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REPORT OF THE
LIBERHAN
AYODHYA
COMMISSION
OF INQUIRY

CHAPTER 8
CIRCUMSTANCES

79. CIRCUMSTANCES

ALTHOUGH a prince may rise from a private station in two ways, neither of which can be entirely attributed to fortune or genius, yet it is manifest to me that I must not be silent on them, although one could be more copiously treated when I discuss republics. These methods are when, either by some wicked or nefarious ways, one ascends to the principality, or when by the favour of his fellow-citizens a private person becomes the prince of his country.

[...] Hence it is to be remarked that, in seizing a state, the usurper ought to examine closely into all those injuries which it is necessary for him to inflict, and to do them all at one stroke so as not to have to repeat them daily; and thus by not unsettling men he will be able to reassure them, and win them to himself by benefits. He, who does otherwise, either from timidity or evil advice, is always compelled to keep the knife in his hand; neither can he rely on his subjects, nor can they attach themselves to him, owing to their continued and repeated wrongs⁴⁵⁹.

- 79.1. Man's lust for power; and political power especially is unparalleled. This lust may remain hidden in the subconscious mind, as it does in the majority of the people with insufficient political, social or economic means; or it may surface and manifest itself in an unrestrained manner where nothing matters beyond the politically desirable results, howsoever they may be achieved.

⁴⁵⁹ Nicola Machiavelli, *The Prince, Chapter VIII – Concerning Those Who Have Obtained A Principality By Wickedness*

- 79.2. This lust for power is characterized by an urge and quest for trying to use politics for one's own purpose, irrespective of the consequences of it on the nation, the individual or the society as a whole.
- 79.3. Unfortunately, we are witnessing the politicization of all institutions regardless of the polluting effect this is having on all aspects of the society. The loss of political neutrality and the convenience with which justification can be found for every action has rendered all objectives of peaceful civilized society as enunciated by intellectuals, leaders, philosophers, thinkers since ancient times, obliterated.
- 79.4. The law – common or constitutional, morals, ethics, epics and everything else is being examined in the scales of politically desirable results. It is immaterial whether those results are legitimate or healthy for democratic governance. Everyone is out to become Politician rather than a Statesman. The politician has become the epitome of the proverbial rags-to-riches story.
- 79.5. The common Indian has formed the firm belief already that the ills that face us can be traced to the political leadership and can be cured by a voluntary reform in the political parties and their leadership itself.
- 79.6. Leadership comes at a price. Usually it is those around the leaders who pay this price.
- 79.7. The Ayodhya issue cannot be confined to the geographical limits of Ayodhya city alone. The innumerable shades of this issue can neither be reduced to a definite black-and-white nor reduced to manageable numbers. The issue has cast a shadow and has had consequences on the national life of India as a

whole. Deliberate attempts have been made in the past and are still being made to confuse and obfuscate the issues, which have economic and sociological dimensions as well; possibly for ulterior hidden considerations.

- 79.8. All the people who had to deal with the episode on and leading up to the 6th of December 1992 dealt with the issue from their own individual perspective and in furtherance of their own agendas. For example the District Magistrate actively connived in placing idols at the disputed structure in 1949, as evidenced from his later conduct; after laying down office, he went on to contest election and joined active politics.
- 79.9. Dau Dayal Khanna, and Gulzari Lal Nanda who came on the scene around the 1980s were in active politics; Prof Rajinder Singh was an RSS leader. The RSS believed that in order to make a success of their philosophy, political support was critical. The launch of the *Jan Sangh* was commonly perceived to be in furtherance of this perception and the *Jan Sangh*, and later its successor – the BJP, had always been viewed as the political wing of RSS.
- 79.10. The successor to the *Jan Sangh*, the present day BJP did *prima facie* reap the fruits or spoils of democracy through the support of RSS and its allied associations at the polls.
- 79.11. The Temple became one more issue for the use and exploitation by the political parties for furthering their objectives. The political parties started using the temple issue as a veil to emotionally exploit the emotions for electoral gains. The basic human problems and issues were lost in the melee and endless rounds of the blame game which were played.

80. The Ayodhya “Issue”

- 80.1. It seems trite that one must begin by defining what was generally understood by “The Ayodhya Issue” or the temple issue. The answer is anything but simple. *Ayodhya Issue* was used as an epithet to describe almost anything.
- 80.2. In fact the term was commonly used to include a whole set of ideological issues including those of a multi-cultural society, multi cultural, educational, communal policy, nationalism as cultural nationalism, secularism and pseudo-secularism, *Hindutva*, Hindu Rashtra and the history of Hindu shame etc.
- 80.3. The exact connotation of the phrase depended upon the one using it; this was obviously an overused and much abused phrase in that sense.
- 80.4. The Ayodhya issue encompassed many diverse issues and was not only limited to the smaller set of problems of the city of Ayodhya, or the temple, or the structure which may or may not have been the Babri Masjid.
- 80.5. The political realization that *The Ayodhya Issue* was ripe with possibilities and had far reaching political implications, had by 1989 taken definite shape. The possibility of using it as an election plank had emerged and what had hitherto been a local or a purely localized religious issue consciously made a full blown political agenda.
- 80.6. PV Narasimha Rao and all other leaders of national level have admitted that Ayodhya became a national problem after the intermixing of religion with

politics over a period of time. He opined that issue could not be termed as exclusively communal or exclusively political.

- 80.7. The RSS was the first to detect the possibilities and the potential of this issue. The *Shila Pujan* programme was the initiative of the VHP duly approved by its *Dharam Sansad* and was supported by RSS. Prior to this, the RSS and its *Swayam Sevaks* had overtly and covertly started stepping over the issue of Ayodhya four decades after the independence of India.
- 80.8. Prior to 1989, Ayodhya was not a mainstream issue and was on the metaphorical back burner. Thereafter, this local district-level issue was projected as a great challenge to the entire Hindu community⁴⁶⁰. The religious issue thus transformed into a political issue. The transformation was facilitated and encouraged by the Bharatiya Janta Party (BJP). As evidenced by the documentary and oral evidence lead before the Commission, it is indisputable that the BJP initially supported the issues covertly.
- 80.9. The BJP realized the potential of securing a highly emotional mass base capable of being manipulated on religious grounds. In order to capitalize this base, it alleged that the congress and the other parties were betraying the Hindus by appeasing the minorities. They projected themselves as the champions of the Hindus and promised the Hindu citizens their protection. They said that the lack of Hindu rule, as per the dictates of the Shastras was the root cause of the problem and promised to correct this anomaly. The leadership which endorsed this approach of using religion for politics was

⁴⁶⁰ See file No 4.200/30/D/89

expected to have seen the danger of allowing rioters to go unchecked and of helping the separatists endanger the integrity of the nation, though the leadership admitted before me its potential and probability.

80.10. In consonance with the objectives of the RSS of establishing a Hindu Rashtra, to the BJP, as the political wing of the RSS intermingled the religious issue with a political issue to secure political power nationally. It decided to support the temple construction movement by lending its political influence, resources and support vide its Palampur resolution in 1989. The BJP included the issue in its election manifesto for centre and state elections, effectively elevating the issue to a national politico-communal issue.

80.11. Ayodhya became a symbol for the common man and the means for achieving power for the leaders of political and religious parties. The campaign for construction of the Temple was a convenient smokescreen for the subversion of religion into politics.

80.12. Quite a number of leaders and parties wanted the issue of Ayodhya to be kept alive in order to reach out to the religious minded Hindus and it could be used to create an atmosphere of worry and fear within the various communities. In the ensuing uncertain atmosphere, the political parties could now make promises of security and peace during their election campaigns.

80.13. The Ayodhya issue had become a major area of concern for the common man by 1991. The Muslim leadership also contributed to this escalation since it too projected the issue into a Hindu versus Muslim contest. The image of the Ayodhya movement was that of a government movement i.e. governments of

BJP. It was BJP that infused political life into the issue and built it into a movement.

80.14. The dispute and the issue related to the construction of the temple at the disputed site were compared with the destruction of Som Nath Temple and its reconstruction from time to time. Just as with the destruction of the Som Nath temple, the structure at Ayodhya was also proclaimed to be a symbol of the Muslim invaders and of national shame. There is no commonality or historical or factual parallel between the Som Nath Temple and the disputed structure at Ayodhya. There was no construction of any Mosque at the site of the Som Nath Temple. It retained its identity as a temple throughout. It was only destroyed or looted by invaders from time to time.

80.15. The BJP made intelligent use of selected fragments from history, interpolated with unrelated current events and put forth a highly distorted argument in favour of the temple reconstruction movement.

80.16. With the passage of time the temple construction movement or its object did not remain a temple issue alone but it acquired perception as a symbol of race, religion and ethnicity. It grew increasingly bitter and more ethnic and communal with Government ignoring the religious deluge.

80.17. The interested leadership successfully polarized the people on the issue. It converged and converted into the political weapon in the hands of those who preferred results to everything else including democracy or respect for authority. The dimensions of the issue were constantly being attuned and methods devised to reach the correct political result. Attempts were made by

either political group or persons leading the pro and anti construction agendas to exploit the issue from their own end. It led to various marches or Yatras whose impact cannot be underestimated. The philosophy and objective purportedly underlying the issue was only a smokescreen.

80.18. The Government even passed a *Religious Institutions (Prevention and Exercise) Act*, prohibiting the use of religious sites for political purposes and harbouring accused.

80.19. It is impossible to identify any alternative particular reason, which can authoritatively be said to represent the intention of movement. The only apparent motive was to polarize electorate on the premises of caste or religion.

80.20. It is undisputed that the cause had entered into the major political arena for acquiring political power and particularly for sinister purposes. Religion followed by communalism leads to the reinforcement of the caste system which already has deep roots in the society. Religions necessarily need castes and vice versa. The political parties' vested interests of establishing religious niches for themselves for acquiring political power in the numbers game, consciously or unconsciously converted religious issue into identity politics in order to advance the interests of the members of the group. It is irrelevant whether it is the majority or the minority. It further provided for mistrust in governance and the premise for the blame game in order to justify one's own actions. Each player of identity politics claims his action to be in defence or as a counter claim to the other.

- 80.21. The demand for the construction of the temple deprived the Hindu religion of its secular, multi-religious and multicultural credentials of the well reputed Hindu philosophy and the thoughts generally prevalent.
- 80.22. The diverse political parties, divided into groups tend to divide the nation as well. Political parties were acting on what would be beneficial to them and prove popular for garnering votes; what was good for the society was consciously obliterated.
- 80.23. The Ayodhya movement was the culmination of various declarations, hidden intentions, motives and historical and non-historical circumstances created by human ingenuity. The ultimate demolition was the culmination of the circumstances created in the process of acquiring and retaining power. What was needed and not done unfortunately was to treat Ayodhya as a bridge between the present and the past, centring on the thought of the city as a religious place.
- 80.24. The foreign rulers whether knowingly or unknowingly, wittingly or unwittingly sowed the seeds of communalism and castes in the country, disrupting the peace between the communities by keeping a non-issue alive and generating chaos, uncertainty, doubts relating to the relations and the interest of the people of different cultures. Attempts were made by self seekers to keep issues festering, helping them to grow further and faster.
- 80.25. The thoughts and so-called philosophies resulting in the demolition had their foundation in the various theories and thoughts floating during the pre-partition era. It would be expedient to describe some of those theories, the

details, and the facts and circumstances before partition. The theory is a sequel to the seeds of communalism or castes sown by foreigners and kept alive in later times by selfish leadership.

80.26. Mohammed Ali Jinnah propagated the two-nation theory. The other thought prevalent, as has been observed by Khushwant Singh and some others was that of *Hindutva* and the Hindu Rashtra advocated by Savarkar. The *Hindutva* and the Hindu Rashtra doctrines, it was said, infused strength in it by reviving the exaggerated memories of all the wrongs said to have been committed by the Muslim rulers of India.

80.27. Khushwant Singh in his writing commented that a general atmosphere was created that all the wrongs which had been committed by the Muslims and which had resulted in religious bigotries in neighbouring countries in the past, had to be set right. With the passage of time this became a real rallying point leading up to the demolition of the disputed structure.

80.28. The rise of *Hindutva* elevated persons like Vinay Katiyar, Paramhans Ram Chander Dass and Ashok Signal to the status of leaders of religious Hindus. Successive governments did nothing to discourage this political mobilization on the basis of religion and thereby allowed the communal legacy of pre-partition period to continue. Various concessions, big and small, including in the fields of education etc. converted diverse people united only because of their following a religion into insulated social communities. As a natural corollary the political leaderships developed a vested interest variously in the majority and minority communities.

- 80.29. The rule by a particular party and the propagation of their particular religion became synonymous. It came to pass that nothing else mattered beyond the politically desirable results however achieved.
- 80.30. The Muslims ruled over the predominantly Hindu population for about 700 years; during this period their treatment sometime was just, while other times it was cruel. The governments or the political parties who came in power after independence failed to resolve the Hindu-Muslim differences or close the centuries old cleavage between them. Instead, differences along the lines of caste, creed, and religion continued to be emphasized. There was a tussle to wrest rights by the minority from the majority and vice versa which infused the communities. Unfortunately, national heroes, leaders, *Sants*, philosophers, religious leaders and social workers despite proclaiming to build a casteless nation or secular society failed for centuries to correct this, in spite of innumerable sects having come into being, each claiming to be the casteless sects.

81. The role of the political leadership

- 81.1. SP Mukherjee's diary published by Oxford University Press quotes him saying "*the settlement between Hindus and Muslims is impossible. Fight is necessary. A dog eats dog or Indian fight Indian cannot be the end of the story*". These sentiments and similar ones kept festering below the surface for ages.
- 81.2. In this situation the political middlemen emerged as interlocutors for the communities, picking on emotive issues, apparently for tightening their hold on their communities and diverting the attention from real bread and butter issues.
- 81.3. The country having been partitioned on the very basis of religion, the divides of caste, region, ideology etc continued to breed and flourish afterwards. The leadership managed to ensure that the people learn little, if at all, from the past history and instead allowed the politics of corruption, division of society on caste, regional and religious basis to grow and bloom.
- 81.4. Caste and religion, as is well known has its effect on democracy as well as social revolution. It becomes focused on political mobilization at all levels of society in a pursuit of power. Individuals with this mind set scramble up the social ladder while retarding social justice as can be seen in the Indian politics, which was developing fast after independence. Many unlettered individuals who had no practical experience of any social sciences nor were known for their knowledge, intelligence or expertise in any field moved up

the social ladder by a paradoxical erosion of the traditional caste system and religion at the cost of nation and the society under the veil of social revolution. This provided them an opportunity of enjoying the spoils of democracy; they were supported by some sections of the media for their own hidden reasons or as a consequence of the degradation of its moral authority.

- 81.5. There is no denying the fact that elections are one more opportunity for the religious leadership to promise support to the candidates in return for their specific promises to support a particular agenda upon election. The religious leaders can wield enormous influence within their communities and are thus able to enforce the success in the elections as well as the compliance of the assurances given. Undisputedly this was the case during the present movement of construction of temple, with its incidental degradation of constitutional, ethical, moral and secular values.
- 81.6. The multicultural, linguistic life of an individual or society requires religious neutrality for proper political governance from their representatives and the institutions created under the Constitution. However, the events show that at present, the religion and caste has influenced the threads of governance and resultantly the polity has got polarized and divided.
- 81.7. In reality it was the “religious behaviour” of the political parties of the day which provoked the people into demolishing the structure. It was believed that the result was a tailor-made exercise of a logical position that was known and guided by the polity because of the popular support by the majority community.

- 81.8. The leaders of the movement did not invoke any intellectual hierarchy for the movement, but rather an emotional one in the name of religion. The motive of gaining political power impelled the temple construction movement which finally led to the demolition of the disputed structure.
- 81.9. An act which is committed because of a desire to accede to the demand of the people and for political expediency, despite its being violative of the constitutional order, can lead to no other consequence except, chaos and civil war.
- 81.10. Emphasis was laid, by various leaders who appeared before the Commission that the first principle of governance is that the majority rulers can do as they please notwithstanding the rights or objections of the minority. The individuals' rights against the majority are confined to some areas concerning life only. On the contrary, the protection provided by the Constitution through the fundamental rights cannot be disturbed or upset as the same would lead to tyrannical rule. When the state of UP chose to govern according to its own desires and its election manifesto, it violated all the provisions of the constitution, legislatures and of the rule by a majority; this governance can be more aptly termed dictatorial.
- 81.11. Most of the population of Ayodhya belonged to the priestly class and was not involved in any other vocation. Their lives revolved around the temples and they made their modest wages, running small temples. They found it difficult to obtain benefits of current society even though they naturally had

the usual expectation which were not being fulfilled by the government or by the society.

81.12. Governments or administrations which survive only from crisis to crisis and by surviving last minute challenges providentially, unconsciously fritter away the independence acquired through parliamentary democracy of majority and leave the door open for the opportunists and political hustlers to foster unnecessary caste and religion wars like Mandal and Ayodhya etc.

81.13. It is for the leadership and not for this Commission to debate with experts to find ways and means to get rid of old prejudices and conceptions of a bygone era which helped divide the country into two. It is for them to utilize the available economic and human potential for creating employment opportunities and satisfying other needs of the people in this fast developing era of science and technology. It is for them to find ways and means to minimize the negative influence of religion, region, caste or fundamentalism as hurdles in the growth of the nation.

81.14. In Ayodhya, the relationship of the police, bureaucrats, political executive and the administration with the public, was poor. In hindsight, this needed the attention of administrative and governance experts. It now calls for a further look on the interaction of politics with religion, caste and regionalism; and the participation of religious leadership in politics.

81.15. There was a visible malfunctioning of the social system and a lack of social interaction by individual groups within the society and by the various religious groups which resulted in the hostile outbursts. Similar tendencies

around the country therefore must be checked, for preventing recurrence of similar situations.

- 81.16. Ayodhya was a case of the exploitation by the majority as well as the minority of the other class in a power game which resulted in terrorizing the common person. The competition between the religious and the political leadership also requires a closer look and needs to be curbed.

82. The legislators

- 82.1. The legislators are expected to be composed of rational men acting with competence and restraint; and acting in good faith for the public interest. They are supposed to understand the society's needs. However from the empirical evidence on the record, it emerged that the legislators were unable to reconcile their roles as legislators with their role as members of the political executive or their roles as government executive with that of party workers. The slogans raising by political leaders and religious leaders as well as the *Karsevaks* sounded more like war cries and whipped up the crowds into a religious frenzy.
- 82.2. The leaders of the movement used provocative language and innuendoes in their speeches. The language and tone of the speeches and slogans was not only provocative but amounted to urging on the *Karsevaks* to demolition. I can safely venture to observe that the religious, or quasi religious, feelings of the *Karsevaks* were fully nurtured and allowed to turn violent. The hatred against a particular community was fully imbibed amongst the *Karsevaks* and this feeling was sustained and encouraged by the leaders, media and by all other means of communication, for all these years.
- 82.3. This active provocation and instigation was done initially by word of mouth and then through the mass media – there were no holds barred. The *agents provocateurs* were indistinguishable from the government officials and worked towards their party goals utilizing the government machinery and their own

resources. Resultantly, the *Karsevaks* present were more committed to religious faith than to the rule of law or the constitution.

- 82.4. A leadership must step forth with much more responsibility to put a lid on the mischievous element in the society bent upon exploiting the factors referred to above, for their individual aggrandizement through repression, misguidance, acquiring power through mass means and improper reliance on philosophies such as *Hindutva*, Mandal, *Son of Soil*, etc.
- 82.5. An artificially created mistrust between the Hindus and the Muslim led to the partition of the country in 1947. This groomed further distrust amongst the believers in law, rule of law, governance by constitution, security of fundamental rights, distrust amongst minorities etc. The caste based politics, criminality in politics and the influence of money in politics is being actively encouraged even now. As a natural corollary the belief developed in a quite a large section of society that the problems of India were basically the problems of the Hindus and this was ingrained as the basic thought.
- 82.6. The Constitution does not envisage any such situation, of course. The Hindu leadership which believes that India can be managed through means of religion, castes etc. are not relevant in the era of globalization and scientific development of humanity and the means of communication. It is undeniable that secularism is essential for maintaining the integrity and unity of the country. Unfortunately, religion is drilled into the common man, so that by the time he is an adult, he is already wearing blinkers and shunning awareness.

82.7. A campaign of hatred was organized with various objectives inducing paranoia in the psyche of the common man. With objectives like the acquisition of power, employment, office, upper hand in society for recognition and self importance, the campaign drew inferences from the government's failure to ameliorate religious sentiments, projected threats to religion, and convinced the people that they were victims of religious oppression. They further propagated the belief that the police, administration and the political executive were working in unison and supporting each other. It provided inertia to bureaucrats to grab political system from the leaders. This process of grabbing political system provides opportunities for generating riotous conduct, as it happened on the 6th of December 1992.

83. The wedge between the Hindus and the Muslims

- 83.1. It is widely accepted that by the mid-1940s, the bifurcation of the country was a foregone conclusion. The people had no illusions left over the matter and had slowly come to accept the two nation theory. Despite the best efforts of some well intentioned leaders, the bitterness between the Hindu and the Muslim communities had escalated steadily.
- 83.2. The 1950 Indian Constitution was therefore given to the society and it was hoped that it would serve as the beacon light for good governance. It was never envisaged that the successive leaderships would not be able to forestall caste or religion based politics. The least that was expected from the future leaderships was that they would not encourage politics based on these divisive criteria of caste, religion, and regionalism. The constitution optimistically emphasized the protection of the weaker section of the society and freedom of religion which had come at the price of parting with the territory to Pakistan upon partition.
- 83.3. The electoral system however made itself available to manipulation. Groups with vested religious interests got an opportunity to mobilize other caste groups representing larger numbers of people. It was the sheer numerical majority which culminated in the events of the 6th of December 1992.
- 83.4. The terror and terrorists exported by neighbouring countries to India provided an excellent opportunity and reason for spreading rhetorical and

communal propaganda and encouraging the historical religious cleavage, using it as a tool for promoting the RSS school of thought. Specific reference can be made to the vulgar language used by Vinay Katiyar with respect to the incidents of mid-1960s at the Hazratbal shrine as rhetoric for propagating hate and hyping the frenzy among Hindus. He stated that *“the courts have accepted the disputed site to be the birthplace of lord Ram. The only people who are not accepting it to be the birthplace of Lord Ram are those who have their eye on the votebank. These politicians are unable to see this vast birthplace but when a single tiny hair of Prophet Mohammad went missing, they were able to identify the hair as that of the Prophet. After all, what is the difference between that one hair and any other hair? Yet the Muslim scholars and writers from within and outside India are unable to see the birthplace of Lord Ram, even though it has been proved – and that makes me very sad.”*

84. The post independence circumstances

- 84.1. Despite the bitter experiences of the partition and the background against which it happened, nothing happened from 1947 to the 22nd of December 1949 when the bitterness between the two communities resurfaced due to other factors referred to in this report and led to the installation of idols in the disputed structure in December of 1949.
- 84.2. The evidence available with the Commission clearly show that even after the installation of the idols by force, neither the bureaucratic or legislative nor the executive officers, nor the political executive on the spot desired the removal of the idols installed in 1949. Those in power at the time asserted that the removal of idols posed a threat to peace and this assertion continued to be propagated till later on as well. The deceptiveness or the authenticity of this assumption can be judged and assessed from the facts revealed later in time.
- 84.3. In any case, there was nothing untoward that happened at the site for the next three decades- the site did not even warrant the deployment of more than a few constables. In fact till 1986, less than ten constables were deployed at the disputed structure. Of course on religious festivals, a slightly larger police presence to regulate the traffic and the devotees' entry was utilized.
- 84.4. The falsity of the claim that the removal of the idols would lead to violence is further highlighted by the fact that the District Magistrate contested the elections later. His conduct in the whole episode of 1949 made clear his

hidden agenda and the political executive's inability to foresee the warning signs. The loss of control over the executive by the political executive was writ large and the letters written by KK Nayyar, the District Magistrate to his higher authorities declining to act on their orders, and claiming his right to act independently, showed the patent weakness of the government. The District Magistrate had accepted that the installation of the idols in the mosque was undoubtedly an illegal act and his later conduct put not only the local authority but also the government in an awkward position⁴⁶¹. With the passage of time the political executive not only mastered but masterminded and used the bureaucracy for political ends and for acquiring or retaining power and economically for enriching itself.

- 84.5. The history books produced before the Commission as well as the White Paper issue by the Government of India and the BJP, and also the contentions by various counsels are unanimous that in 1528, the Emperor Babar ordered Mir Baqi, his Commander to erect a mosque at Ayodhya.
- 84.6. The subsequent tumultuous history of the site and the structure has been recorded elsewhere in this report and need not be repeated here.
- 84.7. Cleavage, hostility and division of the Hindus and the Muslims on the basis of religion are historical facts. The movement had the effect of excluding from recollection that which went before the building of the monument for some reason.

⁴⁶¹ See letters CW 8/A, CW 8/B.

85. The growth of the RSS

- 85.1. Around 1948—49, the RSS adopted its constitution and a flag, which was undisputedly supposed to be a flag of Ram Chander who is accepted to be the incarnation of God and an ideal king. Shiva Ji was accepted as the idol and hero of the RSS.
- 85.2. Veer Savarkar was succeeded by Hedgewar, as the leader of the RSS and much later followed by Rajinder Singh, also called Raju Bhaiyya as admitted in the written arguments by the counsel for RSS. The RSS drew the conclusion that the absence of national conscience and a lack of feeling of being an organic limb of national life in individual, results in mutual hatred and discord, jealousy and quarrels for selfish ends which malaise has been eating into the nation and had caused the division of Hindu society into higher and lower castes; a reference was made to the degrading practice of untouchability and it was cited as the root cause of downfall of the nation. RSS mission was therefore, it was said, realizing the national character of Hindu people, to inculcate a burning devotion for Bharat and a national ethos.
- 85.3. M.S. Golwalker succeeded Hedgewar as the RSS chief and during this time, the RSS experienced massive growth which the Congress party perceived to be a political threat. The RSS organization claimed to be engaged in serving fields such as labour, social, political, educational, etc.

- 85.4. The RSS had several organizations which were affiliated to it. Some attempts were made to project them as independent autonomous institutions, but generally it was accepted and believed that they were a constituent part of the RSS. These constituent units addressed themselves to micro level politics, covering all spheres of human activity which influenced the social or political life. For examples *Vidya Bharti*, *Akhil Bharatiya Sahitya Parishad*, *Prayal Bharti Deen Dayal Institute* etc. Between 1977 and 1982, there were 40,000 RSS *Shakas* with a membership of 27,00,000 dedicated *Swayamsevaks*.
- 85.5. The cleavage between Muslims and Hindus on religious basis gave further rise to the popular belief amongst Hindus that the Muslims were a violent people. As a result of this impression, the RSS cadres were trained in the use of *Lathis* and other martial arts ostensibly for self-defence which training inculcated an attitude of militancy and laid the grounds for a kind of civil strife. It generated fear and insecurity not only among the minorities but also those who did not toe the RSS line of thought.
- 85.6. The RSS continued to proselytize its peculiar theories and thoughts asserting them to be relating to nationalism, secularism and cultural nationalism. The RSS's concept of secularism as propagated during the movement bears no resemblance with secularism as understood internationally. The RSS associates were continually preaching that secularism means "sarva dharma sambhav". Similarly, the RSS had its own version of "nationalism" and understood it to mean not geographical or political nationalism but cultural nationalism. The doctrine or idea of *Hindutva* continued to be nurtured during the post independence period.

- 85.7. RSS defined culture as , “[it] does not mean the popular or limited meaning as pertaining to drama, music, dance etc. Even Sanskriti etc, it has to be understood as culture and it is to be understood as expounded by the founder and philosopher of RSS Shri Golwalkar. Culture includes all aspects of society and nation, viz. political, social, economic, customary, morality, language and in general Hindu way of life”.
- 85.8. This Commission need not give any finding on these aspects though these have been noticed as these have emerged from the statements of various witnesses who have testified. The various philosophies and thoughts propounded have been noticed to the extent of their being relevant for the inquiry and for deducing the circumstances leading to the demolition.
- 85.9. Throughout this period the executive abandoned any pretence of a professional approach while the legislators, instead of representing the executive and Constitution, started conniving with the government officials and plans for fulfilling their party goals. Their commitment to the religious faith was solely for the purpose of their election manifesto and this became the guiding light for governance, rather than the constitution or the law.
- 85.10. The RSS proclaims itself to be a cultural body devoted to national upliftment and committed to nationalism and secularism. It denies being a political party and states that its constitution bars active participation of the RSS in politics, which in my opinion is quite contrary to ground realities as evidenced by the actual events; and also as argued by the counsel for RSS in

his written submissions that the organizations serves all the fields such as labour, social, political, education, etc.

85.11. LK Advani accepted that he follows the thoughts and philosophy of the Pt Deen Dayal. In a way those constitute the philosophy of the BJP as well. Pt Deen Dayal was an RSS member who entered the political field on the directions of the RSS. Imbibed with the views and the training of RSS, even as a politician, he was of the view that the activity of a political party is only a means for nation building. He deliberated over various questions including why India was partitioned and opined that the thoughts of the leaders of that time were superficial and inconsistent with the nation's ethos. He declared that "*the notion of territorial nationalism is wrong.*"

85.12. He opined that the people before the partition wrongly believed that whoever was opposed to the British was a patriot, which was not the correct definition of patriotism. While accepting that unity between Hindus and Muslims was experimented with, for the struggle for independence, but this did not succeed. He expressed dissatisfaction with the 1950 Indian Constitution, because he thought that the constitution had a Western perspective and that there was no trace of indigenous thinking in the Constitution of India. He blamed the ideology followed for having been borrowed from elsewhere.

85.13. The RSS ideology of the *Hindu Rashtra* was the basic premise for his works. He believed that in pre-partition era Muslim communalism became more and more aggressive, while the attempts of the leaders for Hindu Muslim unity failed. He came to the conclusion that cultural unity was the basis for

existence as a nation and rejected the notion that a nation was formed by all those people who live within the territorial boundaries. He explained that people living in a common territory are required to form a nation but it is not necessary that all the people living in a territory are its nationals. He came to a conclusion that Hindustan is a nation of Hindus, and Hindutva alone is the basis of nationalism in Bharat. He took over the responsibility of *Bharatiya Jan Sangh*, with the thought of identifying *Bharatiya* with *Hindu*. Hindu way of life was expounded to mean the national way of life.

- 85.14. Deen Dayal Upadhyaya impliedly and by his conduct agreed with MA Jinnah's theory that Hindus and Muslims were two separate nations. Deen Dayal Upadhyaya had stated that *"the problem of India is not inter-caste, it is international. If peace is to reign here, the major communities must be given their own separate chunks of land. It is nothing but mere dream to imagine that Hindus and Muslim can stay together in India as members of composite nationality. The Muslims are not a minority community, they are a nation. They must have their own independent land and their own state."* It was further preached that we should have completely got rid of the Muslims. This problem of political majority was for all. We should not have allowed the fissiparous tendencies which brought about partition to raise its ugly head again. He opined that the habit of pushing ahead political demands in the name of religion, dealt a severe blow to our national unity in 1947. He laid emphasis on cultural unity. He said, whether it is Christians or Muslims, they must identify themselves with the age-long national cultural streams that were Hindu culture in this country.

- 85.15. He was of the opinion that the Muslims in India came as aggressors and their successors intended to continue in the same capacity; the creation of Pakistan was clearly a political aggression on Indian territory. He further opined that the political aspirations and the religious intolerance of Muslims had not undergone any change⁴⁶².
- 85.16. It was openly asserted and commonly accepted that the pre-partition *Jan Sangh* was the political wing of RSS. The *Jan Sangh* later was renamed the Bharatiya Janta Party (BJP). Though some of the leaders have tried to claim that the BJP and RSS are independent organizations, in another part of this report, the Commission has dealt with the question and concluded that they are functionally, if not legally, intertwined and inseparable. The admission by Pt. Deen Dayal Upadhyaya in no uncertain terms in his books that he was deputed by the RSS to organize the *Bharatiya Jan Sangh* is a clear indicator of this relationship. Even on date, the RSS office bearers *Swayam Sevaks* are deputed by RSS to carry out the work of BJP; the top echelon of the BJP leadership is predominantly from the RSS and they are guided by its thoughts and philosophy in governance. The RSS has considerable influence on the leadership not only of BJP but also on the other allied organizations participating in the temple construction movement or which have Hinduism as their objective. Using its sweeping influence over the organizers and the institutions participating, the RSS controlled every aspect of the Ayodhya movement.

⁴⁶² See "Pandit Deen Dayal Upadhyaya, Ideology and Perception – Part V, Concept of Hindu Rashtra"

85.17. Despite the attempts made to distance the RSS or BJP from the movement by attributing the movement to the VHP or the *Dharam Sansad* etc. I have concluded that all these other members of the *Sangh Parivar* are merely frontal organizations of RSS deputed to working in different fields. There was no illusion in the minds of the common man that the RSS or the VHP etc. were either different or distant from the BJP or that their objectives were not identical.

86. The changing nature of the polity

86.1. With passage of time confrontation between cultural based secularism and politics arose. Constitutional secularism was given the name of Western Secularism. Religious secularism started taking root over the national secularism as understood by a common man from the constitution of India. The participation of religion in public sphere, politics etc. in the multicultural, multi religious, multi racial, multi regional, multi linguistic society was ignited. Religion started getting mixed with politics, which is the easy way to acquire power. Some theorists or leading politicians felt that socialism or secularism had failed. People at large lost respect for the politicians who, because of their political compulsions found ways and means to twist, break and change with the changing expediencies to acquire power or remain in power. It cannot be denied that religious or caste fanatics or propagandists are violent and ferocious in the name of religion or caste. Blind faith in particular religion does give impetus to caste system thereby taking the nation back into the tribal era or stone age.

86.2. Overcoming all hurdles of inefficiency, incompetence, secretiveness etc., and the temple construction movement was brought to the national scene and out of the shell of a religious movement. The movement got the impetus and came into full swing, on account of factors like human nature, dominating agenda, towering personality and charismatic leader like LK Advani, supported by over-zealous leaders out to achieve power at all cost. A coterie

of individuals without responsibility made successive irresponsible promises to the electorate for the purpose.

87. The temple movement

- 87.1. Acharya Dharminder Dev⁴⁶³ admitted and asserted that the temple movement saw the light of the day with the issue of the *Kashi Vishavnath Mandir* at Varanasi undertaken by *Hindu Mahasabha* in 1959.
- 87.2. In 1967, a non-Congress Government with the support and participation of *Jan Sangh*, predecessor of BJP, came in power in the State of UP. Still there was not even a reference to movement or claim put forth to the disputed structure. Later around 1983, Rajendra Singh (Raju Bhaiyya), Dau Dayal Khanna and Gulzari Lal Nanda for the first time raised a question with respect to the disputed structure.
- 87.3. Neither the Muslims nor the Hindus had thus far staked any claim to the structure and no theories suggesting that the disputed structure was a “signpost of slavery” necessitating its removal had been advanced.
- 87.4. Even though the dispute at Kashi and Mathura had been raised for some time prior to 1983, the construction of a temple at Ayodhya had not gotten any attention from the masses beyond the immediate vicinity.
- 87.5. Much later, the public was sought to be “awakened” to the Ayodhya issue by way of the *Rath Yatras* undertaken under various names by the leadership.

⁴⁶³ CW10

- 87.6. A conscious effort was made before the Commission to assert that LK Advani used much restraint in his speeches during his *Rath Yatra* and avoided making any reference to Muslims. LK Advani claimed that he was asked, requested and later threatened to halt his *yatra*. He felt confident that the whole nation was behind him in his *Ram Rath Yatra* and challenged the administration to arrest the entire nation if it wanted to stop the *yatra*. There is no gainsaying that the *Ram Rath Yatra* emotively charged the atmosphere and hyped up the emotions of the Hindus and believers of Ram.
- 87.7. Advani admitted that the “*Rath Yatra was received by public with religious gusto and reverence*” The simple people who cheered the *yatra* took it in fact, as a divine chariot and the *yatra* itself as a religious event. LK Advani himself stated that efforts had to be made to explain to the people that this *Rath* had nothing to do with the religion, as it was a mechanically propelled truck. Be that as it may, the *Rath Yatra* intentionally or otherwise, was received as a symbol of the religion. During the course of *Rath Yatra* the local leadership made highly emotive speeches. Those pro-construction and those opposing construction exploited the issue for their own end.
- 87.8. The effect and impact of the various marches or *Yatras* cannot be underestimated in their contribution to generating an environment conducive to the final outcome, not only in Ayodhya but also in the state of UP and the rest of the country.
- 87.9. From a conspectus of the statements of Ramchander Paramhans, Shakshi Ji Maharaj, Acharya Giriraj Kishore, Ashok Singhal, KS Sudarshan and other

leaders who appeared before me, the following can be discerned. The leadership of the movement perceived that the movement could not succeed without joining in Hindu national parties. The RSS jumped into the fray, and assured its support to the rambling movement. It passed various resolutions from time to time during the course of movement. It started supporting the movement from inside as well as from the outside, be it a *Rath Yatra* or mobilization of the *Karsevaks*. Not only were the cadre of RSS, but also Hindus across the world exhorted to participate in *Rath Yatras* taken out for mobilization or the *Karseva* to be carried out from time to time.

87.10. The various organizations collectively referred to as the *Sangh Parivar* and the BJP were floated by persons who are, or were an integral part of the RSS at some point of time or other. These people had joined various streams of life and taken up local issues but the RSS continued to exercise control over them. They were not only advised on various issues from time to time but also expected to actively participate in the issues raised or any movement carried out by the RSS. At the cost of repetition it can be reasonably said that RSS was and is *patria protecta* for almost all the parties who have either *Hindutva* or Hinduism directly or indirectly its major plank or premises of its working.

87.11. The leadership of movement was substantially in the hands of VHP, RSS and BJP though some *Sadhus* and *Sants* like Paramhans Ramchander Dass etc. proclaimed themselves to be the leader of the movement. It cannot be lost sight of, however that they too were members of VHP or its constituent bodies.

87.12. In 1984, in order to strengthen its hold, the *Dharam Sansad* was projected to be the nodal organization with respect to the issue of the disputed structure even though the VHP's agenda issued used to be approved and endorsed by *Dharam Sansad*. It was VHP which used to decide the invitees for meetings, the agenda etc. as well as the outcome or the decision it required from the meetings.

87.13. It is in the course of movement for the "liberation" of the disputed structure, that in June 1984 the *Ram Janam Bhoomi Mukti Yajna Samiti* or *Dharam Sthan Mukti Yajna Samiti* were constituted in the *Digamber Akhara*, with Aavidyanath as the President, Nritya Gopal Dass, Paramhans Ramchander Dass its Vice-Presidents and Dau Dayal Khanna as convenor and General Secretary. Other personalities like Onkar Bhave, Mahesh Narain Singh and Dinesh Tyagi became office bearer of the association. In September 1984 a decision to launch the movement with an oath (Sankalp) to protect Hinduism, liberation of disputed structure, opening of locks was taken. It was decided by one of the constituted bodies of VHP known as *Ram Janam Bhoomi* Action Committee to launch the Tala Kholo movement.

87.14. A *Virat Hindu Samelan* was held on 18th of October 1984. It was decided to give a memorandum to the Chief Minister. In continuity or along with *Ram Janki Rath Yatra* and holding of sammellans various *Rath Yatra's* were taken out all over the country, especially in UP to demand the "liberation" of disputed structure.

- 87.15. At the bottom of the movement it was acquisition of the political power, while leaving behind the required governance in conformity with the principles enshrined in the Constitution.
- 87.16. *Bajrang Dal* – a youth wing of VHP, with one of the object of construction of temple, was constituted under the Presidentship of Vinay Katiyar, with the blessings of Paramhans Ramchander Dass, in the premises of Digamber Akhara.
- 87.17. *Bajrang Dal* was proclaimed by the leaders of VHP and accepted as such by the general public as the youth wing of VHP. It hoisted a flag on the *Shilanyas* rectangle⁴⁶⁴. Vinay Katiyar who has consistently made self-contradictory statements before the Commission made the solitary attempt to portray the *Bajrang Dal* as an independent body, which cannot be believed.
- 87.18. The *Ram Janki Rath Yatra* which had been suspended was resumed. Support from other Hindu minded parties was sought for the movement by VHP, RSS and Paramhans Ramchander Dass. The *Bajrang Dal* held a *bandh* in support of their demand for opening of the locks at Ayodhya. Paramhans Ramchander Dass threatened self-immolation.
- 87.19. The order of the 8th of March 1986 of District Judge Umesh Chander Pandey on an application by a stranger to the pending litigation, and who had no known background of either being a public spirited person or a leader of any standing, nor who was a party in the appeal against the order declining

⁴⁶⁴ See the statements of Mahant Paramhans Ram Chander Dass, Acharya Giriraj Kishore, V.H. Dalmia, and Ashok Singhal etc.

the preponement of the date, ordered the opening of the locks and this was projected as a sign of victory by the campaigners⁴⁶⁵.

87.20. The opening of locks spurred into creation the *All India Babri Masjid Action Committee*. This Committee took a decision to observe a black day to protest the opening of the locks. The protagonists of the temple movement however declared that they would raise cadre of sacrificial group.

87.21. The leaders on either side of the issue mobilized public support for their respective causes and conducted several activities for the purpose.

87.22. The Hindus and the Muslims got embroiled in heated and acrimonious debates on the question of the disputed structure and the protection of rights of either community. Radical religion-centric politics was injected into government and the bureaucracy. A herculean constitutional struggle with religion bigotry faced the nation without any leader to come forward to lead the nation out of the communal mess.

87.23. The warning signals that the cultural fibre of the nation was in danger went unheeded in the state political, bureaucratic and legislative executives.

87.24. There is no gainsaying that the political parties, in order to acquire power, give tickets and contest elections on the basis of caste, creed, religion and other extraneous considerations. There is no effective check or counter balance provided for the same either by the Constitution or the laws made

⁴⁶⁵ See the statement of BP Singhal (CW5)

thereunder, in spite of the fact that secularism is considered a basic and fundamental fibre of the Constitution.

- 87.25. The whole temple movement was a political device employed mostly for acquiring political power. This is possibly normal human conduct that a political party seeks to increase their influence by means of catchy plans and populist programmes.
- 87.26. The country has more than its share of the priest ridden, ignorant, illiterate and underdeveloped people who are unable to face up to the fast blowing winds of change. The rapid advancements in the means of communication played a prominent role in helping the spread of the temple movement within the Hindus and provided an opportunity to the other camp to similarly rouse the emotions of Muslims.
- 87.27. The communal situation deteriorated greatly and tensions between the two communities escalated to dangerous levels. The cleavage between them may not be obliterated completely, but it is always capable of being diluted. The vested political interests did not however allow it to be minimized. They aggravated the situation and worsened the relations between the communities as and when they required, or as and when the situation demanded it.
- 87.28. In multiple meetings, the Home Minister of India tried to defuse the tension and invited all concerned for negotiation in July 1988. In the meeting held on the 17th of August 1988 by the *Babri Masjid Movement Coordination Committee*, it was demanded that the idols should be taken out of the mosque; it was stated that a negotiated settlement was not possible because of

the hard stance adopted by the Hindu leaders. There were some audible demands calling for the constitution of bench in the Court consisting of judges who neither belonged to the Hindu nor the Muslim communities. It may be noted all these demands started showing up only once the communal elements had discovered the political potential of this issue.

87.29. The protagonists of the pro-construction movement publicly asserted that there was neither a question of any negotiation on Ayodhya nor could the problem be solved through a judicial process since it related to the centuries old faith of Hindus; the courts could not decide religious or political matters as that would be in conflict with the mandate of the people to build the temple.

87.30. It was being openly proclaimed that the orders or decisions of the Supreme Court would not bind the *Karsevaks* or their leaders. The orders of *Sadhu* and *Sants* only would have binding force on them and would be followed despite whatever the courts might say. Even the undertaking given by the government or the VHP representatives to protect the disputed structure and maintaining status quo with respect to construction was challenged by persons like Ashok Singhal, the forerunner of the movement.

87.31. By the 31st of July 1992, Ashok Singhal, Paramhans Ramchander Das, HV Sheshadhari, KS Sudarshan and other leaders of the Sangh Parivar, Sadhus and Sants, karsevaks, Shiv Sainiks and their leaders had, in the context of earlier declarations had a defiant attitude towards the court orders. They publically declared that a constitutional or juridical solution provided by the

courts would not necessarily mean that it would be accepted by them, in preference to the mandate of the people.

87.32. The battle lines had been drawn and definite posturing on the construction issue had begun. Those for the temple had decided to demolish the disputed structure in October / November 1990. The other side had equally resolved to oppose the efforts and to protect the structure.

87.33. Ashok Singhal and leaders under his leadership, entered into a written agreement arrived with the Government for carrying out the *Shilanyas*. The site of *Shilanyas* was proclaimed to be outside the disputed land and was situated at a distance of 162 feet from the idols and 17 ½ feet of the eastern side of the disputed structure towards the southern side. A rectangular platform of 8 feet was built. 3,50,000 *Shilas* (bricks) had reached Ayodhya for construction of the temple. The *Shilanyas* was claimed to be for the construction of the temple. After the *Shilanyas*, in view of the impending elections further process or the movement was stopped.

87.34. The Muslim leadership pressed for an early adjudication of the dispute by the courts and at the same time, sought the arrest of the persons making inflammatory, defamatory and provocative speeches.

87.35. The BJP's resolution in June 1989 to actively participate in the construction of the temple was considered to be a historical decision, and spelt out its reasons which included the attribution motives to the Congress's alleged campaign against the BJP and VHP in order to garner Muslim votes. The BJP accused the Congress of defying the judicial determination and historical

facts. It considered that the other political parties were also assaulting and betraying the sentiments of the majority in the country. The conduct of the Congress and other political parties was to appease Muslims under the veneer of secularism.

87.36. The BJP also cited that the structure had not been used as a mosque by the Muslims ever since 1936. The Hindus had been regularly performing Puja therein. Parallels between Ayodhya and the Somnath temple were drawn. Though this resolution was passed in 1989, BJP leaders including Advani and Vajpayee had been supporting the construction movement of temple overtly since 1984 and covertly ever since its inception.

87.37. It is generally understood that an election manifesto issued by a party forms the basis for the people's expectation from it and is the parties' promise to the people, made before the elections. The BJP in the state of UP had stated in their election manifesto stated that they would fulfil the commitment of constructing the temple. Kalyan Singh expressed his inability to enforce the courts' order to the contrary. LK Advani and Atal Bihari Vajpayee requested PV Narasimha Rao to intervene as it was difficult for them to placate the religious leaders. They gave the Prime Ministers the names of the influential religious leaders who alone could help⁴⁶⁶.

87.38. The High Court of Allahabad ordered *status quo* with respect to *Shilanyas* site as well as the disputed structure. Since the High Court and the Supreme Court declined to interfere in the *Shila Pujan* programme, the *Shilanyas* was

⁴⁶⁶ See the statement of PV Narasimha Rao

not stopped and it was left open to the State Government to decide whether the proposed site of the *Shila Pujan* and *Shilanyas* was within the disputed site or not. The Supreme Court affirmed this order while observing that conducting religious processions is a fundamental right.

87.39. The fact that Ashok Singhal was a prominent and key VHP leader, irrespective of the formal post he was holding is evidenced from the documentary and oral evidence lead before the Commission, as well as Singhal's own statement. Most of the time Singhal was the one who used to negotiate with the government authorities, administration, opposite claimants etc. He used to hold the meeting of *Sadhus* and *Sants* and settled their agenda and executed their decisions. He claimed to be limiting himself to executing the directives of the *Sadhus* and *Sants*, even at the site of disputed structure, while it stands established that he was a prominent part of the decision making process itself. It was he who entered into a written agreement with the government, that the VHP shall give prior intimation to the district authorities about the *Shila* processions and later agreed for the required changing of the procession routes by negotiating with government. He claimed to have ensured that the VHP and its followers did not raise any provocative slogans which may endanger communal harmony as well as the practical modalities and logistics of the entire events.

87.40. All the members of parliament, irrespective of their affiliation, with the exception of BJP's MPs took a decision not to participate in *Shilanyas* programme. Organisers of *Karseva* were requested not to carry out the programme of *Shilanyas*.

87.41. The BJP proclaimed that they had no control over the *Karsevaks* or the movement or the leaders of the movement or the *Sangh Parivar* or RSS as such; however it cannot be denied that almost all the leaders of the BJP, VHP and other organizations in the *Sangh Parivar* used to be, or are current members of the RSS⁴⁶⁷. So much so, that even Atal Bihari Vajpayee, even whilst he was the Prime Minister, proclaimed that he is first a swayamsevak and thereafter the Prime Minister. This was widely published in the media and never denied.

87.42. The political leadership of BJP was consciously wielding its power and influence upon *Sants* and *Sadhus*, RSS and *vice versa*. Their charismatic hold on religious-minded Hindus was actively used during the elections, latently or patently. The Hindus as a community were projected the sufferers of a policy of appeasing the Muslims as a vote bank policy.

⁴⁶⁷ See statements of KS Sudershan, Acharya Giriraj Kishore, Ashok Singhal etc.

88. The police and the civil administration

- 88.1. The process of governance and the running of the government were getting complex and there was a tussle for control, information and statistics etc. This was directly having an effect on the public and it became impossible to demarcate and define the operational and political areas of influence. Political control of public services was and remains a fast growing phenomenon in government, obliterating whatever thin line of demarcation there was.
- 88.2. The administration allowed the situation to worsen with their passive or active support. The decision making process drifted without any firm guidance and no effective decision to respond to a developing situation was taken despite alerts by the media and various other agencies. The rumours and the situation were repeatedly put before the courts. Any experienced administration worth its name, with a little foresight could have envisaged what resulted.
- 88.3. The bureaucracy and the civil servants had in reality surrendered themselves to the political executives, who had no intention, experience, expertise or capability of planning at the spot. The bureaucrats, without naming them at this place, betrayed public well being and failed to uphold the rule of law. Elsewhere in this report, it has already been held that the administration did not exist at all at the spot or else was drifting at all levels of governance, having been politicised.

- 88.4. There was a complete lack of interaction of the police and the administration with the public. Their interaction was only with the local leadership, their own intelligence and sources of information, apart from the organisers, leadership. They were required to maintain contacts with all groups in all communities, their official bodies and representatives and had the duty to ask the organisers to explain their programmes and explain police arrangements to them – they failed in this. For lack of this interaction, the police were unable to form an independent informed judgment essential for the police officer. There was a complete collapse of liaison and consultation between the police, public and organisers of the movement. The police was totally oblivious to the necessity of adjusting policing and keeping in view the multi-religious and multi-cultural society of the country. Resultantly, the amassed mobs had no doubt that the police had been muzzled and was going to remain as an inactive bystander.
- 88.5. There is not an iota of evidence before this Commission that there was any thought-out policing policy in place. Police authorities as well as the administration exhibited child-like simplicity in their assumptions and especially in their hope that the *Karsevaks* would be confined to symbolic *Karseva*. They had no influence or control over the local leadership or the people coming from all over the country. The Police itself lent credibility to the perception of the crowd that the police was supporting them in their object of *Karseva* for construction of temple. There was no surveillance or identification of areas to be checked for undesirable elements, there were no preventive measures, the officers present and in command were

unimaginative, ineffective with their own prejudice regarding the construction of temple and oblivious to their constitutional duties for whatever considerations. They were not conscious of the gravity and intensity of the situation, of the numbers of public coming from outside. At the same time, the media was acutely conscious and constantly reporting about the intensity of frenzied crowd going berserk, though they were conscious of the repercussion of it at national and international level.

89. The nature of the movement

- 89.1. The whole movement was dominated by the BJP, RSS and the Shiv Sena which led to polarisation between Hindus and Muslims. The leadership, administration, political parties, government and *Sadhus* and *Sants* projected the dispute to be a fight between the two communities; fanaticism and communalism was directed against each other.
- 89.2. It had all the making of a political campaign with charismatic leaders like LK Advani, MM Joshi, AB Vajpayee leading it. The movement had a concealed political object and was triggered keeping the upcoming elections in view in order to unite the Hindus. At the given point of time Ayodhya was considered to be the most appropriate place for garnering votes of one or the other section of the society. The leaders of the movement were in control of the political parties either expressly or otherwise by exercising their influence on them. They were in turn controlled and guided by the RSS though it used to be denied formally.
- 89.3. The media too was divided between the camps. Their reporting was not independent of bias either.

90. The *Karsevaks*

- 90.1. At this stage it would be expedient to note that there were three types of persons present at Ayodhya at the time. The first were the *Karsevaks*, the second were pilgrims and then there were tourists and onlookers.
- 90.2. The persons sympathetic towards the movement later called *Karsevaks* used to converge on Ayodhya, whenever a call was given for *Karseva* or any other event connected with the temple construction movement.
- 90.3. Pilgrims converged on Ayodhya only on festival days. For them, Ram was the iconic God of their religion. Usually in common parlance these pilgrims were referred as Hindus. The majority of the pilgrims and the tourists did not associate with the *Karsevaks*.
- 90.4. The *Karsevaks* were a mixed group of people consisting of those in possession of skills required for demolition or construction etc., along with youth simply desirous of publicity and media attention.
- 90.5. The *karsevaks* were persuaded and mobilized by the icons and leaders of the movement or the religious leaders or the local leaders leading the *karsevaks* interested in appeasing the political personalities or the RSS.

91. The people at the helm of affairs

- 91.1. It became apparent during the course of this inquiry that the individuals at the helm of affairs cared least for democratic standards while adopting and propounding a populist cause for coming to power and to dominate the politics of the one of the world's largest democracies.
- 91.2. There were no scruples on display nor self-restraint nor respect for the Constitution. They were insensitive to the theories, philosophies, and institutions of governance and were out to debase them and subvert federalism.
- 91.3. Kalyan Singh, the then Chief Minister repeatedly refused to utilise the services of paramilitary forces till after the demolition was complete. He had full knowledge of the events and their implications, as they unfolded, and his reluctance to take any substantive action, for that reason is inexplicable.
- 91.4. Kalyan Singh was conscious of the state administration's unwillingness, incapacity and inability to handle the Ayodhya issue, particularly when in July 1992, it had failed to secure the implementation of the Supreme Court's order. It was not alone in the failure; even the leaders of the movement and the other protagonists of the temple issue had ostensibly given up on Ayodhya issue and requested the Prime Minister Narasimha Rao, to intervene and persuade the leaders of *Karsevaks*, *Sants* and *Sadhus*. Undaunted, or perhaps with this very specific intention, Kalyan Singh still

went about blowing the trumpet of federalism and the state's capacity and preparedness to deal with the situation in December 1992, without the help of Central Government or the paramilitary forces.

91.5. The District Magistrate, Senior Superintendent of Police Faizabad and the Home Secretary of UP categorically admitted that all decision used to be taken solely by the Chief Minister or his political executive and aides and advisors, with respect to Ayodhya.

91.6. By his passive and active conduct, the Chief Minister forced the administration to drift into ineffectiveness. It was obvious and is an admitted fact before the Commission that no contingency plan was made even though any person of ordinary prudence could foresee what was likely to happen when a frenzied emotional crowd was allowed to gather near the disputed structure.

91.7. The Chief Minister actively created and allowed to be created, divisive lines on communal basis between the two communities. It can be reasonably concluded from his consistent conduct and claims, that he had fulfilled his promise to the electorate made in his party's manifesto.

91.8. The Chief Minister intended to keep all administrative power concentrated in his own hands. It gets further corroboration by his act of politicisation of administration with the intention to utilise their services at convenient times for votes for his party. Appointment and transfer of persons having a similar mindset as his political party on the sensitive posts like SSP Faizabad despite the advice of the then DGP is a clear sign. The *post facto* denials by the SSP

Faizabad of established facts are of no consequences. His post demolition conduct and his statement before this Commission is sufficient to show his beliefs in the ideology and philosophies of the political party then governing, as well as his interest in the demolition of the structure. He later contested elections on the BJP tickets for parliament and admitted his opinion about demolition as well as his reaction to it; he called the “solution” as being consistent with the views of the *Sangh Parivar*.

- 91.9. The conduct of the political executive speaks volumes about its meddling with religion wearing various veils, or their meddling with factionalism in government, or governing in terms of their own manifestos rather than providing governance in accordance with the Constitution.
- 91.10. Diehards from all communities, government servants and the administration took one or the other particular line, either in favour or against the structure and the construction of the temple, resulted in loss of faith about the impartiality of political parties, leaders, impartiality in administration.
- 91.11. Emotive speeches and mobilisation by the respected leaders not only took over the psyche of the common man; these leaders also clearly demarcated the battle. There was no other way for the common man to access the true state of affairs or information about the temple construction movement or to the issues raised. Even the lower rung leaders formed their opinion from the material or facts published in the media. They made vociferous statements without any knowledge about the actual controversy or facts or even the relief sought from time to time from courts.

91.12. The leaders were obviously blinkered and blinded by their own commercial and political interests. The media was used to pass on this blissfully ignorant status to the common people and even the administration was affected by these ideas; they too started exercising power subjectively for the appeasement of the political executive.

92. The adherence to the manifesto

- 92.1. There was a conscious assumption in the political executive, political workers, religious leaders and their followers that on the success of their party or group at the polls, the government would make good on the promises it had made during the election campaign. As a necessary corollary the requirement of the governance of country in accordance with the constitution was discarded or placed on the backburner.
- 92.2. The analysis of the evidence leads this Commission to the conclusion that the leadership from either side had lost the broader approach to issues, and was instead thinking in terms of “the cause” and “the community” etc.
- 92.3. I can’t help observing that even a well read person like Shahabuddin, with rich experience of the Foreign Service, was thinking only in terms of his community when he observed that there was a Pandora’s Box of problems according to his perception. Preaching of such a philosophy or thought provokes emotional sentiments even on non-issues, apart from denuding the society of its pacific existence and instead creates a society with deep fissures, resulting in its degeneration.
- 92.4. An inadequate and imbalanced education system, lacking in discipline failed to inculcate sufficient qualities of secularism and tolerance. The lack of interaction among inter-religious communities, absence of understanding by the teachers of cultural backgrounds of religious minorities, lack of providing

educational infrastructure for multi-racial and religious institutions, providing protection to religious institutions where fundamentalism is preached in the name of religion, are some of the circumstances which generated an environment conducive for the demolition.

92.5. There are other circumstances too which cannot be lost sight of. There is a growing trend in the government service for joining politics either themselves or by their spouses or through their children. Politics is becoming a glamorous and a lucrative profession for not only earning livelihood but wielding power as a profession.

92.6. Politics has come to be perceived as a profession where riches are available without there being any age of retirement or the number of years fixed to hold office. This provides not only a strong motivation for joining politics but poses an irresistible temptation to ultimately go into politics, regardless of the office one may have served and wherein total independence from all desires and greed is required.

93. The exploitation of religion

- 93.1. Restrictive meanings had and have been given to the secularism imbibed in the Constitution. There can be no quarrel with the meaning of “Hindu” affirmed by the Supreme Court, that Hinduism is not a religion but a way of life.
- 93.2. Referring to belonging to one religion, the word got corrupted with the passage of time and in the totality of facts circumstances and evidence, or the intentions of the gathered leaders of the movement, the word *Hindu* cannot be understood in any manner except as a religion and not having any philosophical or intellectual meaning attached.
- 93.3. Be that as it may, and *de hors* the philosophers, thinkers, leaders etc., in common parlance and in the mind of the common man, the word refers to the religion. If “Muslim” can refer to a religion, “Hindu” is treated to be a common descriptor for the other prominent religion, irrespective of the subdivisions or sub sects therein.
- 93.4. Religion ought not to, and does not promote or generate negative emotions in the people. However, its abuse by the leaders of the time deprived the masses of their power to think or behave rationally. Religion was exploited by the *Sants* and *Sadhus* for a particular political party through speeches made during *Dharam Sansad* meetings at Prayag and at Delhi⁴⁶⁸. The factum of

⁴⁶⁸ See annexures to the report for some of these speeches

these speeches was never seriously disputed before this Commission. It can be seen from the preponderance of the evidence that the political parties like BJP and Shiv Sena supporting the construction movement were seeking to influence the electorates for success at elections and acquire political power for governance. The support of a political party in the manifesto for a construction of a temple cannot be termed as neutrality of State. It emerged on consideration of evidence that all the emphasis and attempts were made to govern the State in terms of the election manifesto, particularly with the object of construction of temple.

- 93.5. The Supreme Court noticed the participation of the State Government's ministers and their encouragement of the *Karsevaks* and called it a failure of the Government in acting in accordance with the Constitution and termed it a breach of secularism. The mobilising of *Karsevaks* by the political parties for the construction of temple was a formal acceptance of the fact that religion had become a part of political governance. The observations were made in the context of legislative assembly being dissolved on the ground of violation of the secular features of the Constitution, by participating in *Karseva* which is a religious act. It was observed that espousing a cause for the construction of temple in pith and substance amounted to a particular religion coming to power, and announcing itself the official religion⁴⁶⁹. It was further observed that *Karsevaks* having gathered in response to the appeal by VHP, BJP, Shiv Sena and other organisations etc, it amounted to the political parties' leadership's overt and covert support to religious

⁴⁶⁹ See the judgment in *SR Bommai's case*

organisations. The states governed by the BJP or the Shiv Sena actively participated, with the state resources at their disposal, in mobilizing the people for karseva for the temple construction and thereby sending them to Ayodhya for the fateful day.

93.6. The temple construction movement was approved and supported by the religious leaders which gave moral authority to the *Karsevaks*. Religious leaders preached the righteousness of the BJP government's support for the cause. The religious leaders aspired for political power, preaching the governance in accordance with the particular religion and not the Constitution⁴⁷⁰.

93.7. The leaders of the movement, religious or social were perceived to be fanatic Hindus. This perception was formed over decades by the various thoughts and philosophies preached by them prior and after the partition. After independence the concept of *Hindutva* used to be justified by keeping the wounds of partition alive, by attributing the cause of partition to the Muslims alone⁴⁷¹. Unfortunately, national leaders, *Sants*, philosophers, religious leaders and social workers despite their grandiose statements of building a casteless nation and society, failed in spite of innumerable sects having come into being claiming to be the casteless sects.

⁴⁷⁰ See the statement Acharya Giri Raj Kishore and Mahant Avaidya Nath.

⁴⁷¹ Refer to the writings of Deen Dayal and his philosophy.

94. The failure of the BJP as a responsible political party

- 94.1. The party in power in the state, the BJP participated in the construction movement and completely failed to live up to its promise of conducting a purely symbolic *Karseva*. It failed to carry along with it not only its own splinter fractious mess, but the competing groups within the *Sangh Parivar*. It failed in effectively controlling the *Sadhus* and *Sants*, *Karsevaks* or group of *Karsevaks* led by their local leaders. They could not even sober down the emotive speeches delivered from time to time at Ram Katha Kunj or in streets of Ayodhya and all over the country.
- 94.2. It is obvious that the promises held out by the BJP were completely false and made with the sole intention of misleading the Central Government and the entire country. The promises were made to secure the inaction of the Central Government and to induce it into a state of over optimistic slumber. The only other explanation possible is that the BJP itself was an ineffective and inconsequential part of the larger picture. It neither had the means, nor the authority, nor even the influence within the *Sangh Parivar* to alter the course ordained. If accepted this would further strengthen the impression that the BJP was a frontal organization and the convenient false face projected to address the more moderate sections within society and the government.
- 94.3. An examination of the evidence lead also shows that quite a number of leaders and parties wanted the issue of Ayodhya to be kept alive in order to reach out to the religious minded Hindus and to instil fear within the

Muslim community and seculars even if they were Hindus belonging to a different opposing sect. The dual objective was to win the Hindu votes by playing on their religious devotion towards lord Ram and to secure Muslim votes by offering the hope that post-election, they would bring about greater security for them.

94.4. The leaders used fiery words and made speeches provoking the *Karsevaks*. It was in February 1990, that four months time was given to VP Singh, the then Prime Minister to sort out the issue. Despite this future deadline, the VHP organised a meeting of *Sadhus* and *Sants*, projecting it to be a meeting by *Dharam Sansad* in April 1990 at the Boat Club in Delhi in order to chalk out the programme for construction of temple. This was attended by political and religious leaders on the invitation of VHP and others. The conduct of the meeting was sufficient evidence that it was being held by political leaders under the garb of *Dharam Sansad* and there was not even a semblance of appearance that the said meeting was of *Sadhus* or *Sants*. Articulated, emotive speeches were made with no reins or control over the language by anyone. All other religions were freely branded unpatriotic even while making pointed efforts to spread the notion that adherence to any particular religion was not in itself patriotic.

94.5. Slogans with double meanings were raised in the context and the ambience of the meeting, especially in the presence of religious leader having an aura of religion. Even innuendos were directed at the disputed structure. Slogans like “*Jo Hindu Hit Ki Baat Karega, Wohi Hindustan Par Raj Karega*” may not be objectionable on the face of it, but they conveyed the message favouring

Hindus to rule the country. The nature of the gathering and its purposes cumulatively altered the meaning of slogan, which acquired a distinct shade. This congregation, ostensibly of *Sadhus* and *Sants* cannot be termed anything but mixing of religion with politics.

- 94.6. It was being openly said that the fact of birth of Ram being born at the spot of the disputed structure did not require any proof.
- 94.7. There was secrecy within the political executive about the motives, objectives, mode of achievement of the objective and the persons involved in the enterprise. While on one hand they were continuing negotiations with the Central Government and the parties opposing the claims, simultaneously another section of the leadership was busy in putting into action the real objective of the movement regardless of the means that had to be adopted. It was immaterial for them whether their actions would destabilise the entire nation and usher in complete chaos. They were not even bothered about the complications that were certain to ensue and thus not ready to accept the court's decision on the dispute. The negotiations were clearly a time gaining façade in order to gather the maximum number of people around the thought of Hindus and a political veil for the BJP.
- 94.8. VP Singh issued an ordinance for the acquisition of land on 19th of October 1990 and withdrew it on 20th of October 1990. He later explained before the Commission that this was done to smooth over the negotiations but was withdrawn on objections being raised by all the parties to the dispute.

- 94.9. The BJP government had taken a specific and conscious decision when it came in power in UP in June 1991 that no force would be used against *Karsevaks*. The Chief Minister directed the then DGP Parkash Singh not to use force against the leaders of the movement or the karsevaks. The fact was not only affirmed by his statement and not denied by the Chief Minister but also by his conduct and that of the administration in July 1992. Specifically, when no attempt as required, from the administration or the government was made, to honour or implement the orders of the courts. A façade of getting it implemented from frenzied crowds and leaders by persuasion was resorted to. The Chief Minister had, in writing, restrained all coercive methods or firing on *Karsevaks* for crowd control even if required to control the situation and prevent it from extreme mischief.
- 94.10. The evidence makes it clear that the usual fear psychosis for control of a determined frenzied and belligerent crowd was neutralized and the police had been rendered toothless. The very premises of crowd control stood obliterated and the message was well taken, not only by the common people but by also leaders of the movement that the police were there for the protection of *Karsevaks* and implementing the BJP's election manifesto; and that the government was for the construction of temple.
- 94.11. The State's weapon of exercise of police power against *Karsevaks* stood obliterated. This report deals with this aspect in detail under a separate chapter of Security. Resultantly even the state police was converted into unwitting *Karsevaks* and a *de facto* part of the movement.

95. The 1990 Karseva

- 95.1. The call for *Karseva* for construction of the temple was given by VHP for the 30th of October 1990 from the *Garb Grah* even before the expiry of the period granted to the Prime Minister.
- 95.2. BJP not only declared its unstinted cooperation for the VHP's plan of *Karseva* but issued a warning that if any attempt was made to scuttle the movement it would snowball into a mass movement. A specific warning was issued that in case any hurdle was put in the programme of 30th of October 1990, support by the BJP to the Central Government would be withdrawn, which in any case was done on the 23rd of October 1990.
- 95.3. The Muslim community was not far behind and added to complexity of the situation when a declaration by Syed Abdullah Bukhari was made that not only would the demolition of disputed structure not be allowed, but also Muslim community would not accept any compromise formula which envisaged the installation of idols in the disputed structure.
- 95.4. The State Government, perceiving a danger to the disputed structure and the law and order situation at the hands of the emotionally charged *Karsevaks* decided not to allow the *Karseva* on 30th of October 1990.
- 95.5. By 25th of October security around the disputed structure was tightened and travel to Ayodhya was restricted by declaring it a prohibited state. The *Shilanyas Sthal* was sealed and the later, much ridiculed proclamation by

Mulayam Singh '*Yahan Parinda Bhi Par Nahin Mar Sakta*' was made. The leadership and *Karsevaks* were arrested. Steps were taken by the administration in view of the policy decision of the State Government, the disputed structure was sealed and kept beyond the reach of the *Karsevaks*.

95.6. The organisers of movement anticipating the measures for forestalling their access to the disputed structure, positioned themselves in the surrounding areas much before the announced date. This Commission may notice, without expressing any opinion, the observation of one of the journalists in his book "*Karseva Se Karseva Tak*" that in 1990, the arms of the local police and PAC were withdrawn; trusted people of VP Singh were deployed and with the police personnel supporting the *Karsevaks*, the locks of the gates were opened. The CRPF and BSF refused to fire on the crowds and guns of the *Jawans* were snatched. It was categorically accepted that the command was in the hands of the RSS. I may specifically mention that there is no evidence for the opinion expressed by the writer, nor any finding can be given or has been given thereupon.

95.7. On the appointed day, under the leadership of Ashok Singhal a number of *Karsevaks* sneaked into the disputed structure and succeeded in hoisting a saffron flag which was later claimed by them to be the beginning of the *Karseva*. They however failed to cause any damage to the disputed structure on 30th of October 1990.

95.8. On 1.11.1990 under the leadership of Ashok Singhal, he and his associate leaders decided to carry out the *Karseva* which had been scheduled for the

30th of October 1990 on the 2nd of November 1990. This resulted in the police having to resort to firing to control the mobs and the loss of some lives

96. The elections and the manifesto

- 96.1. All political parties started approaching the issue from the electoral point of view by shedding the veil of its being a purely religious issue by 1990.
- 96.2. The issue of the temple at Ayodhya had become deeply ingrained in the Hindu psyche by 1991 and had acquired serious communal dimensions. The attitude and reaction of the Muslim community only strengthened the impressions and complicated the situation.
- 96.3. The Government itself not only allowed the frenzied crowd to grow but it also collaborated in accomplishing it. The stance adopted by the state administration was no different; they allowed the situation to worsen by their passive and at times, active support. The decision making process drifted to a virtual halt and no effective decision to respond to the crisis situation developing was taken. They claimed to be reacting to the situation, but were ineffective since 1991 despite regular reports by the media about the ground reality. Day to day progress, proposed actions and programmes used to be published by the media or were known to administration through its sources or were open. An able and experienced administration with even the slightest foresight could have predicted the future course of events.
- 96.4. In the process, the constitutional ideal of secularism was dubbed and derogated as “pseudo secularism”. Further a spin was put on the word “Secularism”; that secularism does not limit its meaning to the extent of

tolerance of the other religion but it also means giving respect to those feelings.

- 96.5. The common man was required to follow the skin-deep distinction of tolerating the other religion and of giving it respect.
- 96.6. The leadership failed to reconcile its role as a legislator and that of a party worker and was only able satisfy the voters with the catchy slogans.
- 96.7. There is no denying the fact that the charismatic leaders were kept in the forefront as they provided a smokescreen behind which others could carry out their activities without any suspicion. The undesirable elements worked round the clock to achieve their goals in politics. They used the thought and philosophy or propaganda for sinister purposes, be it from mouth to mouth or through other means of media.

97. The BJP Government

- 97.1. In 1992, the BJP UP Government was ruling inherently in an *ad hoc* manner to widen its field of influence to acquire political power at the national level, irrespective of the letter or the spirit of the Constitution. It was unrestrained by the law or the mandate of the constitution, unburdened by thoughts of public good.
- 97.2. In the process the majority government lost sight of its statutory obligations towards the minority. The ineffaceable fundamental rights of the minorities were given scant regard and joined the other neglected responsibilities of the government in the trashcan.
- 97.3. There was an organised campaign of spreading hatred amongst the Muslims and Hindus. People from either community played a role in this campaign and neither side can be attributed the sole blame for vitiating the pacific relations between the people. The government which was charged with the primary responsibility of detecting and neutralizing attempts to foster trouble not only failed, but was guilty of facilitating them as well.
- 97.4. The State Government by its acts and conduct gave ample reason to the *Karsevaks* and the people to believe that the police, administration, legislative and political executive were all were working in unison and supporting each other for the construction of the temple.

- 97.5. Neither the police nor the administration present at the Sita Rasoi or in the crowd or in the police station, had any means of communication with the leaders or organizers or the local legislators of BJP or parties supporting them.
- 97.6. The *Karsevaks*' actions were the result of the cumulative result of a lack of knowledge, and the self righteous believes and opinion facilitated by their leadership and which obscured their power to discern good from bad.
- 97.7. Apart from the Central Government mollified by the assurances of the BJP Chief Minister Kalyan Singh and his associated, no one, and least of the *Karsevaks* believed that there was to be any symbolic *Karseva*. All pretence at abandoning the actual *Karseva* in favour of a mere symbolic *Karseva* was belied by the actions of the VHP, RSS and BJP leadership which was simultaneously mobilizing the cadres and the people for karseva up till the 6th of December 1992. The believers in aggressive *Karseva*, without being sensitive to the world opinion, were busy in ensuring the achievement of the desired objective of the movement, irrespective of the means adopted or mode chosen.
- 97.8. Unemployment and poverty tends to lower the morale and the spirits of a people. The instigation by the leadership gave the masses the illusion that their pitiable condition was attributable to a communal discord and that it could somehow be resolved by following the agenda of the politicians who had the public approval and blessings of the religious classes.

- 97.9. At the same time, there was also the feeling that a career in politics was the key to success and riches, in a society where knowledge or education accounted for little. The unemployed and disillusioned youth was readily attracted to the movement for the opportunity it provided to catapult them into the political arena, albeit as small time local leaders in the beginning.
- 97.10. The top echelons of the leadership consciously or unconsciously put before the Commission that they were not conscious of, or had knowledge about the sensitivity or zeal of *Karsevaks* and the other participants in the movement, a majority of whom were young people able-bodied persons and of whom few were middle aged persons. It cannot be believed.
- 97.11. The media sensationalized each small issue and contributed to the general feeling of hatred as well. What would normally have been an insignificant incident was escalated into a major ideological or religious challenge. The people of either community were given the distinct impression that they were being victimized and needed to take a stand in order to ensure their very survival. It was through the media that incidents of desecration of religious places, rising of racial tension between the two communities were repeated in one form or another; the effect was an aggressive hard sell of the agenda of either side. The slanted reporting gave the general impression that the police was encouraging the people towards the demolition of the disputed structure. The actors in each incident or episode were feted virtually as heroes.

98. The *Sadhus* and *Sants*

- 98.1. The totality of the evidence lead before the Commission can leave no doubt that the *Sadhus* and *Sants* were consciously, consistently and possibly with their consent, used as a smokescreen. Decisions made by the main proponents of this “movement” were portrayed as having initiated from these religious icons and were then approved and adopted by them merely as a formality.
- 98.2. The *Sadhus* and *Sants* do not appear to have provided any logistical support during any negotiations between the two rival claimants carried out at any point of time and on any forum. Their role was limited to being called in as the purported authors of each new agitation or initiative.
- 98.3. The Prime Minister, at the suggestions of BJP leadership, met with the *Sadhus* and *Sants* who were projected to be the key decision makers in July 1992, but with no concrete results as evidenced by the later events.
- 98.4. Even during the course of arguments before the Commission, no serious attempt was made either by the VHP or by any other party to suggest that there was any significant role of these *Sadhus* and *Sants* or that they were a part of, let alone influential, in the decision making process. Their only real role apparently was to act as rabble rousers with emotional speeches courting the religious sentiment of the people.

- 98.5. The State and the Central Governments were admittedly fully acquainted and equipped with respect to the problem of the disputed structure, yet took no effective steps to avoid or resolve them. The problem was swept under the carpet and taken out as and when it was felt necessary either to use it or to beat the other parties with it.
- 98.6. The common man was quite oblivious to the shrewd manipulations by politicians to use the issue which went out of their hands on the fateful day. He was an unwitting and an unfortunate puppet, manipulated by interests he did not understand.
- 98.7. The leadership was conscious that the microscopically small group of people who could have caught on to the real underlying game would not be able to do so since they did not have the means or information about the composite scenario needed. For the same reason, even if they wanted, they could not make any difference.

99. The failures of December 6th

- 99.1. There was a total absence of control of positive and constructive leadership of any nature on the 6th of December. A conscious decision was taken and allowed to be made public that the teeth had been drawn from the police and the other forces charged with maintain the peace and preventing the very incidents which later occurred.
- 99.2. The common people were either shamed or motivated into turning into *Karsevaks* and participating in the movement from all over the country. They were systematically organized into manageable groups under multiple tiers of leadership. Each tier was given that amount of information which was sufficient for it to carry on its particular assignment and no more.
- 99.3. The small-time leaders were provided every possible facility to enable them to transport the *Karsevaks* under their charge towards Ayodhya. There was a clear understanding that regardless of what machinations might emerge from the political front, regardless of any statements issued by the Central or the State Government, and regardless of any statement even made by the public face of the movement, i.e. the BJP, the mobilization, training and equipping of the cadres was to continue relentlessly.
- 99.4. The decks were cleared for the smooth ingress of the *Swayam Sevaks* in and around Ayodhya well in time. They were highly motivated and efficiently managed by this time and each grouping knew what was expected of them.

- 99.5. There is some evidence to suggest that specialized task forces of demolition experts were created and were afforded the opportunity for a dress rehearsal for the final chapter in the demolition of the disputed structure.
- 99.6. The cadres, secure in the knowledge that they could not be molested, accosted or fired upon by the police had a free hand in their assignment. The frantic calls made by various functionaries to the Chief Minister for calling in the central paramilitary forces were resolutely dismissed by him. Despite the fact that the paramilitary forces had been kept on high alert and the fact conveyed to the Chief Minister, there was a deliberate and perverse decision not to involve them, on palpably frivolous and admittedly fallacious grounds.
- 99.7. Even after the dastardly deed at the disputed site had been done, the paramilitary forces were called in extremely reluctantly by the Chief Minister. The Chief Minister did not even provide the magistrates for this limited deployment order as required by law and as requested by the paramilitary forces.
- 99.8. Whether by accident or by design, the fact that the Magistrates never reached the paramilitary forces to enable them to deploy at all is admitted and well documented in the evidence referred to elsewhere in this report. Even those small detachments of the paramilitary forces which managed to come out with Magisterial escorts met with resistance which they were not allowed to counter. The resistance by *Karsevaks* which in ordinary course would have been overcome by the paramilitary forces with some effort was not allowed to be countered and these forces were ordered back to their barracks.

- 99.9. The entire conduct of the Chief Minister, the state machinery and in particular certain officials in the state police and bureaucracy already identified in other parts of this report were not mere helpless spectators in the events of the 6th of December 1992. They were actively conniving and facilitating these events.
- 99.10. This was not a case where the government and the administration were powerless against the fury of the mobs. This was on the contrary a pitiable and shameful case where the Chief Minister and his associates, within and outside the government, within and outside his party, within and outside the Parivar, actively hindered and obstructed the small pockets of sanity and common sense which might have prevented the demolition of the disputed structures or the ensuing riots.
- 99.11. An enterprise on as large a scale as that witnessed in 1992 in Uttar Pradesh obviously required a great deal of money. The massive mobilisation drive necessitated logistical support on a mega scale as well. The masses converging on Ayodhya and Faizabad needed to be accommodated in tents, had to be fed and provided with the means and resources necessary for their ultimate objective. The presence of the large number of leaders of every level also necessitated arrangements for the arranged and impromptu rallies which were essential to keep the tempers and emotions high.
- 99.12. The monies for all these logistics was channelled to Ayodhya directly from the coffers of the various Sangh Parivar organisations from all over the country, especially from Punjab, Delhi, Patna and Gujrat. It exposed the

canard of the demolition or karseva being dominated or carried out by the karsevaks from Andhra Pradesh. It leaves no doubt that the mobs or the crowds were predominantly from the northern states, or one can say it was prominently from Uttar Pradesh, Punjab and Haryana, Himachal Pradesh, Madhya Pradesh, Rajasthan, Gujrat and Maharashtra as well as from Patna.

- 99.13. In its painstaking investigations, the CBI was able to collect solid evidence of money being transferred from account to account via various banks into accounts of the Sangh front organisations in Uttar Pradesh. The sums of monies transferred were not inconsequential.
- 99.14. The payments from these recipient accounts were made to the local traders and businessmen of Ayodhya and Faizabad and are also on the record collected by the CBI team and which forms part of the annexures to my report.
- 99.15. The CBI team could of course only trace and establish the transit of monies through legitimate and conventional modes of money transfer. Needless to add, amounts at least equivalent in quantum to those unearthed must have been transferred through untraceable means and by way of cash also. It is impossible to authoritatively quantify or document the parallel money transfers which have undoubtedly taken place for the facilitation of the enterprise in December 1992 at Ayodhya.
- 99.16. The clearly defined movement of the monies from Sangh outfits to those spending the cash on the management and comfort of the crowd is more than sufficient evidence to establish the complicity not only of those peripheral

Sangh units and aggregations, but also of the fundraising drives regularly conducted by the BJP, RSS, VHP etc.

99.17. The recipient organisations in Uttar Pradesh to whom these monies were channelled included the Ram Janam Bhoomi Nyas, Bharat Kalyan Pratishthan, Vishwa Hindu Parishad, Ram Janambhoomi Nyas Paduka Pujan Nidhi, Shri Ram Janambhoomi Nyas Shri Ram Shila Pujan, Jan Hiteshi among others.

99.18. The accounts were operated by Onkar Bhawe, Mahant Paramhans Ramchander Das, Nritya Gopal Das, Gurjan Singh and Narad Saran, Acharya Giriraj Kishore, Vishnu Hari Dalmia, Nana Bhagwat, Jaswant Rai Gupta, BP Toshniwal, Sitaram Agarwal, Ashok Singhal, Rameshwar Dyal, Prem Nath, Champat Rai, surya Krishan, Yashwant Bhatt, Avdesch Kumar Das Shastri etc.

100. A blinkered government

100.1. The government and the administration were deliberately blind to the analysis of the situation being given to it by the intelligence and other agencies. It was deaf to the fiery provocative and frenzied speeches which were publicly given and heard throughout. The government chose not to address the extremely aggressive stance of the likes of Mahant Ramchander Paramhans Dass, Sadhivi Ritambra etc.

100.2. The administration turned a blind eye to the obvious because they wanted to. The administration participated in virtually none of the arrangements, nor even in a rehearsal of the arrangements for the so called symbolic *Karseva* to figure out the logistics of such a mass event.

100.3. The real intentions of the movement's leadership were obvious with the benefit of hindsight. Negotiations at one point of time were carried out between VHP and the *Babri Masjid Action Committee* in the presence of representatives of the Government, wherein it was agreed to exchange and respond to the statements of claim, reports of historians, etc. Babri Masjid Action Committee did not file any claim while VHP did. The negotiations failed by May 1991 though they restarted later. It is worth noticing that the major participants in negotiations were Prof RS Sharma, Prof Athar Ali, Prof DN Jha, Shri Jawed Habeeb, 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, Shri Zafaryab Jilani, Shri MA Siddiqi, Shri SA Sayed, Shri Zaffer Ali Siddiqi, Arif Mohammad Khan, Mohd. Jilani and Ashok Singhal etc. It would be noticed for ready reference that none of the persons from the *Kendriya Marg Darshak Mandal* or the *Sadhus* and *Sants* or the proclaimed leaders of the temple construction movement or its organisers were participants in the negotiations except Ashok Singhal.

100.4. Kalyan Singh's slogan on assuming office on 26th of June 1991 when he went to Ayodhya accompanied by MM Joshi "*Ram Lalla Hum Ayain Hain, Mandir Yabhi Banayenga*" was the unambiguous oath for the construction of temple, which he later fulfilled.

100.5. One can't fault the protagonists of temple movement, *Sadhus* and *Sants* for believing that this was their own government and was going to leave no stone unturned in furtherance with the agenda which by now was no longer hidden. The *Sadhus* and *Sants* on the 20th of July demanded from the government that it remove all obstacles to the construction of temple by the 18th of November 1991. The VHP demanded the acquisition of the land as well as the handing over the site to them for construction of temple.

100.6. The BJP UP Government went a step further and not only acquired 2.77 acres of the land under the garb of promoting tourism and providing amenities for the "tourists" visiting the site. The Tourist Department of the Government undertook the levelling and digging of the land in the complex.

100.7. The *Sankat Mochan Mandir* was demolished under the leadership of Vinay Katiyar regardless and despite the injunction orders issued by the courts.

- 100.8. The existing security at the site was systematically scaled down and diluted under the persistent pressure of Vinay Katiyar, Braham Dutt Dewedi, Kalraj Mishra, Rajendra Gupta, etc. The pipe barricade, cordon in the area in front of *Ram Janam Bhoomi* exit gate and barricades on feeder roads and fencing under the barriers were ordered to be removed by August 1991. Those officers foolhardy enough to refuse the orders of BD Dewedi, SC Dixit and Vinay Katiyar for the dismantling of the security apparatus by the 15th of November 1991 were simply transferred out⁴⁷².
- 100.9. The observation of the '*Shaurya Diwas*' celebrated on the 30th of October 1991 in the memory of those who lost their lives in 1990 *Karseva* was also not a decision by the religious leadership or the Dharam Sansad or the Kendriya Marg Darshan Mandal. It is significant to note that no evidence for such a decision is on the record. On the contrary, the presence of Vinay Katiyar, Mahant Paramhans Ramchander Dass, Mahant Avidya Nath, Morpanth Pingle, VH Dalmia, Acharya Giriraj Kishore and Uma Bharti on the occasion speaks volumes about the people deciding to observe the Shaurya Divas under their leadership. The *patria protecta* of the RSS, the VHP was the moving force.
- 100.10. Vinay Katiyar and others attacked the team of the *National Integration Council* led by Subodh Kant Sahay which visited the site and later attempted to cover up the incident by suggesting that the attack was a result of provocation given by MJ Akbar who went to the *Ram Janam Sthan* shod in shoes, which had hurt the sentiments of *Karsevaks* who resorted to physical

⁴⁷² See CW 14/3

assault⁴⁷³. The Chief Minister objected even to the visit of Members of Parliament and team of NIC to the site and labelled it interference with state matters.

100.11. In stark contrast to the actual support being given to the construction movement, the Government adopted a placatory attitude in public. The Chief Minister, in the National Integration Council's meeting on the 2nd of November 1991, said, *"[that as] regards the disputed structure, I want to make it clear that I assure you that the entire responsibility of the protection of that disputed structure is ours, we will be vigilant about the protection of that structure and have strengthened the arrangements for its protection. Nobody will be able to go there now. The incident that took place, three persons had climbed atop the dome, but now repetition of any such incident will not be permitted there. I want to convey this assurance to you through this council. On the whole, it is our clear submission regarding the court that we will abide by the order that has been given by the court. We are bound by the order of the court, we do not want to anything by violating its order"*.

⁴⁷³ See the statement of Ashok Singhal DW 9, Syed Shahabuddin DW 14, Rakesh Sinha CGW19.

101. The alternative suggestion

101.1. The BJP's White Paper states the intention that the Ayodhya movement in 1991 was only to construct a temple while leaving the structure intact. There is nothing which has come before this Commission that this intention was ever brought to the notice of *Karsevaks* or any of the upper, middle or lower level leadership or in any public meeting or in any public speeches. This was never claimed or declared or otherwise expressed before the demolition of the disputed structure. This was never the stance taken by any of the protagonists of the temple construction at any point of time, right from the time of the raising of the issue up till the demolition. On the face of it, it is just one of the many attempts to explain the demolition or to extricate oneself from the responsibility. It is nothing more than a case of passing the buck and cannot be believed.

101.2. At no point of time was it said that the disputed structure was situated on a different place and that it need not be demolished for the construction of the temple. The emphasis in various speeches of all the various leaders was that the reconstruction of the temple was to be at the exact site of the disputed structure. The oath taken by the Chief Minister at the time of visit to Ayodhya in July 1991 runs counter to this alternative theory put forth. It was always asserted at all levels or during the negotiations that the temple would be built right at the spot of the disputed structure or the Garb Grah. The mosque would be relocated to a different site. One fails to comprehend this

in the light of the temple plan proposed by the VHP, which was displayed during the course of the Rath Yatra, included the disputed structure, still it was claimed that the intention was to build the temple leaving the disputed structure. Both stances of the temple protagonists are contrary to each other.

101.3. The Central Government has been day dreaming that the State Government would go against its election manifesto and honour its undertaking, even though it had shown its inability to deal with the situation in July 1992 or even cared to ensure the implementation of the Supreme Court's order by exercising the state's police powers. Attempt was made to explain such an atrocious act only with excuses and on the premise of a numbers game by observing that resorting to force would have caused more damage. In fact, it proved otherwise.

101.4. Palpable tension was growing around December 1992, and showed no sign of receding. The atmosphere was almost schizophrenic and the leadership caught up in the middle having vowed to construct the temple would have found it impossible to retract, even if it wanted to. The political parties were out to fish in troubled waters in order to secure their vote bank in their respective communities. Inflexible hardliners, demagogues, illiterate rabble rousers provided strength in politicising demand for the construction of the temple.

102. Confucius said, “*In human relationship, a gentleman seeks harmony but not uniformity.*”

102.1. The leadership was out to show political testosterone to impress the voters to back them to build their credentials and to keep their vote banks intact. They backed the controversial agenda despite their Constitutional obligation of sustaining secularism.

102.2. Some of the leaders tried to spread the notion that a particular section of the society was not patriotic. The well publicized speeches of Bal Thakray, Mahant Avaidya Nath etc. are more than clear and don't even require reading between the lines.

102.3. The participation of the religious leadership gave moral authority to the *Karseva* and a theological vanguard; it preached the righteousness of the BJP Government. There was interference by the various religious leaders in the governance of the UP state. They were aspiring for political power.

102.4. The duplicitous conduct of the leadership is all too apparent and also evident from Ashok Singhal's conduct who proclaimed that they were not bound by the Supreme Court's judgment but rather by the decision of the *Marg Darshak Mandal* and decision of *Sadhu* and *Sants*. By the 31st of July 1992, he also declared that a constitutional or court solution, if found, would not necessarily be accepted by the VHP. Contrary to it he entered into written arguments with the Home Minister of India that they would be bound by the

Courts' orders. Undertaking to similar effect were given by the leading lights of the VHP including Vijay Raje Scindia and Swami Chinmayanand, in *para materia* with the one given by the UP State. He questioned Kalyan Singh's authority for giving the undertaking for a symbolic *Karseva*. Even the persons like Chinmayanand after giving an undertaking to the Supreme Court for symbolic *Karseva*, publically proclaimed it was a mere paper declaration, meant for courts alone and that the construction would be carried out nevertheless⁴⁷⁴.

⁴⁷⁴ *A video recording of this speech was duly produced before the Commission*

103. The state, *incommunicado*

- 103.1. The State Government, the local administration and the police had no means of communication on the 6th of December 1992. They could neither communicate with the organisers nor the *Karsevaks* present. The administration could contact the leaders or their forces only by physically and directly going up to them, which was not feasible in such a large crowd when particularly active local leaders or organisers were intermingled with the crowd or were scattered all over Ayodhya. There was a chaotic and unruly crowd present.
- 103.2. The public address system was completely controlled by the organisers. The state had neither any public address system nor any other system to communicate with their own forces or the *karsevaks*.
- 103.3. With the administration knowing full well about the sheer number of *Karsevaks* entering Ayodhya, it provided no routes for police reinforcement to enter the area. Conversely, all the hurdles in the way of *Karsevaks* between Faizabad and Ayodhya were removed which facilitated the rapid advance of *Karsevaks* to Ayodhya.
- 103.4. The suggestion that the *Karsevaks* were asked not to proceed to Ayodhya when their number reached unmanageable levels at Ayodhya does not find any support from the evidence on the record.

- 103.5. Removal of barriers and barricading from the feeder road etc. had commenced as far back as the 2nd of January 1992. Fencing around the disputed structure was removed against the advice of the paramilitary forces. The State administration asserted that the removed barriers could be resurrected immediately whenever the need arose – which was never done⁴⁷⁵.
- 103.6. The proposal for doubling the barricading from north and east of *Sheshavtar Mandir* and the provision of a buffer zone was not carried out because of resistance, particularly as the arrangements for the *Karsevaks* were being made by the organizers and admittedly the administration had no role in it to play.
- 103.7. There were recommendations for increased security by one Raghunathan, Deputy Director; Umesh Kumar, Assistant Director with KG Riana and a team of IB officers. The Chief Minister of UP was requested for review of the security keeping in view the recommendations made from time to time. The Chief Minister again held a meeting for a “review” of security wherein the security was actually diluted further. It is undisputed that no weight was attached to the recommendations made for security⁴⁷⁶. Minor cosmetic acts like replacing of defective metal detectors, monitoring of CCTV, providing a gate at *Sakshi Gopal Mandir* for exit, manning of watch towers, barriers locations and making them functional, deployment of force on rooftops were the changes ordered to be undertaken⁴⁷⁷.

⁴⁷⁵ See the statement of Parkash Singh (CW14), the then DGP of UP.

⁴⁷⁶ See the statement of Chief Secretary VK Saxena (CW13)

⁴⁷⁷ See CGW 32, N.C. Pandhi CGW 22 and CGW 29, which are appended to the report.

- 103.8. The Central Government too repeatedly pointed out various security lacunae to the State Government and urged it to secure the area⁴⁷⁸. The Chief Minister in consistence with his conduct wrote back to the Central Government refusing to review the security.
- 103.9. The Home Minister of India on 23rd of February 1992 apprised the Chief Minister Kalyan Singh about the apprehensions of the people with respect to the construction of the wall referred to as Ram Dewar⁴⁷⁹. He pointed out that wall was being built by VHP activists and had a distinct political overtone. Reference with respect to visit of SS Bhandari and his statement with respect to sanction of the amount of construction of wall which was to be followed by construction of temple was made. It was specifically pointed out to the Government that the construction of the wall has been undertaken to assuage the feelings of VHP, *Bajrang Dal* who were impatient over the BJP's Government silence on the issue. The Chief Minister refuted these allegations despite knowing these facts to be true⁴⁸⁰.
- 103.10. Demolition in front of the disputed structure by the Tourism Department had continued up till the 22nd of March 1992. This levelling and dumping of the removed earth resulted in a 12 feet deep depression on the eastern side and reduced the effective height of the wall, popularly known as Ram Dewar, to such an extent that it could be jumped over or scaled with ease to reach the disputed structure or the isolation cordon.

⁴⁷⁸ See CW 13/20 and CW 13/46.

⁴⁷⁹ though for record it was referred to as the security wall

⁴⁸⁰ See the report in File No. 22.200/30/D/92

103.11. Another fact which must be noticed at this stage is that the District Magistrate who had experience and knowledge of, the geography of the town and understood the situation, and who had handled the events for protecting the disputed structure was transferred and RN Srivastava was posted, who joined on 28th of February 1992.

103.12. The Home Minister objected to the removal of barricading and concertina wires as this posed a new danger to the security of disputed structure. It was pointed out that if a determined crowd within the walled enclosure attempted to damage the disputed structure, it could not be repelled in the absence of physical barriers and barricades.

103.13. The rumours spread by the organisers about dissolution of the state legislative assembly and the imposition of President's Rule in the state, resulted in changing the programme of calling in only 25,000 *Karsevaks* on the 6th of December and instead a call was made to all the *Karsevaks* to come to Ayodhya on that day simultaneously. The organisers never informed the state or the courts of the change in their programme or process of proposed karseva. The administration was not even sensitive, much less prepared to meet the altered situation brought about by the organisers.

104. The civil servants

104.1. The prejudice of DB Rai in favour of the construction movement was writ large in his stand taken with respect to the mood of *Karsevaks* in July 1992 contrary to that which emerged from the preponderance of the evidence and even the facts admitted. DB Rai's prejudice gets further corroboration from his being posted against the advice of the then DGP Parkash Singh, who admitted before the Commission that DB Rai along with other officers were reported to be pliable by the organisers of the movement and with the local politicians.

104.2. His prejudice and conduct during the whole process is further unveiled by the post demolition event disclosing his hidden agenda of joining politics and the thought of Hindu Mahasabha ingrained in him right from the beginning, though a superficial stand was taken by him that he was acting in accordance with the constitution⁴⁸¹. Before the Commission, he made patently false statements, even denying the raising of provocative slogans, chants and speeches, which hadn't been seriously disputed by any other witness; and which was clearly established from the video recordings produced before the Commission.

104.3. SC Chaubey noticed from media reports that the VHP was organizing the convention of *Sants* which was being opposed by Muslims. He expressed apprehension about a possible skirmish and damage to property and informed

⁴⁸¹ See DW 13/21.

the authorities. He requested for proper frisking and presence of District Magistrate and Gazetted officers near Isolation Cordon.

104.4. Principal Home Secretary Prabhat Kumar expressed similar apprehensions on 6th of July 1992 after pointing out presence of 20 thousand *Karsevaks* out of which 10 thousand *Sadhus* and *Sants* were staying in Ayodhya with the possibility of the number of pilgrims and *Karsevaks* rising to lakhs. He expressed his apprehensions with respect to possibility of damage to the disputed structure being caused in the background of the statement of Hindu leaders and the judgment of the courts.

104.5. It may be noticed that the information sent by SC Chaubey and the Principal Secretary Home apart from the other sources was within the knowledge of the Chief Minister⁴⁸².

104.6. The Home Secretary had also made multiple specific suggestions for augmenting the security around the site. These apprehensions, at various times throughout the year had been voiced in one form or another, or at least noticed by other officials including the Additional DGP, the Chief Secretary, the Home Secretary and by SC Chaubey. The Commissioner Faizabad admitted having participated in meetings but for the reasons best known to him, failed to produce the relevant details and minutes.

104.7. The conduct of the local administration was irresponsible as is patently inferable from the fact that AK Saran was posted as IG Security on 6th of July 1992. He visited the site on 8th of July and no changes were brought about in

⁴⁸² See Prabhat Kumar's note, CW 16/2.

the security. Secondly the Commissioner Faizabad who was conscious of the responsibility of the administration and discipline has pleaded no knowledge of patent facts of demolition that took place between April 1992 and July 1992.

104.8. It is obvious that despite the statutory responsibility of the district administration all decisions were being taken at the level of Chief Minister and the local administration had no free hand to administer. They were only acting or conducting themselves in conformity with the wishes of the political executives or according to the wishes of Ashok Singhal, Vinay Katiyar, Acharya Giriraj Kishore and Sakshi Ji Maharaj (who claimed to be related to the Chief Minister), Braham Dutt Dewedi, Paramhans Ramchander Das, SC Dixit, VH Dalmia, Champat Rai and Rajendra Gupta or the unidentified protagonists of the temple movement. They were concededly put in charge of Ayodhya in the name of development, though not a single scheme has been shown which was undertaken for the development of Ayodhya.

104.9. As late as 14th of October 1992 the Commissioner was still enquiring and seeking appropriate directions for security of the disputed structure despite the fact that assurance was given to the Supreme Court that no construction would be carried out⁴⁸³.

104.10. The Home Minister of India addressed a letter to the Chief Minister in July 1992 wherein he expressed concern over the levelling in the disputed site, collection of construction machinery, digging of area for construction of

⁴⁸³ See CW 9/19 and CW 9/40, and the statement of SP Gaur (CW9).

temple, widening of *Durahi Kuan* Road and wall on the northern side of the disputed structure, collecting of about seven thousand people in the *Ram Janam Bhoomi* complex reiterating the plans of construction, provocative speeches, meetings and Samelans in favour of construction.

104.11. AK Saran informed the DGP about the inadequacy of the security arrangements to the disputed structure, pointing out that 10 companies of PAC, 6 companies of CRPF, 33 sub-inspectors, three main reserves and 80 reserves were deployed for the security of the disputed structure and the complex during the festival. It was further pointed out that 80 reserves would be deployed from the 1st till the 31st of November 1992.

104.12. As a consequence of a request by the Central Government to review the security, the Chief Secretary held a meeting on the 2nd of November 1992. Principal Secretary (Home), DGP SVM Tripathi, SNP Sinha Additional DGP Intelligence, CK Malik IG Security, AK Saran IG Lucknow Zone, and Shekhar Aggarwal Special Secretary participated in the meeting taken by the Chief Secretary. It was decided that there is no need to give the control of inner cordon to paramilitary forces. Deployment of Magistrate and Gazetted police officer was already there. Entry was to be regulated only on festivals days though it would create law and order problem as all cannot have Darshan. The security of disputed structure from adjacent Bhawans was already ensured. Bomb disposal squad was already deployed and the frisking and checking was carried out in presence of police officer along with the Magistrate. Paramilitary forces were reminded that they are deployed for the support of the State Government and should work under their control.

Ongoing construction work was pointed out. CRPF was ignored on the assumption that there is no possibility to go against the Hon'ble Supreme Court's order. The construction of gate for security was rejected under the garb that it would be violating the order of Supreme Court. Installation of link hanged wire and pressure sensors was declined, while with respect to infrared beams further information was sought. Decision for installation of watchtower was taken. Putting padlock on the iron gates was declined. It was observed that road barriers were serving the same purpose despite the fact that all of them knew that road barriers had already been removed since January 1992 or even earlier. Digging of trenches around the complex was declined⁴⁸⁴.

104.13. Champat Rai, admittedly the in-charge of the construction of the temple, had in a conference at *Bhagwad Acharya Centre* declared that *guerrilla shaily* (strategy) would be adopted on 6th of December 1992. This declaration was published and not contradicted or countered by any leader of the movement or political party⁴⁸⁵.

104.14. Even so, the Commissioner Faizabad⁴⁸⁶ categorically admitted that the security arrangements were made keeping in view that force or coercive force would not be used at the disputed structure as the State Government was of the view that the use of force would be counterproductive.

⁴⁸⁴ See statement of *AK Sharan (CW8)*, *Akhilesh Mebrotra (CW11)*, *SNP Sinha (CW12)*, and *KS Sudarshan (CW18)*.

⁴⁸⁵ Corroborated by the statement of *CGW 49 CK Mishra and Suman Gupta*

⁴⁸⁶ *CW9*

105. The contradictory stand of the VHP

- 105.1. Another circumstance which can be noticed is that despite the State Government's and VHP's public stand that the *Karseva* was only to be a symbolic *Karseva*, still no effort was made to restrict, check or regulate the number of *Karsevaks* in Ayodhya or Faizabad, rather more and more people were mobilised to come in one go.
- 105.2. I am unable to comprehend that when the VHP had taken a stand of symbolic *Karseva*, then what was the necessity to take a fresh decision for symbolic *Karseva* again on the 5th of December 1992 in Ayodhya, attributed to *Sadhus* and *Sants* whose agenda is admittedly settled by VHP.
- 105.3. The VHP had also given an undertaking through their representatives to the Supreme Court for symbolic *Karseva*; yet in Ayodhya till almost the last moment, they had been proclaiming to one and all including the media that actual *Karseva* and construction would be carried out on the 6th of December 1992. These statements were widely published and were brought in evidence before the Commission.
- 105.4. There was a defiant and duplicitous attitude towards the court's order. The stand was being taken and declarations made that courts cannot decide matters of this nature. Courts' orders are not binding. Decision of *Sadhus* and *Sants* would only prevail.

- 105.5. Madhukar Dattatraya Deoras, popularly known as Balasaheb Deoras, was an Indian politician and former *Sarsanghchalak*, or chief of the Rashtriya Swayamsevak Sangh
- 105.6. He published a statement which reads, *“Reconstruction of the Shri Ram temple at Ayodhya is hanging fire precisely because of the Centre’s weak-kneed policy. A self-respecting nation will sooner than not remove all traces of its slavery. The reconstruction of the Shri Ram temple on Lord Ram’s birthplace in Ayodhya cannot be dismissed as a communal demand. It is a question of the nation’s honour. All of us should appreciate this. Our own government at the Centre must also realise this. Just as there is a limit to a person’s power of endurance, there is also a limit beyond which even society will not tolerate things. It would, therefore, be in the ultimate interest of one and all if Government desisted from trying the Hindus’ patience. If anybody is under the impression that the temple dispute will be solved by the courts, let me tell them that they are gravely mistaken”*
- 105.7. This was quite consistent with his earlier statement and conduct in 1990 when he proclaimed, *“we are no longer slaves and hence shall not tolerate any symbol of slavery”*. He exhorted Muslims to agree with his and their sentiments. He correlated it to the meaning of *Sarvadharmā Sama-Bhava*
- 105.8. In the same strain, in 1986 Prof Rajendra Singh proclaimed, *“I cannot trust the minorities – anyone who lives in the country is a Hindu but if he does not love its culture, its soil and its sentiments, he is our enemy. The Congress bestowed privileges on the Muslims to please them, who had opted for Pakistan. If the*

Government goes on conceding the demands of the minorities, one day the question of a second Pakistan and Christian land shall come before us.”

105.9. In 1987, the *Akhil Bharatiya Pratinidhi Sabha* of the RSS passed a resolution to the following effect, *“The Ram Janam Bhoomi complex locked by the Government has been opened because of Court’s orders, and with the removal of restrictions the Puja ceremonies have started there in full swing. Yet the task of renovation of the temple remains incomplete. Independence demands that all public vestiges of foreign domination disfiguring our national scene need to be washed clean. The ancient but dilapidated Ram Janam Bhoomi temple too needs to be restored to its old glory. Then alone will the agonised cry of the nation’s conscience get assuaged.”*

105.10. Attempts were made by the leadership to put forth ones’ caste, religion or region to share the spoils of democracy. Religious local problems had and continue to be manipulated and political parties are becoming polarised on the issue of religious behaviour which is more damaging to democracy or the democratic institution.

105.11. All the self-seekers in politics and religion were joint in their quest to acquire power and wealth. Half-truths were handed out to the gullible people which blinkered them and made them pliable in the hands of their political and religious leaders. The *Sangh Parivar* designated itself the philosopher and protector of Hindus. The image generated suited their political agenda and fitted in it.

105.12. There were some who follows religion, who feel unsafe without crowds to justify their faith. They are the cartel of hatred.