charge of the *Karseva*. The very leaders of VHP, BJP, and RSS who had made the announcement

¹⁹⁰ Refer to the statement of Parkash Singh (CW14), as well as the other evidence and a conjoined reading of the circumstances.

¹⁹¹ DW7

¹⁹² CGW30

¹⁹³ Refer to the BJP's White Paper

regarding the *Karseva* now disowned the responsibility for it and asked the Central Government to talk to the Sadhus.

37.58. Ashok Singhal expressed hope of solving the problem within three months as stated by the Prime Minister in the meeting of Sants in Delhi. K.Sudershan admitted that during this period, considerable part of the Chabutra had already been built. The Supreme Court on 22nd of July 1992 directed the UP Government to unconditionally stop the construction going on in Ram Janambhoomi complex. The UP Government assured that the orders would be implemented by 27th of July 1992.

37.59. S.P.Gaur, Commissioner, Faizabad stated that the security arrangements were reviewed in the meeting taken by him with DIG, District Magistrate and SSP Faizabad on 23rd of July 1992. He stated that security plan dated 13th of July 1992 and the alternative plan dated 21st of July 1992, prepared by SSP Faizabad were discussed¹⁹⁴.

37.60. The Prime Minister thereafter held discussions with the Sants on 23rd of July 1992. They refused to implement Supreme Court's order and UP administration refused to use force to implement the same claiming that, it would lead to large scale violence. It was after the Prime Minister's intervention that the *Karseva* was finally stopped. The Prime Minister was given a time of three months to resolve the dispute.

37.61. Home Secretary of India sought information on the 25th of July 1992 about the activities with respect to the acquired land, the construction, Bhoomi puja

¹⁹⁴ Refer to CW 9/4

for Shesh Avatar Temple, present status, transfer of land by lease to Ram Janambhoomi Nyas and its possession etc.

37.62. The campaigners for the construction of the temple, on or about 26th of July 1992, announced that the *Karseva* would be resumed in November 1992. The next phase of *Karseva* would be around October or early November. LK Advani once again during this period, stated that the Ayodhya dispute could not be settled through court cases.

37.63. In a TV interview on the 27th of July 1992, Prime Minister Narasimha Rao stated that there those who were secularists, and believed in governance based upon constitutional principles were agitated over the dispute, the development of the disputed structure being an impolitic representation. He bemoaned that the orders of the Lucknow Bench of the High Court were not being implemented despite assurance of the UP Government to the NIC. The Central Government believes that avenues of amicable solution be explored in the first instance; do not undermine the basic principles of constitution. The state must respect the verdict of court. Responsibility of UP Government to ensure the compliance of courts order to stop construction activity was pointed out. He stated that the situation was allowed to escalate by the State Government up to a point and now the State Government was expressing its inability to do anything and passing the onus on to the Central Government. He invited the Sadhus and Sants for negotiation but the dialogue could only be undertaken after the construction activity was stopped.

37.64. It was stated that the pacific settlement would be facilitated by the Central Government within four months time and this approach was found acceptable by all. The objective of the Central Government had been to defuse the situation and to avoid a confrontationist approach. The government was conscious of upholding the dignity of judiciary and respect for the rule of law. The Prime Minister pointed out that even the Congress electoral manifesto declared that they were committed to finding a negotiated settlement and if one could not be arrived at, then all the parties must respect the verdict of the courts. The Congress was for the construction of the temple without dismantling the mosque. The Prime Minister made a similar statement in the Parliament on 27th of July 1992.

37.65. S.C.Dixit, a prominent leader of the VHP, while rebutting the Prime Minister's version, stated in the Parliament that *"there is a difference between the Prime Minister's understanding and that of Sadhus on what transpired between them should be cleared before any negotiations. Sadhus and Mahants will give three months time to the Government to solve the problem after which the process of negotiation will no longer be binding on them."*

37.66. The Home Minister prepared a proposal for consolidation of litigation in various courts in matters relating to Ayodhya and prepared a proposal to refer to the Supreme Court under article 138(2) of Constitution of India by issuing a special legislation for the purpose. Notably, Madhav Godbole¹⁹⁵ observed that though this proposal of reference to the Supreme Court under article 138 (2) was made, but the final decision was that it should not be pursued. It

¹⁹⁵ DW13

was decided on the contrary to request the Supreme Court to pass an order taking over all the litigation.

37.67. Ashok Singhal intimated the *Karsevaks* that the *Karseva* would restart sometime in October or November while the construction of Shesh Avatar Temple would continue. This was repeated in the public meetings on 28 July, the 9th September, and on 16th, 18th and 31st of October 1992¹⁹⁶.

37.68. A committee was constituted on 29th July to assess the consequences of water logging and ex post facto approval was taken for the same.

37.69. Ashok Singhal declared on 31st of July 1992, which declaration was published in the media and which is not contradicted by anybody, that any constitutional or court solution even if found, would not necessarily mean that the same would be accepted by VHP.

¹⁹⁶ Refer to CW 9/4

38. August 1992

- 38.1. A request for review of security was again made on the 4th of August, 1992¹⁹⁷
- 38.2. The Supreme Court on 5th of August 1992 declined to transfer the land acquisition cases to itself and appointed a local commissioner to inspect the sites and report on any violation of its order.
- 38.3. A strong objection was taken by the hardcore protagonists of the temple campaign to the Prime Minister referring to the disputed structure as the *Babri Masjid* in his speech on Independence Day in 1992.
- 38.4. Kalyan Singh too took a similar stance in spite of being the Chief Minister declared on the 23rd August that "If the decision of Hon'ble Supreme Court with respect to Ram temple would be against the emotion of Hindus, we will make a separate law for the construction of temple"
- 38.5. The Home Minister of India requested a review of the security in association with the IB and CRPF. The DGP held a meeting for reviewing the security on 28th Aug 1992¹⁹⁸ and took some decisions with respect to security¹⁹⁹.
- 38.6. An Ayodhya cell was created under the Chairmanship of Naresh Chandra on 30th of August 1992.

¹⁹⁷ Corroborated by RC Aggarwal (CGW31)

¹⁹⁸ Refer to CW31/19, CW 31/19A, DW 13/20. The fact was further corroborated by V.K. Sexena (CW13) chief secretary and Madhav Godbole (DW13) Home Secretary of India.

¹⁹⁹ Refer to DW 13/20

39. September 1992

- 39.1. It was announced that *Charan Paduka Puja* would commence from 26th of September and go on till the 25th of November. Sadhus would carry Charan Paduka to 6,00,000 villages for recruiting 60,00,000 *Karsevaks*. *Karsevaks* recruited were required to swear an oath that they would not return from Ayodhya before the construction of temple was complete. This *Karseva* was likely to take place in November and about 5000 Sants were expected to congregate in Delhi.
- 39.2. Mobilisation for Charan Paduka Puja continued in the last week of September. During this process, V.H. Dalmia and Ashok Singhal stated that the temple could not be constructed without demolition of the mosque. The Chief Minister, in his rally at Lucknow, expressed doubts about intentions of the Prime Minister for negotiations. He further expressed his preparedness to start the construction at the direction of Sadhus and also stressed on the need for mobilisation at the national level.
- 39.3. The UP Government issued a press statement stating that so long as the land was in the custody of government, no construction would be done over it. The statement was published by the media on the 2nd of September 1992.

- 39.4. The Central Government asked the State Government on 7th of September to review the security by associating CRPF and IB in view of likely presence of a large number *Karsevaks*²⁰⁰.
- 39.5. The Central Government team sent a letter to the State Government on 14th of September 1992 asking the state Home Secretary Prabhat Kumar about the action taken on its report. A copy was sent to the DGP, District Magistrate and special secretary²⁰¹.
- 39.6. The state replied to the letter stating that the security has already been reviewed at the highest level, without association of IB and paramilitary forces for security²⁰².
- 39.7. The Chief Secretary pointed out new dimensions about the damage to the disputed structure, changes in security arrangements on site around Ram Janam Bhoomi as well as high level review of the security²⁰³.
- 39.8. The SSP Faizabad reported incidents of skirmish with the Assistant Commandant CRPF and a complaint was made by Uma Bharti about alleged misbehaviour with her, by the CRPF.
- 39.9. Ashok Singhal on 21st of September, issued a statement that the temple renovation committee would take the decision with respect to continuing the *Karseva*. It was further decided to start the construction in accordance with

²⁰⁰ Refer to CW13/40

²⁰¹ The contents are recorded in File No. 21.200/44/D/92.

²⁰² Refer to CW13/40

²⁰³ Refer to CW9/6

the decision of Sants and carry out the mobilisation for the same at national level.

39.10. The VHP took a decision on the 24th of September that the period of three months given to the Prime Minister for resolving the dispute would not be extended. The people were asked to be prepared to start the construction work at the direction of Sants. Mobilisation at the national level was carried out.

39.11. Review of the security and discussions with SSP was held on the 29th of September. It was pointed out that the building of the security wall had not progressed and no construction work had been undertaken for the last many months. The Chief Secretary asked the DGP Tripathi for making the necessary security arrangements. DIG Uma Shanker Bajpai wrote to Commissioner Faizabad for a review of security in view of contents of letter of 29th of September after discussion with the SSP. The letter could not be found in the official records.

40. October 1992

- 40.1. The Home Minister of India admittedly held a meeting of VHP and AIBMC in October. This meeting of experts was held on 3rd of October 1992 with SB Chavan, the Union Home Minister in the chair. Badri Prasad Toshniwal, Ashok Singhal, S.C Dixit, Onkar Bhave, Justice Devki Nandan Aggarwal, Dr. S.P. Gupta, Dr. B.R. Grover, Dr. Devendra Swaroop Aggarwal, Justice Dharam Vir Sehgal and Dr. Harsh Narain participated as nominees of the VHP. Sultan Shahabuddin Owaisi, Syed Ahmad Bukhari, Mohd. Azan Khan, Jawed Habeeb, Zafaryab Jilani, Dr. Shafiqur Raman Burq, Prof. R.S. Sharma, Prof. Surag Bhan, Prof. B.N. Jha, Syed Abdul Barkat Nazmi, Maulana Idris Bastavi and Maulana Muzzafar Hussein Kichhauchhavi as nominees of AIBMAC participated in the meeting. Coordinators of the meeting were Sharad Pawar, the Defence Minister, Bhairao Singh Shekhawat, Chief Minister Rajasthan, P.R. Kumaramangalam, Minister of State for Parliament Affairs and S&T, and Subodh Kant Sahay, former Minister of State (Home).
- 40.2. The AIBMAC presented a questionnaire addressed to VHP. Both sides were requested to give evidence. VHP put up their claim in writing, while AIBMAC did not put up any written claim. It was repeatedly said that no further time would be given after 23rd October 1992.
- 40.3. Commissioner SP Gaur Faizabad was of the perception that the call for *Karseva* given by VHP was for construction of temple on 2.77 acres acquired

land and at the disputed site. He sought appropriate directions for security of the disputed structure in view of these changed circumstances. A reminder was sent by him on the 14th of October. An assurance was given by the state to the Supreme Court that no construction would be carried out in the acquired land²⁰⁴.

- 40.4. The Central Government, in view of the altered topography of the Ram Janambhoomi-Babri Masjid complex requested State Government for a review of the security, keeping in view the suggestions made by DGP CRPF on 17th of October 1992 by associating CRPF and IB. One company of CRPF with a Mahila CRPF Company was deployed in the isolation cordon of the disputed structure. State police and PAC were deployed in inner cordon. Force was deployed for the protection of Ram Janambhoomi - Babri Masjid shrine, i.e. the disputed structure. To ensure effective coordination between the forces deployed in the isolation cordon, it was suggested that responsibility of deployment of PAC / state police etc. within the inner cordon be. It was also suggested that a Magistrate and a Gazetted local police officer be exclusively posted for duty with the CRPF in the isolation cordon. The entry of visitors to Ram Janambhoomi -Babri-Masjid Shrine (Garb Grah) was to be strictly regulated in manageable batches. They were to be escorted by the civil police personnel. Batches were not to be of more than 20 persons. Entry of the next batch was to be allowed only after the first batch moved out of the isolation cordon. The crowd of VIP / visitors needed to be regulated from various places within and outside Ayodhya town. In no

²⁰⁴ Refer to CW9/40 & CW 9/14

circumstances, large crowd was to be allowed to collect on the entry points of outer or inner cordon of Ram Janambhoomi Babri Masjid shrine thereby bringing avoidable pressure on the force deployed in the isolation cordon. It was further suggested that the adjoining buildings of Ram Janambhoomi - Babri shrine like Sita Ki Rasoi and Manas Bhawan etc were to be appropriately secured against any possible mischief by rowdy elements. The disputed structure was required to be protected from any damage from these buildings. Installed equipment was to be rechecked. Drop gates to be put up again. It was suggested that there was a need to deploy bombs/explosive detection squads consisting of the trained and skilled personnel at appropriate places. The core of the security arrangements of Ram Janambhoomi -Babri Masjid complex continued to lie with an effective system of frisking and checking of visitors. Checking of visitors was to be carried out under the personal supervision of gazetted police officer.

- 40.5. It was again pointed out that due to inadequate and ineffective regulation of crowd in and around Ram Janambhoomi -Babri Masjid complex, batches of 400 to 500 persons were allowed by the local authority to enter the Garb Grah on Ram Naomi Day i.e. 11th April, 1992. As a result of this, the CRPF deployed in the isolation cordon was outnumbered and overwhelmed. They virtually performed an impossible task in manning the isolation cordon. Only a semblance of security of the disputed structure was kept. Door frame metal detector and other equipment installed for regulating /checking of visitors were not working properly and the local authority was not paying any attention for putting them in order. It was brought to the notice of State that

despite of repeated requests and personal contacts, the State or authorities had not shown any inclination for implementing the suggestion given by Central Government. It diluted the effectiveness of the limited CRPF contingent deployed for the security in the isolation cordon of the disputed structure. It was felt that as the CRPF was deployed to assist the State police, it would be advantageous to provide clear-cut drill and instructions for the course of action to be adopted by the CRPF personal in such circumstances, to discharge their responsibility of the security of Ram Janambhoomi-Babri Masjid shrine effectively. A request was made to do the needful at earliest by calling a meeting of all the agencies concerned including CRPF²⁰⁵. A similar request was made by Home Secretary of India, and reiterated by Vinod Dhal, Joint Secretary (Home)

- 40.6. Bal Thackeray took a decision on 25th of October 1992 to participate in the *Karseva*. It was announced that this was not going to be a mere symbolic *Karseva*, but the actual *Karseva* at the spot by construction of temple.
- 40.7. RSS observed on 27th October 1992 that three months had elapsed and no amicable solution had been found nor any perceptible result had achieved by the government. Finally, on 29th October , the negotiations collapsed.
- 40.8. VHP called and organized a meeting of the Dharam Sansad on the 30th of October for deciding the future course of action. In the meeting, the Sants expressed their angst at the inability of the Prime Minister to resolve the

²⁰⁵ Refer to the statements of VK Sexena (CW13), RC Aggarwal (CGW31), Madhav Godbole (DW13) and CGW 31/21A

dispute. They referred to his description of the disputed structure as mosque in his Independence Day speech delivered from the Red Fort and took that to be a clear indication of his intentions.

40.9. They wanted the Prime Minister to hand over the disputed structure to Hindus. Acharya Dharmendra Dev stated that he had already decided the 6th of December 1992 for the *Karseva*, which decision was later approved by all Sadhus.

40.10. The decision was taken to resume the *Karseva* on the 6th of December 1992. Thereafter Dharam Sansad also concurred in this decision taken by the Kendriya Marg Darshak Mandal.

40.11. NC Pandhi²⁰⁶ said that Acharya Dharmendra Dev visited the disputed structure on 31st of October 1992.

40.12. DGP SVM Tripathi visited the disputed structure on 31st of October and the 1st of November to look over the security arrangements.

²⁰⁶ CGW 32

41. November 1992

- 41.1. In November 1992, the Chief Minister refused to associate the CRPF or the Intelligence Bureau in reviewing the security, asserting that State Government was competent to secure the disputed structure. Nevertheless, the Central Government stationed 195 companies of paramilitary forces near Ayodhya in case of need.
- 41.2. The festivals of *14 Kosi Parikarma* and *Kartik Poornima* were scheduled to be held from the 3rd to the 10th of November in which lakhs of pilgrims were to participate eventually²⁰⁷.
- 41.3. A.K. Saran informed the DGP about the adequacy of security provided for the disputed structure and the complex during festivals. Force deployed consisted of 10 companies of PAC, 6 companies of CRPF, 33 Sub Inspectors, 3 main reserve and 80 reserves. The emphasis was solely on the deployment of security forces for the disputed structure and the complex during festivals. It was further informed that 80 reserves would be deployed from 1st of November to the 11th of December²⁰⁸.
- 41.4. Ashok Singhal declared on 8th November that negotiations had finally failed. *Prabhat Pheri's*, ringing of *thalis*, blowing of conches, ringing of bells etc. on 29th November was carried out.

²⁰⁷ Refer to DW 13/31

²⁰⁸ Refer to CW 8/9

- 41.5. *Karsevaks* were to come to Ayodhya from Gonda, Barampur between the 4th to 7th December; from Kanpur Rural and Bihar from 5th to 7th December and thereafter from Sita Pur and Bisvan from 7th to 9th December. A decision for issuing identity cards to the *Karsevaks* after identification was taken²⁰⁹.
- 41.6. The Chief Secretary held a review meeting on 2.11.1992 for reviewing the security. Prabhat Kumar Principal Secretary Home, SVM Tripathi DGP, SNP Sinha Additional DGP Intelligence, CK Malik IG Security, AK Saran IG Lucknow Zone, and Shekhar Aggarwal Special Secretary participated in the meeting. In the meeting, the letter addressed to the Chief Minister by security forces especially with respect to report on the happening on Ram Naomi in April and the suggestions from paramilitary forces and Central Government were considered. It was decided to beef up the security arrangements²¹⁰. It was asserted that though between the 3rd and 10th of November several lakhs pilgrims had visited Ayodhya on the occasion of *14 Kosi* and *Kartik Poornima* yet the disputed structure had remained safe²¹¹.
- 41.7. It was decided that there was no need to hand over the responsibility of the inner cordon to the paramilitary forces as requested by them. There was no coordination between CRPF and PAC, while deployment of Magistrate and Gazetted police officer was already there. Regulating the entry on ordinary days was not required and during festivals it was likely to be done. It was observed that changing the measures would create law and order problem as

²⁰⁹ Recorded in official file number 23.1R-1074-92-CX-2 as a note. Corroborated by AK Saran, IG in CW 8/9

²¹⁰ The proceedings were recorded in CGW 23/24

²¹¹ Corroborated by Shekhar Aggarwal (DW7), SC Chaubey (CGW23), V.K.Sexena (CW13)

all would not be able to have Darshan. It was felt that the security of disputed structure from the adjacent *Bharwan* had been ensured. Bomb disposal squad was deployed and frisking was carried out in presence of one area police officer who was stationed in complex along with the Magistrate.

- 41.8. It was highlighted that so far as the responsibility of CRPF for security was concerned, they were deployed for the support of the State Government and ought to work under its control. The CRPF's apprehension regarding recommencement of the construction was brushed aside because it was felt that there was no possibility of anyone defying the Supreme Court's order. Construction of a security gate was rejected on the excuse that it would violate the court's order and under garb of repair of the disputed structure, construction may be undertaken. A decision for making funds available to district officers for raising the height of the wall was taken. It was observed that all the suggestions made during the Central Government's team visit on 12th – 14th July had already been complied with. Installation of link hanged wire and pressure sensors was declined. With regard to infrared beams, more information was sought from Central Government. Watch towers were decided to be installed. It was decided that installation of iron padlocked gates on the streets was not feasible since road barriers were already serving the same purpose. Digging of trenches around the complex was declined. Number of CCTVs in working condition was increased from 2 to 6; ten drop gates were installed. Three laned iron barricading for *darshnarthi* was installed. The minutes of the meeting²¹² were sent to the officers. It was

²¹² CW 8/10

considered that adequate security arrangements were made keeping in view the experience of 1990²¹³.

41.9. On the 2nd of November, the VHP, RSS, BJP along with the participation of Ashok Singhal, VH Dalmia, LK Advani, Murli Manohar Joshi, Kalyan Singh, KS Sudershan, Badri Prasad Toshniwal, Sunder Singh Bhandari, Lalji Tandon, Rajinder Gupta, Khusabhai Thackeray, considered various options in the eventuality of High court stay order not being vacated. There is no documentation of what transpired or was decided in the meeting.

41.10. It was considered that it would be preferable to give up the government rather than to give up the construction of the temple; that Kalyan Singh should continue to press for a speedy disposal of the court cases. It was also debated how the Congress could be reduced to merely a reacting agent so that the *Sangh* could seize the political initiative. Other organizations were urged to participate in the karseva. This was published in the Telegraph newspaper dated 3rd of November²¹⁴. KS Sudershan²¹⁵ corroborated these facts as reported and affirmed them. Clearly now, the campaign was in the hands of VHP, RSS and BJP.

41.11. Some of the Sadhus like Vishvesh Tirath of Udipi Math, Vamdev, Paramhans Ramchander Dass and Mahant Nritya Gopal Dass as members of

²¹³ Refer to the statements of A.K. Saran (CW8), Akhilesh Mehrotra (CW11), SNP Sinha (CW12), and K Sudershan (CW18).

²¹⁴ CW18/12

²¹⁵ CW18

VHP apex body and as Sants met the Prime Minister as forerunners or leader of the movement.

41.12. On 3rd November 1992 AK Saran formed the opinion that approximately 1,50,000 karsevaks would be coming to Ayodhya on the 6th of December and therefore wrote to DIG Faizabad asking him to make arrangements for security, crowd management and traffic arrangement.

41.13. The decisions taken in the review meeting held by the Chief Secretary were approved by Chief Minister. Putting up DFMD at gates of security wall were approved. Separate entry for construction material for Sheshavtar temple was approved and provided. Money was sanctioned for raising the height of security wall, construction of 5 watch towers, providing generator, dragon lights, and channel gates. It was decided to strengthen barricades, deploy PAC in the inner cordon and that the expenditure would be borne by the Home department. 5 Magistrates were to be added as area Magistrates for Faizabad²¹⁶.

41.14. Chief Secretary issued instruction for implementation of the decisions taken and simultaneously sought information from DIG Bajpai of Faizabad about the identification of Bhawan from where danger was perceived to the disputed structure and where forces were required to be deployed.

41.15. For the purpose of mobilizing karsevaks, the entire country was notionally divided into parts and the numbers of *Karsevaks* required from each part were specified. It was arranged that at any given time, 25,000 *Karsevaks* would stay

²¹⁶ *Approved vide CW 12/4*

in Ayodhya for a maximum of 48 hours and go back. They were asked to come with saffron flags and musical instruments etc²¹⁷. The VHP made arrangements for the stay of 25,000 to 30,000 *Karsevaks* and this was affirmed by Ashok Singhal on 4th of November in his press statement. He further confirmed that *Karsevaks* would be called from each state for two days in groups. In case required, all would be called simultaneously and warned that in case the government was dismissed, there would be dire consequences. K.Sudershan claimed that the preparations for *Karseva* had began at a massive scale and continued throughout after the announcement for resumption of *Karseva* on the 6th of December²¹⁸.

41.16. K.Sudershan confirmed that ultimately because of the large number of *Karsevaks*, they were lodged in various *ashrams* or buildings etc. and even by the roadside.

41.17. The Supreme Court declined to appoint the Central Government as the receiver in view of the undertaking that the *Karseva* would be carried in accordance with the court's orders; and the State Government's agreement to stop any construction activity²¹⁹.

41.18. The Allahabad High Court, concluded hearing the challenges to the acquisition on 4th of November, and reserved judgment. The judgment was slated to be pronounced on the 29th of November but was later postponed to

²¹⁷ Refer to the statements of Peeyush Srivastava (CGW10)

²¹⁸ Refer to the statements of Vinay Katiyar, K.Sudershan (CW18) and NC Pandhi (CGW32)

²¹⁹ Refer to CW 16/21 and White Paper CW 16/21

the 5th of December and to the 11th of December. It was finally pronounced on the 12th of December 1992.

41.19. The media reported that on the 6th November 1992 that stopping of *Karseva* was not possible.

41.20. The RSS had made it clear that it considered that a mere symbolic *Karseva* would be a setback to the campaign. There were rumours about the Central Government's contingency plans for imposition of President's Rule. In the background of the rumours of the possible imposition of President's rule, an *Ekta Rally* was taken out on the 9th of November 1992.

41.21. Meanwhile on the 1st of November, the Prime Minister had assured the AIBMAC that the government would not allow karseva and that the law would take its own course.

41.22. The Chairman of the Babri Masjid Action Committee with leaders like Maulana Muzaffer Hussein Kachachauri, Vice President Mustaq Ahmed Siddiqi, Advocate Zafaryab Jilani, all India Convenor and the members of the state Committee, Ms Aftaz Ahmad Siddiqi, Muhammad Muqueemud Din, Mohammad Nasir, Zakir Ali and SV Hashmi urged the people to reach Faizabad on 9th November 1992 and reiterated that the government ought not to allow the laying of foundation stone of a Mandir in any plot²²⁰.

²²⁰ Corroborated by Abdullah Nasir

- 41.23. The discussions between the VHP and the Muslim groups were inconclusive and ended in a stalemate on the 8th of November. Swami Chinmayanand refused to meet the Prime Minister.
- 41.24. The plan for *Karseva* was drawn up in a meeting held on the 11th of November. It was decided that meetings should be held at various levels i.e. district, sub-division, town, block and larger villages for clearing any confusion about the karseva.
- 41.25. The All India Babri Masjid Action Committee pulled out itself of talks on the ground that since the next date for *Karseva* had already been fixed and declared, therefore, the negotiations would be meaningless, unless the call for karseva was recalled, which the VHP was not willing to do. Thus there was no point in continuing the negotiations. The Muslims announced that morning processions would be taken out from the 29th of November till the 5th of December²²¹.
- 41.26. Raju Bhayia requested the Prime Minister to get the judgment expedited as it was fixed for pronouncement on 11th November 1992.
- 41.27. LK Advani met the Prime Minister on the 12th of November and asked him to finally resolve the issue with Muslim leaders by getting them to agree to the compromise proposal that the BJP, RSS and VHP had already made; to build a mosque after the relocation of the structure²²².

²²¹ Refer to the statements of AK Saran (CW8) and Kumaramangalam (CW3)

²²² Refer to the statement of LK Advani CW23

41.28. The Shiv Sena (Tangri) group lead by Kikar Singh, President of UP Group and Ashok Dawra National President held a meeting of about 100 *Karsevaks* on 15th of November at Lucknow where they criticized the BJP and the police. It was decided by them that 500 *Karsevaks* of Shiv Sena would be called from each division and in case the VHP did not commence Karseva on 6th December then the Shiv Sena (Tangri Group) would go ahead on its own²²³.

41.29. The BJP and RSS suspended all other programmes with effect from 15th November in order to clear the decks for the 6th of December. The old and infirm cadres were requested not to join the karseva²²⁴

41.30. In the meeting held by the IG zone on the 16th of November, a demand for security arrangements was made, keeping in view the *Karseva* and the agitation²²⁵. It was requested that the IB and CRPF be associated with the review²²⁶.

41.31. Keeping in view the fast paced events, a request was made to the State Government to make use of the central forces. However, the VHP, BJP and other members of the Sangh Parivar and the leadership of the temple construction campaign was apprehensive of Central Government's intervention. The State Government thus declined the request of the Central Government for deploying para military forces. Chief Minister Kalyan Singh

²²³ *Note of the Government reporting the fact is recorded in File No. 23.1R-1074-92-CX-2*

²²⁴ *Corroborated by N.C. Pandhi (CGW32), Peeyush Srivastava (CGW10) and Akhilesh Mehrotra (CW11).*

²²⁵ *Refer to the statement of Akhilesh Mehrotra (CW11)*

²²⁶ *Vide CGW 31/21A*

protested against the stationing of para military forces near Ayodhya, being in violation of the federal structure provided by the Constitution of India.

41.32. A veiled threat of serious consequences was held out by government and Chief Minister Kalyan Singh in case of any intervention by the Central Government in the programme scheduled from the 17th till the 28th of November²²⁷.

41.33. The Urban Development Minister Brahm Dutt Dewedi and Finance Minister Lalji Tandon were deputed to decide the issue of double barricading to the north and east of the Sheshavtar temple along which the police was to be deployed. This was to ensure that no person coming from the gate would be able to reach the acquired land without checking. They were to discuss the situation with the DGP and finalise buffer zones between the disputed structure and *Karsevaks*. This was never done.

41.34. The Home Secretary of UP was in charge of the subject of communal harmony. In the process of preventing all rumours about Ayodhya, he directed the identification of the sensitive places; taking note of small incidents and to take remedial measures. He directed that processions should not be allowed without proper police arrangements; magistrates and police officers should be assigned to such areas. He noticed the need for the intelligence machinery to be geared up and for a close watch to be kept on communal and anti-social elements²²⁸.

²²⁷ *Refer to CW 32/4 and CW 31/21A*

²²⁸ *The directions are noted in file 16.200/52/D/92*

- 41.35. Chief Minister on the 17th / 18th of November addressed a letter²²⁹ to the Home Minister of India asserting that maintenance of law, order was the responsibility of State Government, and that there was no need to review the security²³⁰.
- 41.36. The VHP leadership was wary of the Central Government's possible intervention, which had given a veiled threat of the imposition of President Rule. It organised a *Jan Jagran* programme from the 17th to the 28th of November. LK Advani, during his meeting with the Home Minister, reiterated his resolve to go ahead with the *Jan Jagran* and other programmes.
- 41.37. With the concurrence of the Central Government, the Chief Minister, through Naresh Chandra, Secretary of Ayodhya cell, appealed to the High Court to deliver the operative part of the judgment on the 18th of November.
- 41.38. In his meeting with the Prime Minister on the 18th of November, LK Advani insisted on the continuance of the *Charan Paduka* programme. He asserted that a reference to Supreme Court could be made under article 143 of the Constitution as that article envisages a reference on a single point. It would facilitate the construction of temple. The Home Minister insisted on a reference under Article 138(2) under which the consent of the State is required in view of the variance of views of the State Government and that of the Union of India with respect to the disputed structure.

²²⁹ CGW 32/4 and CW 31/21A

²³⁰ Refer to CGW 32/4 and CW 31/21A

- 41.39. Kalyan Singh pointed out in the Vidhan Sabha that the VHP and BJP were agreeable to a single point reference to the Supreme Court. A showdown between the protagonists of the construction campaign and its opponents was perceived.
- 41.40. Vinay Katiyar disclosed the modalities of *Karseva* to CK Misra, a journalist, on the 20th of November. He expressed his apprehension about the Government being dismissed and stated that they are prepared for the same. In view of this apprehension, a change in the strategy of *Karseva* had been made. Now, the *Karsevaks* would not come from their respective districts on the dates already fixed, in small batches. They would enter Ayodhya silently between the 30th and the 5th of December and would spread out over an area of 25 kilometres around Ayodhya, which had been divided into 12 divisions. Each division would have five to six sectors. The sector in charge would be responsible for bringing the *Karsevaks* in groups of 10, accompanied by one Bajrang Dal *Karsevak*. The name of the sacrificial Bajrang Dal *Karsevak* and sector incharge would not be disclosed to media. The decision with respect to the names of the sector incharge, as well as sacrificial *Karsevak* would be decided on the 21st of November in the meeting at Rani Bazaar. Sants would come along with their Jathas after making declarations.
- 41.41. In the absence of the Prime Minister, to take stock of the situation Cabinet Committee meeting of Arjun Singh, Sharat Pawar and SB Chavan took place on 20th and 26th of November 1992. By now, the number of *Karsevaks* likely to come to Ayodhya was estimated to be 4 to 5 lakhs.

41.42. On the 20th of November, the Supreme Court in its order observed, *“Venugopal submitted that the State Government is second to none in its anxiety to ensure the enforcement of the orders of this Court. He stated that as there are ongoing parleys amongst the various groups for settlement, any contemplation of immediate coercive action on the part of Government might be counter-productive. The State Government would be able to spell out its programme of action to ensure obedience by about the end of this month when it will be able to know or reasonably anticipate the possible outcome of the parleys. We think it is also necessary for the Union Government to indicate its stand in the matter so that we may have its assistance in making such orders as would ensure enforcement of the earlier orders of this Court. We, therefore, direct Attorney General / Solicitor General to be present in court at 2 PM on Monday 23rd of November 1992”*.

41.43. It was left open to Central Government to make its own assessment of the matter and to take appropriate action.

41.44. The Central Government expressed its willingness on the 20th of November to provide whatever assistance was required by the State Government for compliance of any order that the court might pass.

41.45. The Home Ministry, through its letter dated the 21st of November brought to the notice of the state the violent reaction and damage to the disputed structure in July 1991. The Home Minister further expressed his apprehension about generation of religious frenzy at the proposed karseva and again held out a veiled threat of imposition of President's Rule²³¹.

²³¹ The facts were officially noticed in File No 16.200/52/D/92.

- 41.46. It was reported in media that the IB had, in its dispatches dated 22nd of November, stated that the Sangh intended to demolish the structure. It was also stated that the dismissal of the Kalyan Singh Government after 22nd / 24th of November, would mean having to manage an unmanageable number of *Karsevaks* which would entail arrangements at a massive scale.
- 41.47. A meeting of the NIC was held on 23rd of November, specifically on the Ayodhya issue, which was boycotted by VHP and BJP. The NIC authorized Prime Minister PV Narasimha Rao to deal with the situation as it evolved, even without the BJP or Shiv Sena being participating in it. It gave a free hand to Narasimha Rao to take any step considered essential to uphold the Constitution and to prevent violation of the Court's orders. The Government was desired to take appropriate action and to stop the *Karseva*.
- 41.48. Moreshwar Save said that in the National Integration Council there was no substantive remedial proposal evolved to decide the issue. He stated that Hindu Sangathans were criticised without any basis. Shiv Sena and he had decided to boycott the meeting as there was no possible measure which could solve the problem. The meeting's agenda about the communal tension was only to defame Hindu Sangathan²³².
- 41.49. The Supreme Court invited an assurance from the VHP leaders and the State Government to the effect that no construction of either permanent or temporary nature would take place.
- 41.50. On the 25th of November 1992, the Supreme ordered that

²³² A letter CGW 20/23 was addressed on the same lines

“8. We do notice from the submissions of Shri Venugopal that the situation is not without its emotive surcharges; but is at these trying times the capacity for statesmanship of these who bear the burden of Government – of good government – is put to test. They should display statesmanship and deal with matters in such a way that would not result in the destruction of constitutional institutions and in the upsetting of social equilibrium. However, we make it clear to Shri Venugopal that if the State Government is not in a position to come forward with a convincing stand that will re-assure the Court that no violation of its Orders will be permitted, we might have to consider the prayers in I.A. No. 5 for the appointment of a Receiver or directions to the Central Government to ensure obedience to the Court orders. We do hope that the State of Uttar Pradesh will not compel the Court to take that course leaving it no other option.

9. In view of the serious situation pointed out by the learned Attorney General, it may not be proper to adjourn the matter for seven days as sought by the State of Uttar Pradesh. We, however, think it reasonable to adjourn the matter till Friday 2.00 P.M. on the assurance of Shri Venugopal that the honesty of purpose on the part of the State Government to pursue the negotiations with the religious groups carries with it an implicit assurance that, in the meanwhile, the ground realities would not be altered to the detriment of the Court orders. Shri Venugopal said the State Government would seek to persuade the religious groups to defer 'Karseva' till after the pronouncement of the High Court or at least for a reasonable time in future. If any constructive response is forthcoming from the State Government, we might, in order to strengthen the hands of the State Government in its handling of the

religion groups, consider making appropriate request to the High Court in the matter of need for most expeditious decision of the matter."

41.51. On the 28th of November, the UP Government undertook to comply with the court's order dated 25th of November, to the effect that no construction of permanent or temporary nature would take place, though to assuage the religious feelings of Ram Bhakts, construction at some other place would take place. No construction machinery, material shall be moved in or around the acquired land. This was stated in an affidavit filed by the State Government. The undertaking in verbatim is, *"[that] the State Government assures the Court that no construction materials or machinery would be on the acquired land and no construction activity will take place and carried out. High Court interim orders are in force in the writ petition pending before it relating to the land acquisition case."*²³³

41.52. The Supreme Court hearing an application praying for an injunction against the proposed Karseva while declining a specific injunction made it clear that no physical construction at the spot was to be allowed. On 1.12.1992, ordering that due publicity should be given about the undertaking, the Supreme Court declined to prevent the symbolic *Karseva*. It however directed that the disposal of the other cases be expedited²³⁴.

41.53. The High Court's interim orders restraining any construction in the 2.77 acres of acquired land, were in force in the acquisition writ petitions. Due

²³³ Corroborated by VK Sexena, Chief Secretary

²³⁴ Refer to CW 13/8

publicity, as desired by the Supreme Court was given by Doordarshan and All India Radio with respect to symbolic *Karseva*. It appointed the observer so that no construction work was carried out. Simultaneously, H.V. Sheshadri, Rajinder Singh, KS Sudarshan forerunners of RSS described the permission only for symbolic *Karseva* as a setback to the movement.

41.54. The Supreme Court's observer proceeded on the presumption that his mandate was only to report on the construction activities, though from the pleadings that were before the court in which eventually the order appointing the observer was passed, and from the order itself, it becomes abundantly clear that the observer was to act as the Supreme Court's eyes and ears on the ground and to update it with any and all developments which might have had any bearing on the developing situation. By construing the wide ambit of the Supreme Court's order in a very artificial and narrow perspective, the observer kept the Court in the dark and prevented the Court from having access to the material and happenings which might have enabled it to take a more proactive stance and to pass appropriate orders.

41.55. Chief Minister assured the then Home Minister of India that the security arrangements would be foolproof. He expressed the hope for a settlement within the following ten days. It emerges from the evidence and testimony that the security arrangements were being made only in pretence.

41.56. The offer of the Chief Minister to the Home Minister that if the Centre allowed the *Karseva*, the BJP Government would in turn, ensure the safety and security of the structure, by itself speaks about the intentions of the state.

- 41.57. These facts and declarations were published in media. These observations or facts were not refuted even when the then Chief Minister appeared before the Commission. Only in the official records, the security was being reviewed from time to time.
- 41.58. VHP leaders Chinmayanand and Vijay Raje Scindia filed affidavits in the Supreme Court undertaking that neither any construction would be done nor any construction material would be carried in the Ram Janam Bhoomi Babri Masjid complex. They accepted that the *Karseva* would only be symbolic and only for assuaging the feelings of the *Karsevaks*²³⁵.
- 41.59. Vinay Katiyar claimed that in conversation with Narasimha Rao, and on being asked how the karseva could continue without violating Supreme Court's order, replied that it could be carried out on the undisputed land²³⁶. This was in contradiction to the Supreme Court's order of the 28th of November.
- 41.60. The UP Government had informed the Central Government that development and construction plans for the acquired area had not yet been finalised. Even without any construction plans it had commenced the demolition, digging and levelling.
- 41.61. The Chief Minister accused the Central Government in his letter dated the 26th of November that by sending and stationing the Central Forces, it had

²³⁵ Corroborated by Akhilesh Mehrotra (CW11)

²³⁶ This claim was neither corroborated nor put to Narasimha Rao

given up the course of amicable solution for a confrontation²³⁷. He pointed out that as per the intimation sent to the State Government, the paramilitary forces had not been put under the State Government's control, and it further appeared that they had been deployed and not merely stationed. References were made to the claim of the officers of the paramilitary forces to the press that they would not work under the state forces, and they would work independently²³⁸. Withdrawal of central forces was therefore requested.

41.62. Purshotam Narain Singh, Secretary of state Unit of VHP stated, “[that] VHP has begun rescheduling district level meetings of Karsevaks and karseva can be prior to 6th December 1992.”²³⁹

41.63. Sometime later on around 24th of November, the VHP implemented its contingency plan and calling all *Karsevaks*, issued new instructions²⁴⁰. Similar apprehensions were pointed out on the 30th of October and the 2nd of November when the review of security was undertaken.

41.64. In view of the threat perception the Central Government had, by the 24th of November stationed 195 companies of paramilitary forces around Ayodhya

²³⁷ Refer to DW13/20.

²³⁸ Refer to DW-12/5, DW-13/20, and DW-13/22. Refer also to the statements of Madhav God bole (DW13), Peeyush Srivastava (CGW10), N.C. Pandhi (CGW32), Ramchander Paramhans Dass (CW11), Shaker Aggarwal (DW7), Mulayam Singh (CW12), and VK Sexena (CW13) Chief Secretary who corroborated these facts. The facts are also found in the affidavit of Kalyan Singh filed in Supreme Court DW 13/20.

²³⁹ Reported in the Times of India newspaper dated 25th of November 1992. This was within the knowledge of the State Government, as is apparent from a note appended to the file No. 15.200/51/D/92.

²⁴⁰ Corroborated by Peeyush Srivastava, NC Pandhi (CGW32)

anticipating possible deployment by the State Government for the security of the disputed structure. The Additional DGP Law and Order inspected the disputed structure and the State Government was accordingly informed. A fax message²⁴¹ was sent to the UP Government informing it that these forces were being stationed at suitable places in UP with an object to make them available at short notice as and when required by the State Government for deployment. The force stationed had been clearly instructed to be available to the state without seeking any further orders. The central forces had started moving to Faizabad on the 19th of November.

- 41.65. The Chief Minister on the 25th of November objected and protested against the stationing of forces at Ayodhya. Objections and excuses were that there was a possibility of a conflict arising out of dual control. This movement of the paramilitary forces was said to be violative of constitutional federal structure as it had been done without the concurrence of the State Government. The Chief Minister demanded the withdrawal of the paramilitary forces. In a published statement, Kalyan Singh stated that, "*The Centre is out to create civil war like situation in the State by sending Central Forces without our consent. Do they want clash between the Central and State forces?*" He again reiterated the protest on the 25th of November which finds mention in the affidavit²⁴² of Chief Minister filed before Supreme Court in the contempt proceedings. Objections were made with the hidden object or purpose as emerged from the post-facto events, i.e. the state intended to keep

²⁴¹ CW 13/15 and CW 4/2

²⁴² DW 13/20

its plans secret and not to allow non-State Government controlled agencies to be privy to them.

41.66. The leadership also made irresponsible allegations against the conduct of the forces and protest letters were also sent to the Central Government²⁴³. These allegations were later found to be false.

41.67. Admittedly, Champat Rai was the local manager for the construction of Ram temple. He issued a statement on the 24th of November in a Conference at the *Bhagwada Charya Samark* in Ayodhya that it had been decided to adopt guerrilla strategy for the 6th of December. His own words, “*Guerrilla Shaily Apnayenga Karseva mien*” were published by the media on the 25th of November²⁴⁴. There is no reason to disbelieve this part of the statement specifically when no cross-examination was directed towards these facts.

41.68. Intelligence agencies reported that the Bajrang Dal and Shiv Sena were vying with each other for the “fame” of blowing up the disputed structure and this fact was within the knowledge of VHP. The Shiv Sainiks and VHP cadres were practicing archery under the tutelage of Krishna Kumar Pandey. The Shiv Sena cadres swore an oath at Saryu River to demolish the disputed structure in the presence of local leaders and Vinay Katiyar etc.

²⁴³ See CW 16/26 & CW 16/27. Prabhat Kumar Principal Home Secretary (CW16), VK Sexena Chief Secretary (CW13) corroborated the facts. The facts are further found in the affidavit of Kalyan Singh filed in Supreme Court DW 13/20. These facts are also corroborated from the official noting in the record.

²⁴⁴ The fact was corroborated by Suman Gupta (CGW9) and CK Mishra (CGW49)

- 41.69. It was observed that the morale of *Karsevaks* was low and there was a general sentiment expressed that they had not come there to eat and sleep but had come to construct the temple; they were becoming undisciplined.
- 41.70. It was felt that the VHP had lost possession of the site in dispute because of the acquisition. A number of leaders criticized the UP Government's decision to acquire the land and it was asserted that the UP Government had complicated the matter since the acquisition had been challenged in the courts²⁴⁵.
- 41.71. The changed program for the *Karseva* also resulted in the overflowing number of *Karsevaks* who had therefore to be lodged in the *Ashrams*.
- 41.72. The Prime Minister who perceived the *Karseva* to be illegal made it known that Central Government would implement the courts' orders.
- 41.73. Kalyan Singh called an emergency meeting²⁴⁶ of Ministers and directed them to mobilize *Karsevaks* in UP, at least 10 people from each Gram Panchayats of which were 75,000. Thus, almost 750,000 *Karsevaks* were to be mobilized from UP state itself. The same demand was made of the BJP MLAs in the UP Government. The chief Minister denied this news report. However, the mobilisation of *Karsevaks* by the BJP MLAs for the construction of temple cannot be denied. The enthusiasm of the Chief Minister, his entire conduct in the campaign, the election manifesto, his conduct during and after the elections, coupled with the fact that he gave specific orders not to use force

²⁴⁵ See reports CW 12/24, CW 12/25, and CW 12/26

²⁴⁶ Reported in the Times of India newspaper dated 26.11.92

against the *Karsevaks* cannot be lost sight of. In the totality of the evidence on the record and the circumstances, the act of the state to attempt to conceal its real objectives, the news report cannot be said to be false even if it may be an exaggerated version.

41.74. The *Karsevaks* from UP had started converging on Ayodhya and spread around it in a clandestine manner, even though the Prime Minister had been given time up till the 26th of November. *Karsevaks* from Andhra Pradesh, Tamil Nadu, Kerala, Karnataka, Orissa, Maharashtra and Gujarat also started arriving in Ayodhya with a constant flow from the 27th November onwards. The influx of the *karsevaks* was despite all publicity which had been done on the orders of the Supreme Court.

41.75. Activists of Shiv Sena led by Satish Pradhan MP, Anil Kalia District Chief, Pawan Pandey MLA, Vijay Raj District Chief, Mahkoo Singh, District Secretary, Arvind Kumar District Chief *Student Army* and Shiv Tripathi Chief of *Student Army* met at Faizabad on the 28th of November. The decision to commence actual *karseva* by demolishing mosque and undertaking construction of temple rather than symbolic *karseva* was taken. Pawan Kumar Pandey was directed to provide shelter and food to the *karsevaks* in different places²⁴⁷. They proclaimed that the RSS, VHP and Bajrang Dal were connected with the BJP which itself come out from the

²⁴⁷ See CW 9/13

Congress and they all wished to establish a secular state. Only the Shiv Sena wanted to establish a *Hindu Rashtra*²⁴⁸.

41.76. The meeting was reported by intelligence agencies to the higher bureaucracy as well as the political executive, and was even referred to in the report dated 1st of December 1992²⁴⁹. The government did not even pay lip service, much less respond to this threat upon the revelation of this open secret.

41.77. SP Gaur Commissioner Faizabad accepted that security arrangements were constrained by the State Government's direction that coercive force must not be used at the disputed structure or the Ram Janambhoomi -Babri Masjid Complex. The State Government was pretentiously of the view on record, that the use of force would be counterproductive. Even the Commissioner Faizabad assumed that no untoward or undesirable incident was likely to happen. Thus, the entire security edifice had been paralysed by the explicit order not to use force. He laid emphasis that they were concerned more about the safety and security of public attending the area. SP Gaur also admitted that it was communicated, "*since there is no hindrance for reaching the acquired land and disputed structure, presence of antisocial elements cannot be ruled out or denied. In case of Karsevaks getting excited for any reason it would not be possible to protect the disputed structure.*"²⁵⁰

²⁴⁸ Corroborated by SP Gaur

²⁴⁹ CW 16/21

²⁵⁰ Refer to CW9/12. This was also recorded in the official note in file number 23.1R-1074-92-CX-2.

- 41.78. Home Minister SB Chavan requested the UP Chief Minister for a comprehensive review of security through a letter²⁵¹. Parkash Singh²⁵² disclosed that the Home Minister also directed the putting up of concertina rolls, at various points to be indicated by the CRPF.
- 41.79. The Additional DGP requested instructions in view of developing situation. He informed the State Government that given the failure of the negotiations and VHP's determination to resume karseva with effect from the 6th of December, there was a likelihood of the situation being vitiated further. It was getting increasingly difficult to predict the turn of events and it was apprehended that they might take an ugly turn. This information and request was faxed to the government and noticed by it but still no substantive action was taken²⁵³.
- 41.80. It was decided to hold a *Lalkar Diwas* and for the purpose, committees were constituted. It was to commence on the 29th of November and continue up till the 5th of December. On the other hand, the DGP circulated a letter to all police officers of the state advising them to take necessary measures in view of the upcoming festival and to keep tabs on the communal situation and on anti-social elements in the State.
- 41.81. Ashok Singhal etc challenged the undertaking of the UP government and Kalyan Singh to the Supreme Court and the National Integration Council, and rhetorically asked, "*Who is Kalyan Singh?*". The other leaders of the

²⁵¹ CGW 32/5

²⁵² CW14

²⁵³ See note in file no. 16.200/52/D/92.

movement also ridiculed and objected to the undertakings given by the state, its administration and by Vije Raje Scindia and Swami Chinmayanand as the VHP's representatives, to the Supreme Court.

41.82. The Chief Minister and government officials asserted that there were adequate security arrangements²⁵⁴

41.83. The Governor of UP sent his assessment about Ayodhya, that the prevailing situation was pregnant with threat to the disputed structure. He however advised against the imposition of President's Rule²⁵⁵.

41.84. Godbole asserted that the Law Secretary PC Rao had opined that it would be incorrect to impose President's Rule in view of the fact the Hon'ble Supreme Court was seized of the matter.

41.85. It was obvious and categorically admitted that no effort to restrict, check or regulate the number of *Karsevaks* in Ayodhya or Faizabad was made. Arrangements for hospital, ambulance, barricades to regulate the crowd to avoid stampede was made only for about 1 to 2 lakh people with and only after 28th of November. The *Karsevaks* were using the graveyards to defecate. Akhilesh Mehrotra stated that the movement of *Karsevaks* after the 28th of November was only by foot as no vehicle was able to come out. It is also not disputed that *Karsevaks* and other antisocial elements damaged six *Mazars* and graves near Ram Katha Kunj on the 1st of December. Stones were pelted at the house of Mohd Shamim.

²⁵⁴ Refer to CGW 30/6

²⁵⁵ Refer to CGW 32/6, CGW13/8

- 41.86. *Karsevaks* entered into the old mosque and stoned the scooter borne peace rally organised by the Congress²⁵⁶. *Mazar* of Maqi Shah, Babri Mazar and another *Mazar* at Ram Katha Kunj were damaged and graves levelled. I find that these facts are conclusively established.
- 41.87. Admittedly, vehicles used to reach up to parking spot in Ayodhya up till the 6th of December. It was also admitted there were parking places across Saryu, at Katra, on the other side of Saket Degree College and even at Durahi Kuan for the 6th of December.
- 41.88. Narasimha Rao stated that he had to work with the State Government as he had no *locus standi* otherwise to take direct action.
- 41.89. Peeyush Srivastava stated that a meeting of officers, Commandants, Deputy Commandants, Assistant Commandants etc. was held by the UP DGP at Ayodhya on the 30th of November. However, he declined to state what transpired at the meeting claiming that he had no memory of it²⁵⁷. He however accepted construction material and machinery was very much there even on the 30th of November.
- 41.90. KS Sudarshan reached Ayodhya on the 30th of November. He denied all knowledge about the damages to graves, *Mazars* etc. although this fact was apparently known to one and all. This cannot however be believed as he was one of the key figures looking after the *Karseva* for 6th December 1992 at Ayodhya. All the leaders were meeting daily, as stated by Uma Bharti. The

²⁵⁶ Reported by the IB. vide CW 9/12, CW-13/8, and CGW 38/25

²⁵⁷ DW 13/21; corroborated by VK Saxena

programmes used to be announced every day at Ram Katha Kunj. He was the main and top leader in the RSS hierarchy present there. Ashok Singhal, Vinay Katiyar etc have also admitted that they were RSS Pracharaks at one point of time. Apart from that, it was not disputed that all used to seek advice from time to time from RSS. It is clearly discernable from the statements and on consideration of the evidence that RSS and its leaders were actively and passively conniving at the damages caused to *Mazars* and mosques, graves and the defiling of graves.

41.91. The fact of the damage to Mazars and mosques, graves and defiling of graves was not disputed. Even the administration sent a report and an FIR was duly registered. DSP CID BD Rajput stated that on 2nd of December 30 to 35 *Karsevaks* removed the door of a mosque in *Mugal Pura* known as *Khetwali Mosque* and the Mosque of *Maniparvat* was damaged²⁵⁸. He further stated that the house of Mohammad Hassim was attacked and house of Syed Akhlaque Ahmed near Babri Masjid was surrounded and attacked by *Karsevaks*.

41.92. The Home Secretary directed the central forces in Ayodhya to be ready and at red alert.

41.93. DGP visited Ayodhya and issued fresh instructions on 30th of November. There was an apprehension of trouble because of the large crowds in the vicinity of the disputed structure; which apprehensions were voiced.

²⁵⁸ Note recorded in File No 16.200.52/D/92.

- 41.94. The Central Government brought to the notice of the State Government, the inadequacy of security arrangements.
- 41.95. The *Karsevaks* were threatening to start the *Karseva* from the Garb Greh and to demolish the disputed structure. The threats and acts of *Karsevaks* were indicative of their mood and of intention to demolish the disputed structure. This apprehension of demolition of the disputed structure was corroborated by the reports of damage to other Muslim properties²⁵⁹.
- 41.96. The resentment against a mere symbolic *Karseva* was apparent and reported to the State Government²⁶⁰.
- 41.97. The sifting of the evidence and statements leads to a conclusion that the State Government was conscious of the potential disastrous consequences of the call given for *karseva*. It was the state's duty to ensure the implementation of the court's order and prevent the demolition of the structure. The State had conceded on the record that it was duty bound to provide adequate security to prevent the demolition of the disputed structure.
- 41.98. In Cabinet Committee, meeting it was noticed that Chief Minister Kalyan Singh refused to refer the dispute to the Supreme Court under article 138(2) of constitution of India with larger scope. He was willing to make a single point reference, for advice only under Article 143 of Constitution of India.

²⁵⁹ Refer to CW 12/7, CW 13/8

²⁶⁰ vide CW 16/22

42. December 1992

- 42.1. The leadership of the movement found accommodation at Ayodhya insufficient in view of the large number of karsevaks reaching there and therefore LK Advani asked the people not to proceed to Ayodhya. They were instead advised to break their journey and stay where they were for the time being.
- 42.2. The Chief Secretary expressed his apprehension about the security arrangements and feared damage to the disputed structure because of the large gathering in and around the disputed structure as well as the Ram Janam Bhoomi Complex in Ayodhya town. He not only apprised the Chief Minister about it, but held a meeting with him on the 1st of December. Decisions taken were conveyed to officers on the 2nd of December²⁶¹.
- 42.3. IG Zone AK Saran however categorically denied, for reasons best known to him, the factum of this letter or the instructions issued to him rather even after seeing the letter and instructions.
- 42.4. SVM Tripathi, UP DGP in view of assurance given to Supreme Court, issued a DO letter requiring the following steps to be taken - *Karsevaks* be provided with identity cards and organizers should help in identifying them by their presence at entry gates, DFMDs to be installed, checking to be carried out where needed and finally, the *Karsevaks* be permitted to proceed

²⁶¹ Refer to CW 13/22

in small batches of 1,000 to 2,000 to the places of karseva. The administration was advised to be in constant touch with organizers, by the political executive.

- 42.5. Even after the damage to the *Mazars* on the 1st of December, the administration did not become cautious and it appears that the administration consciously took no steps to contain the crowd or their aggressiveness.
- 42.6. The Commissioner held a meeting of the DIG, District Magistrate and SSP Faizabad for security and implementation of Hon'ble Supreme Court Orders. No recorded proceedings were produced by him.
- 42.7. The Commissioner Faizabad showed ignorance about the admitted fact of demolition of *Mazars* and the police's failure to disperse the crowd on the 1st and 2nd of December.
- 42.8. Akhilesh Mehrotra claimed that during his tenure, he was the sole ASP while prior to him and after 1st of December there was one ASP (City) and another ASP (Rural). He was found to be a compulsive liar by me, as observed during the course of his statement and in this report as well. He has had the audacity to deny even admitted and undisputed facts like the BJP's participation in *Karseva* in 1990, the beating of journalists, and the riots etc. He was found by me to be willing to go to the extent of making up false stories to support the state administration. He has attributed the riots to firing from a Muslim's house, which case has not even been put forth by Vinay Katiyar,

Paramhans Ramchander Dass etc. He has denied the incident of looting which is an undisputed and admitted fact.

42.9. A numbers of meetings by various officers were held at various levels i.e. Commissioner, DGP, the Chief Minister etc. on the 1st of December to take stock of the security arrangements around the disputed structure. The proceedings were recorded but not produced before me.

42.10. The Additional DGP Intelligence and Security held a meeting with IG Lucknow Zone, DIG Lucknow and SSP Faizabad, Gonda, Bara Banki and Sultan Pur. Decisions were taken in presence of DIG Faizabad, District Magistrate, Faizabad and SSP Faizabad. Among other decisions, it was decided that the senior officers would remain in touch with the organisers of the *Karseva*.

42.11. In the course of a meeting and discussion with Chief Minister and the DGP on the 1st of December, a decision was taken that *Karsevaks* would be allowed to enter in small groups of 1,000 to 2,000 during the day time. They would be allowed to enter from one gate and exit from the other. Construction material to Shesh Avatar Mandir would be permitted to be taken in from one gate and the passage leading to the gate would be levelled. Barricading between the structure and the eastern security wall was to be extended so that there would be no gaps²⁶². The decision was intimated to the District Administration. Nothing has come on record that decisions taken were implemented. It appears decisions and actions remained therapeutic.

²⁶² See DW 13/20

42.12. There were some reports of undesirable elements mixing with the crowd, however no specific information sufficient for their identification was ever given²⁶³. The evidence and the statements of Akhilesh Mehrotra, DB Rai, AK Saran etc reveal that no serious attempt was made to verify these reports. There was no verification of the *Karsevaks* or identification of the undesirable elements.

42.13. Prabhat Kumar admitted that “*Karseva*” was commonly understood to refer to the construction of the temple at the disputed site. Shiv Sainiks and other *Karsevaks* were only too eager to perform this form of the *Karseva* especially since the Sadhus and Sants were expressing resentment against the idea of a mere symbolic karseva²⁶⁴. It was reported by him also during the meeting taken under the Chairmanship of DGP in which SPs of Faizabad, Basti, Gonda, Barabanki, Sultanpur, DIG Faizabad, Additional IG Intelligence, Additional DG Law and Order, IG Security, IG Lucknow Zone, DIG Lucknow Zone, SSP Lucknow participated²⁶⁵.

42.14. It was reported that there were no barricades towards the 2.77 acres of land on the 1st of December which made the structure easily accessible. The situation was assessed to be fluid. The SSP Faizabad to collect and send intelligence prior to 1st of December. In a meeting, the *Karsevaks*’ aggressive mood was also pointed out²⁶⁶.

²⁶³ *The fact was not disputed and admitted by AK Saran (CW8)*

²⁶⁴ *See CW 16/21 and CW 16/22*

²⁶⁵ *Minutes of the proceedings were recorded vide CW 12/56*

²⁶⁶ *Corroborated by SNP Sinha (CW12)*

- 42.15. The Home Minister of India expressed his apprehension about the inadequacy of security measures and the non-existence of any contingency plans on the 1st of December. He noticed the background and expressed the need for greater security²⁶⁷.
- 42.16. The District Magistrate informed the Government that between 6:00 hrs and 7:00 hrs on the 1st of December, about 35 unknown people in Ayodhya town damaged 3 graves situated in *Kuber Tilla* and on the corner of southern side road of the State Park. At a distance of 1 furlong from these places, one *Mazar* of *Kamlishah* and two *Mazars* of *Hazratshah Paharshah & Bazrat Makkishah Rahmtullah Alle* were damaged. Some people from the Muslim community and the representatives of Babri Masjid Action Committee met the DIG and SSP at 9:00 a.m. and again at 4:30 in the evening and consequently FIR No.193/92 under sections 147/148/149/504/506/295 IPC was registered at 1:40 p.m. Other than these incidents, he reported that the situation in Ayodhya and Faizabad was peaceful.
- 42.17. Principal Secretary, Home received a fax message²⁶⁸ dated the 2nd December from the Joint Secretary-Home intimating him about the damage to the *Mazars* etc. and the resultant communal tension in the area. Intimation was also received from the Joint Secretary-Home that Muslims were terrorized and leaving Ayodhya for safe places²⁶⁹. The Home Minister of India also sought information with respect to the said incident on 2nd December²⁷⁰.

²⁶⁷ Recorded in note in File No 16.200/52/D/92.

²⁶⁸ CW-13/17

²⁶⁹ CW13/19. See also CW13/20 which is 103 and 25/31. Corroborated by Dr. VK Sexena

- 42.18. Admittedly, the total strength of force available as on the 2nd of December consisted of 33 companies of PAC, 4 companies of CRPF, 5 SPs, 14 DSPs. 15 teargas squads and 700 constables.
- 42.19. LK Advani stated before the Commission that he was not informed about the plan made for karseva or about any rehearsal which might have been organized by the karseva organizers. Earlier in 1990, the organisers had however planned this, as is recorded in a office note. The Telegraph newspaper had reported in November that in a meeting of leaders of Sangh Parivar attended by K Sudershan, LK Advani, MM Joshi and Ashok Singhal etc. at RSS office on 2nd November 1992 logistics and other details had been worked out.
- 42.20. On the 2nd of December about 60,000 *Karsevaks* were present in Ayodhya. The district administration asked for more force to deal with these numbers, which was declined by the State Government.
- 42.21. The DGP, U.P. in a meeting with the Chief Minister on 2nd December 1992, expressed his apprehensions about the security of the disputed structure on account of the large crowd in the vicinity of the disputed structure²⁷¹.
- 42.22. Mulayam Singh, Subodh Kant Sahay and various other political leaders also expressed their apprehensions about the security of the disputed structure. They told the Prime Minister that the deployed force was not going to be able to prevent the *Karsevaks* from attacking the disputed structure. Even the

²⁷⁰ recorded in the office note in File No.16.200/52/D92

²⁷¹ See DW 13/22 and DW 12/5

leaders would not be able to control the huge congregation of *Karsevaks* on 6th December 1992 in view of the militant and aggressive posture of the *Karsevaks*²⁷². It was pointed out to the Prime Minister that he should not believe RSS's claims about their ability to control and discipline the crowds. It was reported that Sadhus and Sants openly expressed their resentment²⁷³. JS Bisht, the Commandant of the CRPF expressed concerns about the possibility of demolition of disputed structure through his letter dated the 2nd of December.

42.23. SVM Tripathi²⁷⁴, on the 2nd of December gave details of the deployed force and asked for additional force. The Commissioner repeated his request for 14 more companies of PAC²⁷⁵. Acharya Dharminder admitted that on 4th December 1992 that the food arrangement had been made for 50,000 people, while the actual numbers were close to 1,50,000.

42.24. Intelligence reports dated 2nd December 1992 show that pursuant to the Supreme Court's order dated 28th November 1992, observer Tej Shankar had reached Ayodhya.

42.25. As per the information available, *Karsevaks* reached Ayodhya from 59 districts of Uttar Pradesh. Copy of the intelligence reports were forwarded to DGP SVM Tripathi, Prabhat Kumar Chief Home Secretary, H.D. Rao ADGP (Law & Order) and A.K. Saran.

²⁷² Corroborated by S.C. Chaubey as well as Sharad Pawar.

²⁷³ See CW 16/22

²⁷⁴ CW15

²⁷⁵ See CW 15/2

- 42.26. A *Samiti Divas* was held at the *Digamber Akhara* in *Ayodhya*. Paying obeisance to the martyrs, Parmhans Ram Chander Das swore, "*We take an oath to take the revenge of the martyrs*" He also appealed to the people to participate in large numbers²⁷⁶.
- 42.27. LK Advani on the 3rd of December 1992, stated that rumours were being floated of his being opposed to the Indian Constitution. He responded by stating that, "*opposition to unconstitutional judgments is not opposition of the constitution – those who were opposing Vande Mataram are opposing the Ayodhya movement*"
- 42.28. The only forces deployed in Faizabad on the 3rd of December were 5 companies of PAC and 4 companies of CRPF with no force available to be deployed for rest of Faizabad district²⁷⁷. The Central Government's offer for deployment of bomb detection / disposal squad and sniffer dog squad was accepted as corroborated by SVM Tripathi.
- 42.29. Prabhat Kumar asked for 25 companies of paramilitary forces to be placed at the disposal of DGP for deployment in state in addition to force already deployed, for maintaining communal harmony. Letter of request was issued with the concurrence of the Chief Minister²⁷⁸.
- 42.30. The apprehension about demolition and the inadequacy of the deployed forces was too obvious and perceivable. The forces were numerically far

²⁷⁶ See office note, in File No. 23.1R-1074-92-CX-2.

²⁷⁷ See CW 9/2

²⁷⁸ See CW 16/9

inferior compared to the number of frenzied *Karsevaks* present for the construction of the temple. There were no intentions or desires to tighten the security or control and frisking. Police officers and magistrates were deployed at Ram Katha Kunj to watch the situation and maintain law and order and in no way to participate in providing the security.

42.31. Chief Minister declined to deploy or use the available paramilitary forces and continued with airing his hopes that the organizers would be content with the symbolic and peaceful *Karseva*. He continued to assert that the deployment was likely to create problems of dual control in Faizabad; he ignored the known fact that they were already deployed within the isolation cordon and there had been no problem about their control noticed or reported by any one²⁷⁹. A complaint was lodged in December 1992 about the forcible taking over the inspection bungalow by the central forces and their refusal to vacate and the misbehaviour of the central forces.

42.32. S.C.Chauby and IG Lucknow zone confirmed the communication, to the government about the militant posture of *Karsevaks* vis-à-vis the paramilitary forces on the 3rd of December.

²⁷⁹ Refer to Peeyush Srivastava CGW10, N.C. Pandhi CGW32, Akhilesh Mehrotra CW11, SPS Sinha CW12 and Shekhar Aggarwal DW7.

43. The fourth of December, 1992.

- 43.1. The Allahabad High Court had postponed the pronouncement of its judgment on 30th November to the 4th of December and later to the 11th of December 1992.
- 43.2. Under the leadership of Moreshwar Save, Pawan Kumar Gupta of Punjab, Jai Bhagwan Goel of Delhi, Vinod Vats of Haryana, Ram Khatri and Pawan Kumar Pandey MLA, Chief of Uttar Pradesh and other prominent leaders of Shiv Sena reached Ayodhya on 4th December 1992. They made it known through media that they would work for the construction of Mandir, despite the decision of Dharam Sansad and the undertaking given to the Supreme Court for symbolic *Karseva*.
- 43.3. The Central Government, vide its fax message dated 4th December 1992, emphasized the need for making adequate arrangements for access control, frisking etc. of those entering the Ram Janam Bhoomi-Babri Masjid structure. The State Government was asked to ensure appropriate back up and strengthening measures for the security of the disputed structure. The shortcomings pointed out were that there was no “overhanging” in the perimeter wall thus making scaling easy; there were gaps in the western wall near *Shesh Avatar Mandir* closed by a gate only; the northern wall had crevices easily used for scaling the wall; the opening at the Manas Trust Bhavan side near the Shilanyas site on the eastern wall needed secured closing. It was also noticed and pointed out that no technical back up for

proper operation of the electronics and metal detectors was available; there was an inadequate strike reserve of only one section of PAC; the number of people allowed to stay inside the complex was too large for the policemen within the complex to handle without use of strong force should they turn violent²⁸⁰.

- 43.4. Sadhus, Sants, *Kendriya Marg Darshak Mandal* at Ayodhya took the decision for symbolic *Karseva* on the 5th of December. Sakshiji Maharaj specifically stated that “In the last meeting [on the 5th of December] there were over one dozen office bearers of VHP and hundreds of Dharmacharyas. In this meeting, since the BJP was in power in the state of Uttar Pradesh, it was decided that symbolic karseva would be carried out and later if some decision comes, further steps would be taken.” *Karsevaks* continued to be mobilised and persuaded to reach Ayodhya to participate in the construction of the temple at the site of the disputed structure till the 6th of December 1992.
- 43.5. The common intention was that the Sadhu and Sant’s decision about the *Karseva* would be followed regardless of what the courts might decree. The VHP claimed itself to be the executors of the decision of Sadhu and Sants. No decision of conducting only a symbolic *Karseva* was conveyed by the Sadhu and Sant’s or their self proclaimed executors and the act of mobilizing and persuading the *Karsevaks* for construction of temple continued. The *Karsevaks* continued arriving in Ayodhya for the construction of temple at the disputed site and for no other reason.

²⁸⁰ See C.W. 13/16 as well as the statement of VK Sexena (CW13)

- 43.6. Assessments with respect to number of *Karsevaks* likely to congregate on the 6th of December 1992 at Ayodhya, the prominent leaders likely to participate, and their mode of travel to reach Ayodhya was sought by the Additional DGP²⁸¹.
- 43.7. The Additional DGP Law and Order, H.D.Rao A.K.Saran, IG Lucknow zone, and C.K.Malik IG Security were physically present in Ayodhya on the 4th of December for supervising the security arrangements. 2,00,000 *Karsevaks* had assembled at Ayodhya by this date.
- 43.8. The Additional DG Law and Order discussed the security arrangements with Commissioner who had met him on 4.12.92 and necessary instructions were issued²⁸². It may be noticed at this stage that frisking was only at entrance point of outer and inner cordon. No major changes were brought either on the spot or otherwise. Ground realities of belligerent mood of *Karsevaks*, incidents of the demolitions, high propensity, or potentiality and capability of *Karsevaks* to damage disputed structure was well within the knowledge of the authorities.
- 43.9. Anju Gupta referring to intelligence reports stated that it was definite that an attack would be made on the disputed structure on 6th December 1992 morning during *Karseva* despite the poor security measures taken and barricading erected.

²⁸¹ See CW 12/55

²⁸² DW-13/20, CW-8/3

- 43.10. Security arrangements were checked by HD Rao, Additional DGP Law and Order, CK Malik IG Security, AK Saran IG. It was observed by AK Saran that though the level of barricading was low at some places yet it was safe for regulating the crowd²⁸³. He categorically said that he was not consulted about barricading.
- 43.11. It was averred before the Commission that a rehearsal was carried out for the demolition of the disputed structure²⁸⁴. Some photographs too were placed on record before the Commission. It will however not be safe to hazard a finding about training in the absence of the conclusive evidence, though there is some circumstantial evidence and some statements do point out finger for the conclusion that the *Karsevaks* were trained in demolition.
- 43.12. Admittedly, press passes were issued by the VHP media centre signed by Ram Shanker Agnihotri and Chauhan to the photographers and journalists who were present.
- 43.13. IG AK Saran stated that the intention to perform a symbolic *Karseva* was given to him by Vinay Katiyar on the 4th of December. This statement of AK Saran, on the face of it appears to be false, as admittedly the purported decision with respect to the symbolic *Karseva* was taken on the 5th of December at Ayodhya by the Dharam Sansad. The organisers and leaders continued mobilising the people for the construction of temple even till the 6th of December 1992.

²⁸³ Reference may be made to CW 8/3

²⁸⁴ See the statement of Praveen Jain CW2 and CW2/2

- 43.14. The paramilitary forces had on the 4th of December expressed apprehension that the situation was going out of control observing the huge crowd outside the disputed structure, despite regular entrance and exit of devotees wanting to pay obeisance to the idols. The district authorities refused to give any specific instructions²⁸⁵.
- 43.15. A German TV crew was attacked at Ram Katha Kunj on the 5th of December for allegedly airing an objectionable news story. This was corroborated by the journalist Mark Tully who also stated that there was an emotional surcharge amongst *Karsevaks* against the foreign press as they had been asked to perform ceremonial karseva against their wishes.
- 43.16. L.K. Advani and Murli Manohar Joshi reached Ayodhya at midnight on the 5th of December 1992, escorted by Anju Gupta and stayed at Janki Mahal Trust. The Commissioner, DIG Faizabad, District Magistrate and SSP, Faizabad called upon them and were assured by them that a peaceful *Karseva* would be carried out. They would ensure that things happened peacefully.
- 43.17. No similar decision was taken by the organisers or the leaders of the campaign nor the *Karsevaks* or Sadhus and Sants or VHP / BJP / RSS or the Shiv Sena or any other member of the Sangh Parivar, to carry out symbolic *Karseva* in terms of the orders of the Hon'ble Supreme Court or otherwise.
- 43.18. Even Chinmayanand Ji who had given an undertaking to the Supreme Court for symbolic *Karseva* was publicly proclaiming that the construction of temple would be carried out. A recording of this speech was produced before the

²⁸⁵ See file no.16.200/52/D/92

Commission where he can be heard denouncing the undertakings as irrelevant.

43.19. Tempers started rising among the emotionally hyped and belligerent *Karsevaks*. It was never in dispute that they had the ability to carry out the demolition.

43.20. Even the authors of slogans, either denied their raising at all or pleaded lack of memory because of the lapse of time. However, the slogans were widely known. They were not only published in the print media or electronic media, but can be heard and seen being raised on the CDs and video cassettes produced before the Commission, and whose authenticity has been mostly admitted. Although there was a blatant denial of the slogan-shouting by most of the witnesses including officers of administration and the leaders of the movement; these denials are clearly untrue.

43.21. Paramhans Ramchander Dass²⁸⁶ not only affirmed these slogans and their having been published in media but also accepted that provocative slogans were being raised. Some of the slogans which can clearly be seen on the banners displayed in various meetings addressed by the leaders of the movement, have inexplicably been sought to be denied.

43.22. The effect of slogans varied in tone according to the orator but it was never in doubt as to what and whom were they raised against and the effect which was sought to be produced in the audience.

²⁸⁶ DW11

43.23. The slogans were clearly directed against the Muslim population. Relatively innocuous slogans like "*Jo Hindu hit Ki baat Karega, Wohi Desh par raaj Karega*" had already been raised and displayed in various public meetings including the one held by the VHP at the Delhi Boat Club much earlier which was ostensibly called and organised by the Dharam Sansad, though the BJP, RSS, BD etc participated fully therein. The persons who can be seen or are stated to have raised these slogans have feigned ignorance or memory loss before the Commission.

43.24. A small selection of the slogans which became extremely popular and were regularly heard during the campaign at Ayodhya during *Karseva*, especially in December were

"Ram Lalla Hum Aye Hein Mandir Yabhi Banayenga"

"Mitti Nahin Khiskayenge, Dhancha Tor Kar Jayenge",

"Badi Khushi Ki Baat Hai, Police Hamara Saath Hai",

"Jab-Jab Hindu Jage, Tab-Tab Mullah Bhage"

"Jo Roke Mandir Nirman, Usko Bhejo Pakistan"

"Jis Hindu Ka Khoon Naa Khola, Woh Khoon Nahin Pani Hai".

43.25. Acharya Dharminder Dev, tried to defend the slogan, "*Babar Bole Jai Sia Ram, Akbar Bole Jai Sia Ram*" as *Kirtan*, which was factually directed towards the Muslim community. The meaning and intent of the slogans and their orators as well as the effect the slogans had on the audience are not difficult

to discern. The ability of a mob-like crowd to draw fine semantic distinctions is quite possibly not as sophisticated as that of the Acharya.

43.26. The audio and visual recordings produced before the Commission in the form of CDs, audio and video cassettes, photographs shows a people belonging to the illiterate or gullible classes, most of them not even clothed properly for the December winter. A significant part of the people can be seen bereft of any footwear. One can also easily spot the camera savvy and media conscious small time leaders of the smaller groupings in the recordings²⁸⁷.

43.27. The belligerent attitude and the aggressive temper of the people is conclusively established by the evidence produced before the Commission. This attitude and sentiment continued on the 6th of December.

43.28. An attempt was made before the Commission to shield the important leaders like L.K. Advani by denying that they made any emotive speeches by most of the witnesses who appeared before the Commission.

43.29. It was not only the crowds which were raising provocative slogans, but also the religious political and other leaders in their speeches at *Ram Katha Kunj* and in Ayodhya since long and on the 6th of December. The fact that emotive or inflammatory speeches were given was not conceded, yet impliedly admitted by the witnesses. Some of these speeches especially those delivered

²⁸⁷ See the statements of Peeyush Srivastava (CGW10), Rakesh Sinha (CGW19), Surinder Kumar Yadav (CGW34), D.D. Gupta (DW2), Paramhans Ram Chander Dass (DW11), Mark Tully (CW1), A.K. Saran (CW8), R.N. Srivastava (CW31) and Sanjay Kaw (CW20).

by the religious leaders and the politicians in the garb of religious leaders can be heard on the video recordings produced before the Commission and finds corroboration in the statement of SP Gaur.

43.30. VHP carried out the rehearsal of symbolic *Karseva* in which only a couple of hundred people belonging to VHP participated. There was neither any information with the administration about the rehearsal nor it participated in it. So was it with the other organizations supporting the construction movement.

43.31. Urgent messages about the threat perception were sent by the IG Security, on the 5th of December which were read out to officers and the implications were explained. It was claimed that some temporary wooden barricades were erected on the intervening night of 5th and 6th December 1992 in order to streamline the entry of *Karsevaks*. There is nothing on the record to substantiate this except the bare averments. Otherwise also, the strength and the placement of these barricades is unknown. Even the barricades allegedly erected were admittedly not with a view to protect the structure but only to facilitate the entry of the karsevaks.

43.32. The Home Secretary proposed to the Chief Minister to deploy 133 companies of the central forces for the security of the structure on the 5th of December since the number of *Karsevaks* was expected to exceed 2,50,000 on the 6th of December. By articulation of the information available with respect to the potential damage or demolition of the disputed structure by the karsevaks, it was stated that there was information available with respect to

extremists and subversive elements likely to cause the damage, and therefore he advised the Chief Minister that the State Government should use the 133 companies of central forces.

43.33. The Chief Minister stated that the State Government had already accepted and acted upon the suggestions of the police and the concerned organizations who had assured that no damage will be caused to the structure. The hackneyed excuse about the potential trouble arising out of dual control of the forces in Faizabad was repeated, and it was ordered that protection be carried out by making use of state forces only²⁸⁸.

43.34. A.K. Saran admitted that the *Karseva* carried out before 5th of December 1992 was the construction of temple at Chabutra at a distance of 200 yd. from the disputed structure. The volunteers were controlling and regulating the *Karseva*, but he had no knowledge as to who granted the permission and to whom. He saw the rehearsal being carried out on the said date²⁸⁹.

43.35. AK Saran also stated that the security arrangements were made on the assumptions that the security of the disputed structure would be tightened up, there should be traffic control of the entire mob with the free flow of the crowd, with no stampede.

43.36. Acharya Dharminder Dev again declared on the 5th of December that they would follow the instructions of Sants and not the Supreme Court. The

²⁸⁸ See DW-13/22 and CW 16/17 and corroboration by Dr. Madhav Godbole

²⁸⁹ See CW-8/3

people were assured that they ought to have the faith that their ambitions would be fulfilled.

43.37. On the 5th of December, Chinmayanand, Uma Bharti and some others advised the *Karsevaks* to be disciplined and tolerant. They were told that what they have to do will be told to them the next day, i.e. on the 6th of December.

43.38. These speakers addressed the 60,000 -70,000 *Karsevaks* at Ram Katha Kunj. The *Karsevaks* were ostensibly told that they were there to construct a Temple and not to demolish a Mosque. It was said that , *“As long as Ram Idols are there, it is a Ram Temple and we will not demolish it.”* They admitted that the situation could go haywire and deteriorate, but that *we have to remain disciplined and under all circumstances keep the peace.* Slogans, ostensibly to keep the peace were mouthed in the meeting²⁹⁰.

43.39. R.N. Srivastava²⁹¹ District Magistrate admitted that on the 5th of December, the whole town, its lanes and by lanes were full of *Karsevaks* raising slogans. They were in an aggressive, belligerent and demonstrative mood, and their ire was directed especially against the Muslim community and the central forces.

43.40. The District Magistrate met Paramhans Ramchander Das, Nritya Gopal Das, and other Mahant of Chawani, who attended the meeting of Marg Darshak Mandal on 5th December 1992 at Ayodhya. They too pretentiously assured the conduct of peaceful symbolic *Karseva*.

²⁹⁰ See official file no. 23.1R-1074-92-CX-2

²⁹¹ CW31

43.41. The Chief Minister Kalyan Singh, once again and in writing this time, ordered against the use firearms specifically on the 6th of December. The fact was well known throughout the leadership of the movement, the administration as well as to the people assembled in Ayodhya. This was consistent and in continuity of the directions issued by Chief Minister Kalyan Singh in July 1992, and an obvious sign that a free hand was available to the *Karsevaks*²⁹².

43.42. The Commission is of the considered opinion that the security apparatus was nonexistent in Ayodhya on the 6th of December, 1992. The police and other personnel deployed had been bound down into an ineffective role and had specific instructions against any substantive action. They were to ensure that the government achieved its electoral manifesto. The state administration was there to appease the political executive by helping it in consolidating their hold on the general public.

²⁹² See the statement of DGP UP Parkash Singh CW14.

44. The Sixth of December, 1992

- 44.1. The District Magistrate, the SSP, K.Sudershan and Acharya Giriraj Kishore apart from other witnesses before me admitted that the *Mahurat* for the commencement of the *Karseva* had been fixed for 12:15p.m on the 6th December 1992. Pretentious
- 44.2. On the 5th of December a sham paper decision was taken by the Kendriya Marg Darshan Mandal – Dharam Sansad that only a symbolic *Karseva* would be carried out near a platform after performing the puja on it at the *Mahurat* time of 12:15 p.m.
- 44.3. The Sadhus and Sants were seated on the platform on the 6th of December. About one hundred *Swayam Sevak*s of RSS equipped with batons and belts were looking after the arrangements and controlling going onto the platform. A few PAC *jawans* were also present there with batons.
- 44.4. Other leaders and organizers of the *Karseva* and the important religious leaders and Sadhus and Sants were present on the dais at the *Ram Katha Kunj* in large numbers. Tents had been erected within *Ram Dewar* as well as outside the acquired land of 2.77 acres for the stay of the karsevaks and their leaders.
- 44.5. The BJP firstly issued instructions to its Member of Parliament and its MLAs not to participate in the movement on the ground that rulers cannot be seen to be agitators. Despite these instructions legislators, ministers and

the MPs (some of whom had resigned and others without doing so) participated in mobilizing *Karsevaks* and in *Karseva*. Later even these instructions were withdrawn for unexplained reasons²⁹³.

- 44.6. The total force deployed in Ayodhya on 6th December 1992 admittedly consisted of 35 companies of PAC, 4 companies of CRPF including the women wing squad, 15 tear gas squads, 15 Police Inspectors, 30 sub-Inspectors of police, 2300 Police constables, bomb disposal squad, sniffer dog squads, Fire Brigade and ambulance. The deployed force was under the charge of DB Roy, SSP Faizabad. DIG Faizabad, IG Lucknow zone, IG PAC, and Commandants of CRPF were also present in Ayodhya on duty for security of the disputed structure. Magistrates were posted at sensitive places and at the Ram Janambhoomi Complex.
- 44.7. The entire administration at Ayodhya was controlled by District Magistrate RN Srivastava. He was acting on a direct, minute-to-minute control of the Chief Minister. The Home Secretary and the Chief Secretary were directly in touch with the District Magistrate and were giving instruction from time to time from Lucknow. The Commissioner Faizabad was present in Ayodhya on the fateful day without taking any active interest either for security or for crowd control or guiding the officers under his supervisory control.
- 44.8. KS Sudarshan admitted that the decision to deploy RSS Swayamsevaks for the security of the disputed structure and controlling and regulating the crowd had been taken. He stated that the persons deployed were identified

²⁹³ Corroborated by LK Advani and Acharya Dharmendra Dev

by the RSS Divisional *Pratinidhi*. In the totality of circumstances, his denial of the deployment of any specific person or institution cannot be accepted.

44.9. 195 companies of paramilitary forces were stationed around Ayodhya near Faizabad ready for being deployed to meet any situation. The State Government was categorically told in writing as well as orally that forces stationed around Ayodhya near Faizabad were available for deployment at Ayodhya as and when state wants to deploy them. The force stationed had been clearly instructed to be available to the state without seeking any further orders.

44.10. On 6th of December, at about 9.30 a.m., the Home Secretary of India, informed the DGP of ITBP to keep the paramilitary forces ready in case of any request for assistance was received from the State Government and to deploy the forces without waiting for the formal orders from Ministry of Home Affairs. The Home Secretary also requested the Principal Home Secretary, Uttar Pradesh present at the residence of the Chief Minister as well as UP DGP to persuade the Chief Minister to utilise the central forces. These facts have been admitted and were not in dispute before the Commission. V.K. Sexena accepted the factum of a fax having been sent to the state by Central Government about the availability of the forces stationed and ready for being used at Ayodhya by the state in the eventuality of need.

44.11. LK Advani and others met at the residence of Vinay Katiyar on the 6th of December before proceeding to the disputed structure. Vinay Katiyar, LK Advani, Murli Manohar Joshi, Ashok Singhal, Acharya Giriraj Kishore, Uma

Bharti, Sadhivi Ritambra and others were also present there. There is nothing on record to indicate whether this was a formal meeting or otherwise.²⁹⁴ In any case, nothing hinges on this since no inference or conclusion was suggested.

44.12. On the 6th, at 10:30 a.m. L.K. Advani and M.M. Joshi, accompanied by Vinay Katiyar, along with the Sadhus and Sants followed by Ashok Singhal reached the platform, meant for the puja and symbolic *Karseva*. On their arrival, a defiant group of *Karsevaks* pushed themselves against the security cordon and despite the resistance offered by the RSS Swayam Sevaks, breached the security cordon and reached the platform meant for puja.

44.13. No visible substantial resistance was put up by the police or the administration for forestalling the intruders. The RSS Swayam Sevaks succeeded in physically throwing the intruders out from the platform. L.K. Advani and MM Joshi after seeing the arrangements for the symbolic *Karseva*, stayed at the platform for about 10 to 20 minutes and thereafter went to the *Ram Katha Kunj* at a distance of 200 yards from there.

44.14. The Administration pretentiously and falsely reassured the assembled journalists, that everything was under control and they should not waste their time.

44.15. LK Advani emphasized on oath that had the organizers not accepted the Supreme Court's order of symbolic karseva, he would not have associated

²⁹⁴ This fact was corroborated by RN Srivastava (CW30) and others. However, Vinay Katiyar specifically denied this.

himself with the karseva. He stated that his interest was in seeing the matter resolved somehow, and he therefore tried to impress upon the government to request the Allahabad High Court for an early judgment, i.e. before 6th December 1992.

44.16. Religious Leaders and others had been making fiery speeches at the *Ram Katha Kunj* in Ayodhya for some time.

44.17. District Magistrate and SSP Faizabad took a round of Ram Janambhoomi complex at about 11:45 a.m. from east to west via south and came back to east.

44.18. At about noon, a teenaged *Karsevak*, vaulted onto the dome and thereby signalled the breaking of the outer cordon. Other *Karsevaks* wielding pickaxes, hammers, iron rods, and shovels started scaling the *Ram Dewar* and over the barriers of the outer, inner and isolation cordons, from the east, west and south directions. They stormed the disputed structure. The police deployed at the spot gave their canes and shields to the karsevaks who brandished them openly.

44.19. The *Karsevaks's* assault on the disputed structure started around 12:15 PM. They first entered the Garb Grah and carefully took the idols and cash box etc. to a safe place. Continuous brick batting at the security forces gave ample cover to the *Karsevaks* assaulting the disputed structure. This was a planned act in order to give the impression of spontaneous chaos. This is corroborated by admitted facts including the space available within the cordons. There was no order requiring the movement of the forces from the outside towards the

cordons. The whole open area between the cordons was occupied predominantly by the Karsevaks and their leaders. The *Karsevaks* on the domes started breaking the upper plaster, etc with hammers.

44.20. In fact, the demolition was accomplished by smashing holes inside the walls. Ropes were inserted through these holes in the walls under the domes; the walls were pulled down with these ropes, bringing down the domes as well.

44.21. The *Karsevaks* succeeded in pulling down the first dome at 1:55 p.m. This breakthrough sent the hard core protagonists like Sadhivi Ritambra and the other Sadhus, Sants and leaders into ecstasy.

44.22. The forces present in Ram Janam Bhoomi complex were outnumbered and got mixed up with the *Karsevaks*. They did not have any means of communication with their officers present in the control room. The state police and the PAC took no action throughout. The CRPF forces reassembled at Sita Rasoi, but no order was given to them thereafter.

44.23. It was admitted by K.Sudershan etc. and generally accepted that around a hundred and fifty *Karsevaks* suddenly broke through the cordons. The evidence presented before the Commission suggests that the total numbers present within the corridors was anywhere between 1,000 to 5,000. The presence of another 75,000 to 150,000 *Karsevaks* was claimed at Ram Katha Kunj at a distance of 200 yard from the disputed structure. Ram Katha Kunj was an open area expanding up to Ram Dewar.

44.24. LK Advani, MM Joshi, Ashok Singhal, Vijay Raja Scindia, H.V. Sheshadri etc. who were present at the Ram Katha Kunj made feeble requests to the

Karsevaks to come down from the disputed structure, either in earnest or for the media's benefit. One could have reasonably perceived that the demolition of the disputed structure was not possible from the top of the domes. No request was made to *Karsevaks* not to enter the *Garb Grah* or not to demolish from inside under the domes. This selected act of the leaders itself speaks about the Hidden intentions of one and all being to accomplish demolition of the disputed structure. The icons of the movement present at the Ram Katha Kunj could have just as easily have proceeded to the corridors and utilizing the administration's assistance or that of their highly disciplined Swayamsevaks, prevented the demolition.

- 44.25. LK Advani first made requests over the public address system to the *karsevaks* on the dome to come down. When the request fell on deaf ears, then he deputed Uma Bharti²⁹⁵, Acharya Dharmendra Dev²⁹⁶, Baikunth Lal Sharma 'Prem' to go along with his own personal security officer Anju Gupta to the disputed structure to persuade the *Karsevaks* to come down. The *Karsevaks* paid no heed to this request either. Uma Bharti claimed that when persuasion failed, an attempt was made to bring them down by instilling fear of the paramilitary forces, saying there would be firing and bloodshed. The *Karsevaks'* reaction reportedly was that , "*we have not come here to eat Halwa Puri. We are not of that brand of Karsevaks. We have come from our home to face firing*". The *Karsevaks* did not react to persuasion nor to fear.

²⁹⁵ CW6

²⁹⁶ CW10

- 44.26. This charade by these leaders at the instance of LK Advani is in stark contradiction to their own prior conduct and their public posture, incitement and exhortations to the crowd to build a temple in place of the disputed structure. The demolition of the structure was unavoidable for the construction of the temple.
- 44.27. *Karsevaks* and their leadership consistently refused to change their conduct or the stand taken by them. After these initial attempts were made to pacify the *Karsevaks*, nothing was done thereafter to stop the assault, either by the organisers or the Sadhus and Sants; or by the administration and the police.
- 44.28. *Karsevaks* assaulted the journalists and photographers present in and around Ram Janambhoomi complex and the disputed structure and at Manas Bhavan etc. The assault coincided with the crowd entering into the cordon. In other words, the journalists and the structure were attacked simultaneously. The *Karsevaks* snatched film rolls and smashed the cameras and beat up journalists and photographers present in the complex or outside.
- 44.29. The Idols and cash box removed to safe places before the *Karsevaks* went inside the domes were placed at their original place at about 7pm. The construction of a temporary make-shift temple commenced at about 730pm through *Karseva*.
- 44.30. Chief Minister Kalyan Singh announced at 6.45pm that he had resigned. The Central Government on the other hand claimed that the Chief Minister Kalyan Singh was dismissed.

- 44.31. A cabinet meeting was called and President's Rule imposed in the state at 6:30 p.m. The President of India signed the proclamation of the imposition of President's Rule at 9.10 p.m. About two lakhs *Karsevaks* in militant and aggressive mood were present in the complex at the time.
- 44.32. A close examination of the evidence shows that the enthusiastic chanting of inflammatory slogans including "*Ek Dhaka Aur do, Babri Masjid tor do*" acted like the proverbial war cry and these were raised to encourage the *Karsevaks* in their dastardly deeds. Slogans against Muslims were also raised. Sarcastic remarks were made against High Court and the Supreme Court. Mulayam Singh's "*Yahan Parinda Bhi Par Nahin Mar Sakta*" comment was mocked.
- 44.33. The District Magistrate in this chaotic scenario did nothing. Nor did the galaxy of the senior officers named in my report including AK Saran, SP Gaur, and CK Malik etc took any steps to stop the demolition or assaulting the journalists.
- 44.34. Only after seeking permission from the Chief Minister, the District Magistrate requisitioned the paramilitary forces stationed around Ayodhya and Faizabad at about 12:30 p.m. The Chief Minister had now granted permission to deploy the paramilitary forces subject to the condition they would not resort to firing on the persuasion of the UP Home Secretary at the stage when he felt assured that the task of achieving the promises made in the election manifesto had been substantially fulfilled and that nothing could be done to undo the demolition or any other act likely to be carried out like the construction of a makeshift temple at the spot. Secondly, it was ensured

through loyal workers that the paramilitary forces did not reach the disputed structure during the period that the demolition was being affected. The organizers with the benefit of experienced and retired officers were well aware about the significance of the time factor.

- 44.35. Requisitioned at 12:45pm, the paramilitary forces were unable to reach the disputed structure and faced stiff resistance, as well as physical hurdles employed by the *Karsevaks*, either of their own volition or on being exhorted by the leadership.
- 44.36. The District Magistrate and DIG Faizabad requisitioned from the Director-General ITBP and Deputy Inspector General CRPF, 30 companies of the paramilitary forces, and later another 50 companies. The Director General of the paramilitary forces requested Magistrates to accompany the paramilitary forces from their base to Ayodhya. The Home Secretary asked the DGP to issues necessary instructions at 2.30pm and spoke to the Chief Secretary to the same effect. He also spoke to the Defence Secretary to provide helicopters for the movement of additional troops if necessary.
- 44.37. Thereafter, three battalions of forces left for Ayodhya accompanied by Magistrates and Circle Officers, while the rest of the battalions were waiting for the Magistrates who never came. The paramilitary forces were not allowed to reach Ayodhya by the *Karsevaks* by placing physical hurdles and becoming unwieldy on way to Ayodhya.

- 44.38. V.K. Sexena²⁹⁷ confirmed that the Home Department had authorized the District Magistrate to utilize the available para military forces. The District Magistrate gave written requisition to the DIG CRPF in the control room to make available 15 companies. The Chief Minister personally phoned the District Magistrate to take all available measures to control the situation without resorting to firing. However, the damage to the disputed structure continued and no action was taken by police or the IG, DIG, District Magistrate or the SSP Faizabad present at the spot till 12:50 p.m.
- 44.39. On the other hand, officers can be seen on video cassettes saying "*Kuch To Karo*" without in fact doing anything at all.
- 44.40. At 1.15pm, the DGP opined that the situation could not be brought under control without resorting to firing. However, emphasis was placed again on the categorical order prohibiting firing under any circumstances.
- 44.41. The Home Minister asked the Chief Minister about the action taken. The DG ITBP, informed the Home Ministry about resistance being faced and the road blocks created by the people enroute. He stated that they had reached the degree college with much difficulty, to face stone pelting and resistance and further hurdles and road blocks.
- 44.42. Even though the Chief Minister was informed about this, he gave a written order not to resort to firing under any circumstances and to take any other

²⁹⁷ CW13

measures to control the situation²⁹⁸. The Magistrate ordered in writing for the forces to turn back at about 2.25 PM.

44.43. State Government and the Home Secretary were kept informed, from the time the first dome was demolished, that the way could not be cleared without the use of force, which neither the Chief Minister, nor the District Magistrate, permitted. At this stage another interesting fact about the conduct of chief Minister Kalyan Singh emerged is: that despite of the whole world was seeing the happenings at the disputed structure including the assault on the journalist, the chief Minister asserted that he would verify the facts brought to his notice by the administration or the media. The whole conduct and acts of the Chief Minister Kalyan Singh was intended to delay the deployment of paramilitary forces or the intervention of the Central Government before the object of demolition is completely achieved.

44.44. Communal riots had commenced at Ayodhya at about 3.30 PM. Riots were carried out by another group of Karsevaks that i.e. one group of Karsevaks who were carrying out the demolition. The DGP again informed the Chief Minister and others in the hierarchy that the situation could not be brought under control without resorting to firing. The Central Government repeatedly responded to the situation by informing the State Government through the Ministry of Home Affairs that officers at any level were free to seek the assistance of Army by approaching the local authority directly for which instructions had already been issued.

²⁹⁸ *The orders are DW5/3 and DW5/4*

- 44.45. The Director General of the paramilitary forces informed the State Government of the availability of two battalions of rapid action force present and their readiness to move to Faizabad. The District Magistrate, at about 6 pm informed the Director General that he were trying to arrange the magistrates in whose absence the troops could not be deployed.
- 44.46. The police and the administration was a mute spectator. Their loyalty to the political masters was writ large.
- 44.47. District Magistrate RN Srivastava²⁹⁹ spelt out the policy of State Government with respect to disputed structure and the karseva on the 6th of December. In his own words *“we were told that karseva would be peaceful and Karsevaks would not violate any court order, but the administration should be prepared to see and ensure that no damage is done to disputed structure.”*
- 44.48. He spelt out various steps taken for security. These included being alert all the time, more touring, more inspections and some more wooden barricading erected between the night of 5th and 6th morning for regulating the entry of the karsevaks to the *Shilanyas* site.
- 44.49. District Magistrate RN Srivastava further admitted that no other attempt was made by the administration to regulate or restrict, control the flow of karseva in Faizabad and Ayodhya in November or December 1992 as the Supreme Court had permitted the symbolic karseva. No necessity of this was felt till the 6th of December either. He claimed that notices were sent to other states to ensure that *Karsevaks* do not come to Ayodhya as their number had already

²⁹⁹ CW 30

reached 2.5 lakhs in an area of 50 acres around the disputed structure and Ram Katha Kunj. There was no corroboration to this either factually or through any other means.

44.50. There was a mixed reaction, amongst the leadership of the movement. L.K. Advani and other more sober leaders were taken aback by the demolition. LK Advani expressed his reaction in the following words, *“I feel proud about my participation in the movement though with respect of incident of 6th December, 1992, VHP and RSS Leaders present with me signed the statement describing the demolition as unfortunate. I described myself as dejected and down cast on that day.”*

44.51. Others like Sadhivi Ritambra, Vinay Katiyar, Uma Bharti, Paramhans Ram Chander Das, Acharya Giriraj Kishore, Sakshiji Maharaj, Acharya Dharminder Dev, Swami Chinmayanand, Mahant Avidyanath, Praveen Tagodia, etc, were not only jubilant claiming it to be their success but went into ecstasy along with their followers. Religious leaders were openly jubilant during and after the process of demolition. Their excitement and joy was shared by the *Karsevaks* present.

44.52. Kalyan Singh’s reaction was, *“It was like a badly inflated balloon which burst. All other political parties, particularly Centre are to be blamed for frustration of Karsevaks, who forced them to go desperate. They should arrest me because after all, I fulfilled one of the major objectives of our party and have redeemed the party’s election manifesto.”* It is an open secret that the leadership of RSS or BJP asserted that the political gains achieved by BJP, in the process of demolition

of the disputed structure, particularly consolidating the Hindus should not be wasted. It should be assimilated and converged into the votes for BJP or of the political parties reputed to be as the protectors of Hindus.

44.53. There were chaotic scenes at the disputed structure requiring the immediate requisitioning of paramilitary forces; still the Chief Minister maintained that he was receiving conflicting reports about the entry of *Karsevaks* into the disputed structure or the complex. This information had even been sent to the Central Government and there was no doubt left that the *Karsevaks* had stormed into the structure and the cordons.

44.54. The Chief Minister was intentionally and inexplicably complacent even in these circumstances. He informed and assured the Home Minister of India that he would verify and deal with the matter, when the entire word was physically seeing what was happening at the disputed site, apart from he being informed for minute to minute happening by his administration, media and his loyalist *Karsevaks* or BJP workers.

44.55. It was between 3:30 p.m. and 4 p.m when the communal frenzy broke out in the town of Ayodhya. Houses of the Muslims were put on fire. The DGP again opined that the situation could not be controlled without resorting to firing and requested for permission from the Chief Minister. The same request was repeated to the Chief Secretary. DGP, District Magistrate and SSP at 5:35 p.m were informed that the orders of the Chief Minister not to act will not be tenable in view their statutory responsibility.

- 44.56. Before me, the leadership pleaded not only a loss of memory, but in some cases they put forth a total denial even after a lapse of 10 years. They intentionally defended their leaders or the involved organizers in this manner.
- 44.57. Peeyush Srivastava, Additional SSP stated a deliberate and patent lie before the Commission that the communal frenzy broke out because of the firing from a house of a Muslim on the *Karsevaks*. This was stated in the face of evidence on the record. He knew of course that compared to the lakhs of *Karsevaks* present in Ayodhya the Muslims were in insignificant numbers and that this theory would not even be credible for a moment. The theory for the cause for riots stated by Peeyush Srivastava is not only false, but consistent with a pattern of behaviour persons like him seeking to build person defences or for their mentors.
- 44.58. Home Secretaries of various States were informed that they could take the assistance of army by approaching the local authorities directly and requisition forces in case of communal riots. The state administration provided the public conveniences under the oral orders of Principal Home Secretary under the directions of Chief Minister at or near the places of *Karsevaks* camps³⁰⁰.

³⁰⁰ Corroborated by Prabhat Kumar (CW9)

45. A brief summation of the factual matrix

- 45.1. Unfortunately, in the entire Ayodhya episode, those who know the entire truth have neither bothered to come forth with it, nor stopped for a moment to consider any one section of, or the society as a whole. One can observe particularly about the members of the Bar who proclaim themselves to be social leaders in Parliament and who have been publicly adopting one or the other stance on the issue and issuing statements criticising the delay in this report in the media, that they did not even care to seek the reasons for the delays; nor formally assist the commission in gathering information.
- 45.2. Kalyan Singh who at one point of time was proclaimed to be national hero for the demolition, in the media and which accolade he has never refuted, was the Chief Minister at relevant point of time and expected to know everything from the government sources at his command, his own political and private resources and his relations with those who were present at the spot. He has not only consciously attempted to conceal the information, but also evaded to give the information to me by making all possible attempts; whether through the judicial process or otherwise till date. After declaring first himself declaring his being aware of the conspiracy for the demolition, later appeared of his own before the commission and disowned his earlier statement.
- 45.3. Despite coercive processes which the Commission had to adopt, he has tried to obstruct the enquiry for the truth by this Commission consistently. Even

when he appeared before the Commission, he completely denied any knowledge of the conspiracy. He even disowned his own earlier statements by stating before the commission that it was only an emotional outburst provoked by the stand taken by the counsel for the Union of India.

45.4. The RSS has admitted in its written arguments that *Janam Sthan Bhoomi Mukti Sangharsh Samities* were formed throughout the country for getting the *Ram Janam Sthan* “liberated” with the object of constructing Ram Janam Sthan temple on the very site on which the disputed structure stood. That the RSS had willingly extended its support to this campaign. All the organisations spearheading the movement including the VHP, had decided to start *Karseva* for the construction of temple on October 30, 1990 and despite the repressive measures taken by the then UP Government.

45.5. In essence, it was submitted that the Sants spearheading the movement took the decision to do the karseva on July 9, 1992, which was suspended for three months only for resolving the issue on the direct intervention of the Prime Minister. Upon its failure, the *Dharam Sansad* decided to recommence the karseva with effect from 6th December 1992. It was the Sadhus and Sants who had decided to build a magnificent Ram temple on the opening of locks in 1986. He referred to the various facts which had been mentioned to in the earlier part of the narration of facts in this report. The only other fact which specifically find mentions in the argument is that Sharad Pawar, the then Defence Minister, the Joint General Secretary Prof Rajendra Singh and Kumar Mangalam the then State Minister and Bhairao Singh Shekhawat

met in Bombay at the residence of Sharad Pawar where a decision was taken to get the court decision before December 6, 1992.

45.6. In the arguments, after referring to the statement of KS Sudarshan it was admitted that, “*we tried to guide the karseva in such a manner that the karseva would start and the structure remain intact, we planned in such a manner. The plan was that court would pronounce its verdict regarding the disputed structure and there will be some settlement with the Muslim leaders*”. Secondly, the *Karsevaks* who were called in were not skilled workers and their job was in fact to assist the skilled demolition experts. Thus on the 4th of December 1992, in a meeting of the *Mandir Jeernodhar Karma Samiti*, wherein RSS also participated, four decisions were taken. That the *Karsevaks* would only assist the skilled workers in the task of temple construction; the karseva would start on December 6, 1992 at 12:15 noon; sand would be brought from the Saryu River to fill up the pits; and lastly, that no one should be allowed to stay in the Ram Janambhoomi-Babri Masjid complex. It was hoped that the RSS would inspire all the *Karsevaks* to do karseva peacefully as they feared an intervention by the Central Government’s paramilitary forces. The whole plan was made in such a way that December 6, 1992 would pass on peacefully. The *Marg Darshak Mandal* approved the decisions taken by *Mandir Jeernodhar Karma Samiti* on 4th December 1992.

45.7. Emphasis was laid in the arguments about the role of administration – civil and police – in the entire arrangement of stay of *Karsevaks* and no role being assigned to the police and administration; and that the police and

administration were only to make security arrangements to avoid any trouble.

RSS workers were standing there and organising the movement.

- 45.8. It would be unjust and going against the record not to note another important fact admitted by KS Sudarshan and expressly stated as such in the arguments that it was only 4,000 to 5,000 *Karsevaks* who had gone out of control; some of them climbed the disputed structure and many other started breaking the barricades around the disputed structure. To answer the question that if this was not part of the plan, then what went wrong, it is necessary to ask some more questions. Since when was RSS associated with the campaign? It was admitted that they joined in, in 1986 when the locks of Ram Janambhoomi were opened and the RSS passed its first resolution welcoming the unlocking of Ram Janambhoomi complex.
- 45.9. Simultaneously the RSS had called upon the *Hindu Samaj* and the *Swayamsevaks* of RSS to support the *Ram Janambhoomi* movement. It started urging the *Swayam Sevaks* to go to Ayodhya in 1990 and even to become “martyrs”.

46. Persons or leaders or Sadhus and Sants who participated in the movement.

- 46.1. AB Vajpayee
- 46.2. Abhya Ram
- 46.3. Acharya Dharmendra Dev
- 46.4. Acharya Giriraj Kishore
- 46.5. Acharya Madhav of Vishesh Tirath Harpi Karnatka
- 46.6. Acharya Madhave Ashavahi Bhavan vishav
- 46.7. Acharya Vasudev Kaushalya Sadev
- 46.8. Additional DGP intelligence
- 46.9. Akshay Ram Dass
- 46.10. Anand Rizivi
- 46.11. Anil Kalia
- 46.12. Anil Tiwari
- 46.13. Arvind Kumar
- 46.14. Ashok Dawra
- 46.15. Ashok Singhal

- 46.16. B R Grover Dr
- 46.17. Badri Prasad Toshniwal
- 46.18. Baikunth Lal Sharma MP
- 46.19. Bala Sahib Thackeray
- 46.20. Banwari Lal Prohit
- 46.21. BB Toshnival
- 46.22. Bhooma Nand
- 46.23. Braham Dutt Divedi
- 46.24. Champat Rai
- 46.25. Charan Dass
- 46.26. Col BS Zaidi
- 46.27. Commissioner SP GAUR
- 46.28. D.P.Toshniwal
- 46.29. Dau Dayal Khanna
- 46.30. Devendra Sawroop Aggarwal Dr
- 46.31. Devki Nandan Agarwal Justice
- 46.32. Devraha Baba

- 46.33. Dharinder Brahamchari
- 46.34. Dinesh Tayagi
- 46.35. Dr. Ram Vilas Vedanti,
- 46.36. GM Lodha
- 46.37. Govinda Acharya
- 46.38. H V Sheshadri
- 46.39. Hans Raj
- 46.40. Harsh Narain Dr
- 46.41. Inder Singh
- 46.42. DN Aggarwal
- 46.43. Jagat Guru Ramanucharya Vasdev
- 46.44. Jagat Guru Shankeracharya Shankra Nand Sarswati Budhev
- 46.45. Jagatguru Purushotamacharya
- 46.46. Jagatguru Ramanujacharyaji
- 46.47. Jagdambica Paul
- 46.48. Jagdish Muni
- 46.49. Jai Bhagwan Goyal

- 46.50. Jai Bhan Singh Pawaria of BD Aodhya
- 46.51. KS Sudarshan
- 46.52. Kalraj Mishra
- 46.53. Kalyan Singh Chief Minister
- 46.54. Kaushal Kishore-Varindavan
- 46.55. Kemeshawer Chopal
- 46.56. Khusabhau Thackeray
- 46.57. Kikar Singh
- 46.58. KK Shastry
- 46.59. LK Advani
- 46.60. Lal Ji Tandon
- 46.61. Lalit Kishore Minister
- 46.62. Lallu Singh Chauhan
- 46.63. Laloo Singh
- 46.64. Mahant Avidyanath
- 46.65. Mahant Nritya Gopal Das
- 46.66. Mahant Paramhans Ram Chander Dass

- 46.67. Mahant Parmanand Ji
- 46.68. Mahant Ragber Dass
- 46.69. Mahant Saryu Das-Raghav Mandir
- 46.70. Mahant Satya Mitra Nand Ji Haridwar
- 46.71. Mahapat Singh ji dec 92 ind today
- 46.72. Makhoo Singh
- 46.73. Mata Pershsad
- 46.74. Moreashawar Savoy
- 46.75. Morpanth Pingale
- 46.76. Murli Manohar Joshi
- 46.77. Navin BHAI Shukla
- 46.78. Nayryen Singh
- 46.79. Om Perakash RSS
- 46.80. Onkar Bhava
- 46.81. Pandit Akhileshwar Das-Janaki Ghat
- 46.82. Parbhat Kumar, Principal secretary home
- 46.83. Parmod Mahajan

- 46.84. Parshotam Narain Sigh
- 46.85. Parveen Togadia
- 46.86. Pawan Kumar Gupta
- 46.87. Pawan Pandya
- 46.88. Peeyush Sirivastava
- 46.89. Prem Das Ramayani
- 46.90. Prof Rajendra Singh
- 46.91. Rajendra Gupta
- 46.92. Rajinder Singh Pankaj-Saharanpur
- 46.93. Ram Khatri
- 46.94. Ram Krishan Agnihotri
- 46.95. Ram Murat Sharan
- 46.96. Ram Pershad Tiwari
- 46.97. Ram Vilas Das Vedanti
- 46.98. Ramoo Priya Darshi MLA
- 46.99. Rao Priya Darshi
- 46.100. RK Gupta

- 46.101. Romesh Pertap
- 46.102. Sadhivi Ritambra
- 46.103. Satish Perdhan Shive Sena MP
- 46.104. Satyanandji
- 46.105. Shakshi Ji Maharaj
- 46.106. Shalinder Nath
- 46.107. Shanker Singh Vaghela President Gujarat BJP
- 46.108. Sharad Sharma of VHP
- 46.109. Shatrugan Sinha
- 46.110. Shive Ram Acharya
- 46.111. Shivenam Tripthi
- 46.112. Shri Chander Dixit
- 46.113. Sideshwar Rao
- 46.114. Sifti Rizivi
- 46.115. Sikander Bakht
- 46.116. SP Gupta Dr
- 46.117. SP Shahi minister for state Home

46.118. Sunder Singh Bhandari

46.119. Suresh Kumar

46.120. Surya Krishan

46.121. Surya Partap Singh

46.122. Surya Pertap Sahi

46.123. Swami Chinmayanand

46.124. Swami Dharam Das

46.125. Swami Janendra Pershad Kanchi Peeth

46.126. Swami Pariraj Ji

46.127. Swami Ram Das-Haridwara

46.128. Swami Ram Surat Sharan-Golaghat

46.129. Swami Satmit Ram Ji

46.130. Swami Satyanand Ji Mishara

46.131. Swami Swaroopa Nand

46.132. Swami Vam Devji

46.133. Swami Vasudev Nand Jyotipeeth

46.134. Swami Vivekananda

46.135. Tayagi HM

46.136. Tayagi Ji Maharaj

46.137. Uma Bharti

46.138. Vasudev Acharya

46.139. Vasudev Gupta

46.140. Vijay Azad

46.141. Vijay Raja Sindia

46.142. Vijay Singh Divisional President of Shakti Dal Shah Jhan Pur

46.143. Vinay Katiyar

46.144. Viod Vats

46.145. Vishamber Rai

46.146. Vishavnath Dass Shastri

46.147. Vishnu Hari Dalmia

46.148. Vishvesh Tirath of Udipi Math

46.149. Youdh Nath Pandey

47. Muslim leaders

- 47.1. Afzar Naib Imam
- 47.2. Dr Safijur Rehman Burg
- 47.3. Habib
- 47.4. Javed Habib
- 47.5. Leaders of Muslims
- 47.6. Momad Azam Khan
- 47.7. Momad Unis
- 47.8. Mulana Irish Bastavi
- 47.9. Mulana Mazzafer Hussain Kichhair AIBMC
- 47.10. Shabudin
- 47.11. Suleiman Seth
- 47.12. Sultan Shabudin Owasi MP Hyderabad
- 47.13. Syed Abdul Barkat Nazmi
- 47.14. Syed Ahamed Bukhari
- 47.15. Zaffer Ayar Zilani

- 47.16. Sultan Shabudin Owasi MP Hyderabad
- 47.17. Shabudin
- 47.18. Suleiman Seth
- 47.19. Zaffer Ayar Zilani
- 47.20. Javed Habib
- 47.21. Syed Ahamed Bukhari
- 47.22. Momad Azam Khan
- 47.23. Habib
- 47.24. Dr Safijur Rehman Burg
- 47.25. Syed Abdul Barkat Nazmi
- 47.26. Mulana Irish Bastavi
- 47.27. Mulana Mazzafer Hussain Kichhair AIBMC
- 47.28. Afzar Naib Imam
- 47.29. Momad Unis
- 47.30. Maulana Muzaffer Hussein Kachachauri
- 47.31. Mustaq Ahmed Siddiqi
- 47.32. Advocate Zafaryab Jilani

47.33. Ms Aftaz Ahmad Siddiqi

47.34. Muhammad Muqueemud Di

47.35. Mohammad Nasir

47.36. Zakir Ali

47.37. SV Hashmi

48. Leaders of movement with no particular role except participating in some negotiations

48.1. Dr Devinder Swaroop

48.2. Justice DV Shegal

48.3. Harsh Narain

48.4. Prof RS Sharma

48.5. Prof Suran Bhan

48.6. Prof DN Jha

48.7. VK Shukla

48.8. Surya Krishan

49. People to whom no definite role can attributed owing to a complete lack of evidence against them, but who were participants in the so-called Dharam Sansad meetings.
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- 49.1. Rama Nuja
- 49.2. Acharya Purshotam
- 49.3. Acharya Ram Naresh
- 49.4. Acharya Vasudevananda AY
- 49.5. Amarjit Kumar
- 49.6. Bhata Gyan Jagat Guru Bodh Gaya
- 49.7. Brham Dev ji
- 49.8. Hari Acharya Jagad Guru Rama Nand Acharya Ayodhya
- 49.9. Jagad Guru Rama Nand Shrim Math Kanshi
- 49.10. Justice Shive Nath Katju
- 49.11. Mahant Dharam Dass
- 49.12. Mahant Gayan Dass of Hanuman Garhi Ayodhya
- 49.13. Mahant Ram Kewal Dass
- 49.14. Mahant Ram Vilas Dass Vidanti

- 49.15. Mhesh Nand Vindraban
- 49.16. Ram Kewal Dass Nirmohi Akhara
- 49.17. Rameshwar Dass Kanshi
- 49.18. Rampat Shashtri Social Welfare Minister
- 49.19. Satya Mitya Nand
- 49.20. Sawami Vidya Nand Giri Rishikesh
- 49.21. Sita Ram Saran
- 49.22. Swami Gopal Ji Paryag
- 49.23. Swami Onkar Maharaj
- 49.24. Swami Perma Nand Haridwar
- 49.25. Swami Shanta Nanda Pryag
- 49.26. Swami Vasdev Ji Maharaj
- 49.27. Swami Vivesh Teerath Ji
- 49.28. Uma Nath Singh Minister
- 49.29. Yaashvant Bhai Bhat