

western side should further be excavated and white chabutara in Trench L8, be also excavated otherwise muslims shall treat as if the entire activities are for political gains and to harass the muslims.

3691. After obtaining comments from Sri A.R.Siddiqui, incharge/Deputy Superintendent, Archeology, the two observers endorsed the following comments:

“आपत्ति के सन्दर्भ में श्री ए0आर0सिद्दीकी, प्रभारी उप अधीक्षण पुरातत्वविद उत्खनन स्थल का अभिमत प्राप्त किया गया। उन्होंने यह अभिमत दिया कि—

(1) टेंच सं० H4, H5 के पश्चिम तरफ की भूमि के उत्खनन के संबंध में मामला माननीय उच्च न्यायालय के समक्ष विचाराधीन है। माननीय उच्च न्यायालय के आदेश के अधीन इन टेंचों में उत्खनन कार्य सम्पादित किया जायेगा। टेंच सं० L8 में भी आवश्यकता होने पर उत्खनन कार्य किया जावेगा।

(2) कंकरीट चबूतरे वाले टेंच की खुदाई हो रही है।”

"The opinion of Sri A.R. Siddiqui, in-charge/Deputy Superintendent Archaeologist Excavation Site, was obtained in context with the objections. He has given the opinion that:-

(1) The matter of excavation of the land in west of Trench Nos. H4, H5 is pending before Hon'ble High Court. The excavation in these trenches would be carried out under the orders of Hon'ble High Court. The excavation in Trench No. L8 would be carried out on requirement.

(2) The trench with concrete platform is being excavated."

3692. Next is a letter dated 28th May, 2003 of Sri Jilani informing the observers that some information/photographs has been leaked out to media by ASI people and therefore, the member of the team, who has made such disclosure to media, be

immediately removed. This allegation was denied by Sri C.B.Mishra, Dy. Superintendent Archaeologist/Incharge ASI team and he declined to take action against the member of ASI since none is indulged in alleged activities. A note to this effect has been made by Sri H.S.Dubey, H.J.S. (Observer) on 29th May, 2003 on the complaint itself.

3693. To the same effect is the complaint dated 28th May, 2003 submitted by Sri Jilani on the photographs of an inspection alleged to have been found in Trench J3 whereupon again comments were obtained from Sri C.B.Mishra, Incharge Archeologist. Thereafter Sri Dubey, Observer recorded the following note on 29th May, 2003:

"In the light of the objections submitted through this application an enquiry was made from the Incharge Archeologist excavation, Sri C.B.Mishra Dy. Supt. Archeologist. Sri Mishra has given his views which are as under-

1. So far as photograph of the inscription of Trench No.J3 is concerned no photograph of the inscription has been prepared so far. Only print art of the digital camera photography has been prepared and shown to the nominees/parties present on 4.5.2003. Signatures of the parties or their counsel have not been obtained on this print out.

*2. Photograph of the inscription published in the "Out-Look" of June 2, 2003, issue is not the actual and accurate photograph of the inscription found in J3, **but it has been prepared with the aid of computer and is dissimilar from the point of letter formation and size of the stone, which***

is embeded in the aforesaid trench and till date has not been taken out of the trench.

3. *No screen was even used by the A.S.I. Team for projecting the picture of the disputed inscription.*

4. *Photograph/estampage of the inscription published in June 2, 2003 issue of 'Out Look' is not available with the A.S.I. And no photograph/estampage has ever been supplied by any member of A.S.I., to Sri Sandeepan Deb Managing -Editor of the "Out-Look", or to any other person."*

3694. Complaint dated 28th May, 2003 was made by Sri Jilani alleging entry of unauthorized persons at the excavation site. In this regard Observer obtained comments from the concerned Magistrate who was responsible to allow entry to Authorized Persons only. After receiving his comments, the Observer recorded as under:

"Information of this application was given to Authorised person. An enquiry was also made from the manas Bahawan Magistrate. Authorised persona nd Manas Bhawan Magistrate informed that no entry-pass was issued to Sri Sandipan Deb and he was not nominee of any party. They also informed that Mr. Sandipan Deb was never permitted by them to enter the excavation site and observe the excavation work. Instructions were given to Authorised-Person for not permitting entry of any one, how so ever high he may be, in the excavation area, who is not covered by the orders of the Hon'ble High Court. Same instructions were also given to manas Bhawan Magistrate."

3695. Sri Jilani, vide letter dated 31st May, 2003, sought

permission to watch excavation work of Trench F-3 disallowed by security personnel on 30th May, 2003. We have seen the day to day register of 30th May, 2003. At the end of the proceedings, it contains signatures of four persons which included Haji Mahboob, one of the defendant in Suit-3, who had also appeared as witness, PW-2 on behalf of the plaintiffs (Suit-4). In fact on 29th May, 2003 also it appears that only four persons had signed the day to day register, which included the names of Sri Haji Mahboob and Mohd. Hashim Ansari, who are also plaintiffs in Suit-4. It is thus incorrect that parties or their representatives were not allowed to watch excavation work. It also cannot be said that any alleged discrimination was made by the authorities concerned for watching excavation work by the parties, their nominees or their representatives. Further, digging of Trench F3 commenced on 30th May, 2003 being a new Trench, and day to day register dated 30th May, 2003 contains the following note:

"Trench F3

New Trench (2.50 mt x 1.90 mt)"

3696. The above complaint was made on 31st May, 2003. The proceedings of 31st May, 2003, as is evident from day to day register, shows presence of seven persons, who have signed proceedings on page 218 which included Sri Haji Mehboob as well as Sri Jilani. The excavation observations pertaining to Trench F3 on page 216 in day to day register dated 31st May, 2003 are as under:

"Operation area (2.50 mt x 2.50 mt) today extended towards south and west. Digging started from .40 mt and closed at the depth of 1.63 mt from Dmt Surface. A L shape wall running west to east and South to North has been

found made of Calerall, stone and sand stone block. The lime plaster over the wall partly damaged is noticed. Carved stone block contain two courses is also found in the section facing south."

3697. The Observer Sri H.S.Dubey obtained comments from the Authorized Person and made his observations as under:

"This objection was submitted at 11.10 a.m. today. Before information of this application could be given to the Authorised-Person, at about 12 Noon, message of Authorised Person was received through Nodal-Officer-Excavation site, RJB/BM, to the effect that Authorise-Person has no objection in the observation and watching of the excavation of Trench F3 or any other Trench by the parties, their counsels and nominees. It was also informed that no discrimination could be done on the basis of being Hindu or Muslim, in regard to the watching of the Trenches. Thus there is no necessity to take further step in this regard. After receipt of this application at about 12.10 p.m. Parties, their counsels, nominees visited the Trench F3. Thus the matter ends."

3698. The letter dated 7th June, 2003 is signed by several persons including Sri Jilani requesting Observer to ensure arrangement of waterproof Shamiyana over the entire area of Trenches to protect from damage due to water pouring etc.

3699. A much detailed complaint has been filed on 7th June, 2003 by Sri Jilani, Sri A.A. Siddiqui, Sri Haji Mehboob and Mohd. Hashim against the procedure followed by ASI Team in excavation. Allegations are made that in certain trenches i.e. G2 and ZF1, the brickbats randomly scattered over the

excavated area were selectively removed by the Trench Supervisor to create a visual impression that the brickbats were confined to only a portion of the excavated area and that is how the structural bases have been discovered. It is said that these two trenches were monitored from 16th to 20th May, 2003 and 29th to 30th April, 2003 respectively. Lastly, it is complained that this kind of activities may have been followed in certain other trenches i.e. F10, F9, G9, F8, G8, F7, F6, G5, G2, F1, G1, H1, ZG1 and ZH1. To appreciate the complaint properly, we reproduce its contents hereunder:

"Excavation procedures, in general, comprise of two aspects: a) digging in layers in trenches and b) recording through drawing and photography. It is the accuracy and transparency with which the above are done that will eventually impact on the interpretation of what is unearthed. This applies not only to structures but also to artifacts. However, it is precisely the lack of accuracy and transparency in relation to both structures and artifacts that marks the ongoing excavations at Ayodhya.

*The Progress Report up to April 24, 2003 submitted by the ASI makes note of "squarish/circular structural bases having brickbats at the base with two rectangular blocks of calcrete stone over three or four courses of brickbats ... the same type of structural base, with a sandstone block at the top having encasing of sandstone slabs/pieces, on its four sides, were found in the northern side also." The excavation of two such structural bases was closely monitored in Trenches **G2 and ZF1**.*

A close observation of the excavation and recording

was done of **Trench G2** from **May 16 to May 20, 2003**. It was found that brickbats randomly scattered over the entire excavated area were selectively removed so as to create a visual impression that the brickbats were confined to only a portion of the excavated area. An examination of the section even now reveals the fact that brickbats lay in the entire layer below Floor 1. When Floor 2 was dug through, once again a whole layer of brickbats was exposed which is still visible on the floor of the trench. Similar observations were made in **Trench ZF1** from **April 29 to April 30, 2003**. Floor 1 was exposed at 40 cm bsl, Floor 2 at 57 cm bsl and Floor 3 at 80 cm bsl, all floors being lime-surkhi floors. Floor 1 was reached on April 29, 2003 that was cut through on April 30, 2003 exposing a complete brickbat layer. But during excavation, when a stone was observed as protruding out of the brickbats, the brickbats in the area immediately near the stone were left in place in a squarish shape while the rest of the brickbats were thrown. On April 30, 2003, when Floor 2 was cut through, the same kind of brickbat layer was exposed beneath it. This brickbat layer is easily seen even today by observing the south-facing section in **Trench ZF1** (see Fig. 1).

A more accurate recording in both cases would have shown lime plaster and mortar above the brickbats as these are part of the same floor. Lime-surkhi floors appear to have been laid over a combination of stone blocks and brickbats. The stones are placed at intervals, in some cases quite randomly (as evident from F6-see Fig.2), with intervening spaces filled with brickbats, mud and brick

modules.

*It is also apparent that this floor construction technique continued through successive phases of floor construction. At an early stage, at a depth of roughly 1.5m, resting on a brick-jelly filling, is structural base (henceforth sb) No. 5 in Trench F8 (see Fig.3). The same construction of brickbats underlying calcrete blocks is noticed here. This method of construction continued into the last building levels as seen in the case of sb No. 13 and also No. vi in **Trench G2** (see Fig. 4). So also is the case in **Trench F6** where a rectangular sandstone slab, two calcrete blocks, bits of broken floor and a smaller sandstone piece in a tilted position were recovered lying in the northwestern part of the trench just under the top floor. Stones were also used as fillers and leveling mechanisms (apart from forming part of foundation walls) as evident from the sandstone blocks that extend over almost 4m in the northern part of the trench (see Fig. 2).*

*These kinds of structural bases have been indentified in Trenches F10, F9, G9, F8, F7, F6, G6, G5, G8, G2, F1, G1, H1, ZF1, ZG1 and ZH1 (see No. 1-21 in Fig. 4). **It appears** that in the above-mentioned trenches too, brickbats were selectively removed in order to create an inaccurate visual impression of circular/squarish structural bases as revealed by a section study.*

*An examination of the sections of many of these trenches reveals that brickbats underlay the floors **just as observed in the case of G2 and ZF1**. At the same time, it is disconcerting to note that brickbats have been removed*

*from the sections of various trenches: the south-facing section of **G8/G9 baulk**, north-, south- and east-facing sections of **F1**, north- and south-facing sections of **G1**, north-facing section **H1** and east-facing section of the **H1/H2 baulk**, south- and west-facing sections of **ZF1**, east-facing section of **G2** and east-facing section of **F9**. This is surprising as the sections of lower levels below 2 m bsl of Trenches F8, G7 and J5/J6 are left with large bricks and potsherds protruding while in the upper levels (roughly above 2 m bsl), brickbats are often pulled out or chipped off level with the section. **This is also the case with human bones found at a depth of 1.30 m in Trench ZG1 that have been cut off in the section.***

***Inaccurate recording of artifacts recovered in excavation is equally worrying** as this will impact on the eventual interpretation of the archaeological evidence. More importantly, the dating of structures largely depends on artifactual evidence found in a particular stratigraphical context. If there are inaccuracies in the reporting of artifacts, **through selective collection, the dating of structures will also be inaccurate.** Methods of taking depth measurements of structures and artifacts, for example, are unsatisfactory as no spirit level is used to ensure that the measuring tapes are absolutely horizontal. Second, sorting is carelessly done for the excavation of the upper levels (roughly 2 m and above); very often what is picked up is what appears to strike the fancy of the labourers. On May 2, 2003, in **Trench ZH1**, an area covering 4 x 0.5 m up to a depth of 0.5 m was dug through*

*and the soil thrown away without sorting. Bones from a human skeleton too were mostly thrown away. **This situation contrasts strongly with the excavation of the lower levels (below 2 m) where sieving was done for Trenches J3 and G7.** At the same time, it is intriguing to note that **very careful sorting and collection was done for the upper levels of Trench G5.***

*There appears to have been a selective collection of artifacts with the labour instructed to collect particularly moulded bricks, sculpted stone fragments and terracotta figurines. These last are all seen as contextually recovered while others such as Islamic glazed pottery, glazed tiles and animal bones are regarded as part of fill or dump or from a pit, and in many cases are thrown away. In the most recent such case (**from May 24-27, 2003**), the dump (about 1.5 m deep) over the top floor in Trench G5 yielded in a 2.5 x 4.0 m area 26 sandstone slabs and blocks that were collected and individually photographed. In contrast, the 61 calcrete blocks and pieces, out of which 8 were dressed blocks were all thrown away, save two blocks. The calcrete blocks were significant pieces of evidence from the relative quantity recovered as well as the plaster and mortar on them that indicates that they were used in constructing the walls of the Babri Masjid. Bricks that would also have been used in the walls of the mosque were thrown away while modern fresh bricks, without mortar or plaster, (moulded with the number ZKR33) had been collected.*

Other inaccuracies can be pointed out taking as an example just two days (May 21-22, 2003) out of over two

months of excavation. Trench J1 was reported to have been excavated up to a depth of 1.06 m on May 21, 2003 and 1.45 m on May 22, 2003. Yet, a glazed tile reported from the trench on May 22, 2003 was said to have been found at 0.65 m. The above was not reported as recovered through section scraping. The depth recorded for F8 on May 21, 2003, was 2.70 m and on May 22, 2003 at 2.65 m. With each subsequent dig, the depth of a trench is supposed to increase while here the reverse seems to be taking place suggesting inaccuracy in measurements.

These kinds of inaccuracies are also reflected in the Progress Report (up to April 24, 2003) submitted to the Lucknow Bench of the Hon'ble High Court. The physical description of the structural bases, indicating uniformity in their construction, is imprecise. In most of the structural bases, brickbats are not placed in courses but are random, in many cases in a tilted position. The height of brickbats varies from 5-55 cm even within the same so-called structural base. Brickbats do not only lie under the stone but even over as in sb No. 11 and 12 in F7 and sb No. 2 in F10. Diameters range from 1.10 m in sb No. 9 to 1.90 in sb No. 12. What is also averred as two rectangular blocks in each structural blocks is not always the case as seen in Trench G1 where sb No. 19 has four pieces of broken and undressed calcrete of varying shapes and sizes. Sizes of stones vary in most of the structural bases; for example, sb No. 15 has three large calcrete slabs (70 x 15 cm; 65 x 20 cm; one with width 20 cm, length unknown). Sb No. 11 in F7 has two calcrete slabs (55 x 20 cm; 55 x 25 cm) and sb

No. 10 has two sandstone blocks (55 x 25 cm; and a partially visible piece, 55 x at least 10 cm). Sb No. 12 in F7 has five pieces, four somewhat rounded calcrete blocks and a small sandstone piece in the center. All the larger pieces are roughly 30 x 20 cm. In fact, the shape of structural bases varies very often from square to rectangular to circular to oval.

As mentioned earlier, the Report claims that similar structural bases have been found in the northern area as well. However, this is not the case. The structural bases recovered in the north (No. a-j in Fig. 4) appear to have been part of a separate much later period structure. These cover at least an area of 10 x 10 m. In the northern area are four clearly identifiable floors (including the top floor) and these sandstone structural bases are embedded in Floor 1 (see Fig. 1) and hence were contemporary with Floor 1. It appears that these sandstone bases had a calcrete block underneath. The impression being created by the ASI is of a brickbat base under the calcrete block. However, the brickbats underneath are only part of Floor 2 construction. Structural bases No. a-j are clearly different from No. 1021 not only in physical description but also in the sizes of the stones used. All the sandstones here measure 46 x 43 x 9 cm. This kind of uniformity is not the case with sb No. 1-21.

While No. a-j appear to be structural bases, No. 1-21 are clearly not so. In the case of No. a-j the dressed and sometimes polished sandstone slab with the casing would have been visible with the supporting calcrete block under

the floor and hence the latter would not have been visible. However, this does not appear to have been the case with sb No. 1-21. In the case of sb No. 8 in Trench F8 (see Fig. 3) and No. 11 in F7, for example, brickbats overlie the calcrete blocks and the whole is visible over the floor to which they are supposed to be contemporary. It clearly indicates that these cannot have been structural bases as this portion (brickbats and calcrete blocks) should logically have been under Floor 2. It also means that brickbat-cum-calcrete construction is post-Floor 2. It also means that brickbat-cum-calcrete construction is post-Floor 2. Further, sb No. a-j have no brickbats between the sandstone and the calcrete and this is not the case with sb No. 1-21. The brickbats overlying the calcrete blocks in sb No. 1-21 would have made the entire structure extremely unstable and incapable of supporting any superstructure. Brickbats would in fact get crushed under the weight of any superstructure. Moreover, if sb No. 1-21 were supposed to be structural bases, then surely those of circular shape would have been made of better and wedge-shaped bricks. Instead, what are found are brickbats very often of jagged shape (see Fig. 5), obviously achieved while being carved out during excavation.

That there is a problem with the interpretation of these structural bases is apparent from Trenches E6 and F6. What has been made out to be a structural base in Trench F6 appears to have been, on subsequent excavation, to be only part of an east-west running wall (see Figs. 6 and 7).

*It is requested that it may kindly be ensured that a more accurate recording of structures, artifacts and depth measurements, of structures and artifacts, be maintained and the fictitious and manufactured structural bases being sought to be created in Trenches **F10, F9, G9, F8, G8, F7, F6, G5, G2, F1, G1, H1, ZF1, ZG1 and ZH1** be kindly not labeled as structural bases and that No. 1-21 be got dismantled."*

3700. Sri H.S.Dubey, Observer obtained comments from Sri B.R. Mani, Superintendent Archeologist, who was incharge of excavation site and his views have been noted down on 8th June, 2003 as under:

"The views of Incharge excavation site Sri B.R. Mani Supt. Archeologist were taken on this objection. Sri Mani expressed the following views:

1. There seems to be a calculated effort to defame the A.S.I. And demoralize it's team member by making statements through media and also through applications like the present one submitted by one of the parties in the case. A.S.I. being the premier institution of archaeology in the country has always been famous for accuracy and scientific approach in exploration and excavation work. For the first time a large scale excavation in a time bound manner in the presence of contesting parties, their advocates and nominees has been assigned to the A.S.I. by the Hon'ble Court for which two observers are also appointed. Under such circumstances there cannot be any lack of transparency and accuracy in relation to both structure and artifacts in digging and recording by the most

experienced and expert excavators of the Country.

2. *It is totally wrong to say that brickbats were selectively removed to create an accurate visual impression on structural bases. On the other hand in loose and fallen brickbats were removed and well laid brickbats were left at their position while digging which have given circular/squarish shapes of pillar bases in several courses, often topped by huge stone blocks.*

3. *It is not understood that the **allegation is made about dating of structures when the final report itself has not yet been released.** The recording of artifacts is perfect and as per approved principles of excavation, the depth are being taken for which each and every trench Supervisor is using Spirit-levels which are provided to them, mostly attached with their tapes, which is perhaps not noticed by the parties putting allegations.*

4. *The collection of artifacts having decoration, designs, sculpted stone fragments, terracotta figurines, glazed tiles etc. are being made to suggest the concerned evidence. The featureless material of universal type is not selected as archaeology finds and not sealed.*

5. *The materials found are being preserved after recording their find either in a particular layer or in dump or fill, in respective of their nature. **They may be glazed pottery or tiles or animal bones, particularly the last one which are usually found in pits and not as groves.** These materials are being photographed, their drawings are being prepared and many of them being antiquities are sealed besides bones and glazed tiles. **Nothing of this sort is***

thrown away. Construction pattern of Babri Masjid is known very well for which collection of evidence is not required. Modern bricks have not been collected and nothing of archaeological importance has been thrown away.

6. *It is again informed that no structural base has been created which has been observed by everyone and structural remains are being brought to life and cannot be dismantled as desired by the party concerned as it is against the principles of excavation and archaeological norms.*

No other view was expressed by Sri Mani, with regard to this objection."

3701. We have also examined the above complaint from the record. The excavation of Trench G2 commenced on 16th May, 2003. The recording of the proceedings by Sri S.K.Sharma, Trench Supervisor has already been mentioned above. This digging continued under the supervision of Sri Sharma for four days i.e. 16th May, 2003, 17th May, 2003, 18th May, 2003 and 20th May, 2003. On all these four days, as per day to day register, the parties or their nominees, as the case may be, were present and had signed the said register as under:

16.05.2003	Mahant Bhaskar Das, Haji Mahboob , Sri R.L. Verma, Advocate, Mohd. Hashim Ansari , P.Sahu
17.05.2003	P.Sahu, Mohd. Hashim Ansari , Sri R.L.Verma, Advocate, Mahant Bhaskar Das, Sri Jilani, Haji Mahboob
18.05.2003	P.Sahu, Sri R.L.Verma, Advocate, Haji

Mahboob, Mahant Bhaskar Das, **Mohd.**

Hashim Ansari

20.05.2003

P.Sahu, Sri R.L.Verma, Advocate, **Haji**

Mahboob, Mahant Bhaskar Das, **Mohd.**

Hashim Ansari

3702. No such complaint that the Trench Supervisor or ASI people are making excavation in a different way was reported, if they were so watched by the above complainants continuously. It does not appear that any of these complainants is a technical person. On 21st May, 2003, on the basis of four days excavation of trench G2, Haji Mahboob, defendant in Suit-3 submitted complaint dated 21st May, 2003, which is appended with six sketch diagram. Haji Mahboob, in his own oral statement, has admitted that he is not a technical man. Obviously, the said complaint must have been prepared by someone else who had not taken the responsibility nor the name of such person has been disclosed. It is a bit surprising that upto four days of digging, when Haji Mahboob and Mohd. Hashim Ansari were throughout present and signed day to day register, but did not find anything wrong. However, a well technically advised complaint was made on the very next day i.e. 21st May, 2003. Thereupon the Observers obtained comments from Sri A.R.Siddiqui, Incharge Archeologist on that very date and placed his note on record. After more than fifteen days thereafter, complaint dated 7th June, 2003 was prepared with a similar kind of allegations but now in respect to some more trenches. It is also accompanied by a large number of technical sketch diagrams.

3703. The two witnesses PW-29 Dr. Jaya Menon and PW-

32 Dr. Supria Varma claim to have made the complaint of creation of pillar base by ASI people to the muslim parties. On page 79, PW -32 Dr. Supriya Varma has said:

"These complaints were filed by Dr. Jaya Menon and me. These complaints were handed over to muslim parties and their counsels."

3704. PW-32, Dr. Supriya Verma was present at the site on the following dates:

(a) 5th April, 2003 to 12th April, 2003, (b) 11th May, 2003 to 31st May, 2003, (c) 22nd June 2003 to 27th June, 2003 and (d) 8th July 2003 to 19th July, 2003

3705. PW 29 Jaya Menon has given the period when she was present at the site, in para 2 of her affidavit, as under:

(a) 26th April, 2003 to 2nd May, 2003, (b) 20th May, 2003 to 31st May, 2003 (c) 22nd June, 2003 to 27th June, 2003 and (d) 19th July, 2003 to 26th July, 2003

3706. Therefore, at Trench G2, between 16th May, 2003 to 19th May, 2003, according to the own admission, PW 29 was not present. Similarly at trench ZF1, PW 32 was not present (29.4.2003 and 30.4.2003). PW 29 in para 13M(i) of the affidavit under Order XVIII, Rule 4 has asserted that she observed Trench ZF1 from 29th to 30th April, 2003, noticed creation of pillar base and made a complaint.

3707. The Site Note Book no. 30 maintained by Sri A.R.Siddiqui, Trench Supervisor show at page 24 that digging of Trench ZF1 commenced on 29th April, 2003 and on that date digging could be made up to the depth of 40 cm. The note on the Site Note Book 30 dated 29th April, 2003 regarding Trench ZF1 is as under:

"This trench ZF 1 is also measuring 4 x 4 Mtrs. But its half of the part towards northern side is occupied by the barbed wire fencing and flower trees. So the only southern portion of the trench could be possible for excavation i.e. 4 x 2 Mtrs.

After cleaning the debries and brushing the surface the digging work in this trench has been started from the 0 cm depth up to the depth of 40 cms. At the same depth a floor made of lime and surkhi exposed towards western side of the trench. At the same time a brick wall exposed running towards west-east attached with the southern section of the trench resting on lime floor. The width of the brick exposed wall was 40 cms.

Finding : a red sand stone piece showing lotus (sic)

a glazed tile piece of blue colour T.C. Red ware and bones."

3708. On 30th April, 2003, the digging commenced at the depth of 40 cms. and closed at 65 cms.. The note of the Trench Supervisor Sri Siddiqui is as under:

*"After digging up to the depth of 65 cms **a brick structure or so called pillar base foundation was exposed almost at the centre of the trench measuring 100 x 100 cms.** At the same depth and same level a floor made of lime Surkhi was also exposed on either side of the brick structure which is the earlier one or if both these were constructed at the same time so what was the purpose of building of both these structure as there is no co-relation between the two with each other.*

Finding : glass bangle pieces

Red ware T.C.

Bone pieces"

3709. We may note here the proceedings of 1st May, 2003, 2nd May, 2003 and 3rd May, 2003 of Trench ZF1 also, as under:

"Trench – ZF-1

Date – 01.05.03

Digging started – 65 cms.

Digging closed – 80 cms.

*Digging again started in this trench at the depth of 65 cms. After reaching to **the depth of 75 cms. again a floor made of lime and Surkhi was also discovered** on the western side attached with the section upto the almost half of the trench.*

At the same time and same depth a wall made of bricks also exposed in the northern section running from west to east direction of about 200 x 55 cms. area.

However again the exposed floor removed for further digging. The last depth of this trench was 80 cms.

thus the layer making in this trench could be ascertained as under

A Layer (1) at the depth of 40 cms in the shape of lime surkhi floor

B Layer (2) at the depth of 65 cms in the shape of lime surkhi floor

C Layer (3) at the depth of 75 cms in the shape of lime surkhi floor

Photo recording of this trench with layers and floor completed.

One iron nail piece, red ware pottery pieces, bone pieces,

and black slipped recovered at a depth 65-80 cms.

"Trench – ZF-1 and ZE-1

Date – 02.05.2003

Trench – Baulk removal between ZF-1 and ZE-1

Process of Baulk removal which was lying between ZF1 and ZE-1 started to find out position under the baulk. The size of this baulk was 200 x 100 x 60 cms.

After removal of baulk a floor made of lime and surkhi exposed partly in ZF.1 and partly ZE-1 trenches measuring 342 x 170 cms. the floor exposed running towards west east direction attached with the southern section at a depth of 75 cms.

*The archeological finds were, **Decorated Stone piece, stone beading, a wooden beading containing grove lining redware, bone pieces, and terracotta pottery pieces.** These were recovered during removal of above baulk.*

Photorecording done after removal of baulk and exposed floor.

Two pits also received on either side of the brick pillar base foundation.

"Date : 03.05.2003

Trench : ZF 1

Operation area : 4 x 2 Mtrs.

Digging Started : 80 cms. depth

Digging closed : 90 cms depth

Due to removal of baulk the further digging work could not be continued. However, after a gap of one day, again this trench taken into consideration. During the

course of digging just at 08 cms below the lime floor at a depth of 83 cms a brick wall with lime plaster exposed in this trench extending up to the next trench i.e. ZE.1. The wall was 55 cms wide while the length was 7.40 mtrs resting on a brick bats.

Further digging was continued up to the depth of 90 cms where **again Floor (4) made of brick exposed on both the sides of the brick structure called pillar base foundation.** This earlier exposed pillar base structure is measuring 118 x 102 cms. Thus in this trench No. ZF.1 the stratigraphic context may be ascertained as under:

Layer (1) i.e. floor (1) at the depth of 40 cms.

Layer (2) i.e. floor (2) at the depth of 65 cms.

Layer (3) i.e. floor (3) at the depth of 75 cms.

Layer (4) i.e. at the depth of 90 cms.

3710. The day to day register mentions following for the same period, as above, regarding Trench no.ZF1:

"Trench ZF 1

Operation Area : 4 x 2 mt.

Digging started at 25 cm & closed at 40 cms.

A lime surkhi floor exposed on plan, partly damaged in the central half. A brick wall towards south running east-west.

Pottery: Red ware, slipped black ware" (Page 110)

"Trench ZF 1

Operation Area : same

Digging started at 40 cm & closed at 65 cm

A lime surkhi floor exposed at western walls. Brick & stone pillar base also exposed (1 mt x 1 mt) in the centre of the trench.

Pottery: Red ware, black slipped ware" (Page 115)

"Operation Area : Same

Digging started at 65 cm & closed at 80 cm.

Floor of lime surkhi at a depth of 72 cm and a brick wall running E-W.

Pottery: Red ware, black slipped" (Page 118)

"ZF1-ZE1

Baulk removed

Intermediate baulk between ZE1 & ZF1 was removed down to Floor 2 at the depth of 48 cm.

Pottery: Red ware, black ware etc." (Page 122)

"Trench ZF 1

Operation Area : 4 x 2 mt.

Digging started at 75 cm & closed at 90 cm.

*A brickwall with lime plaster on outer face exposed upto 80 cm. The wall is 55 cm wide. A lime surkhi floor exposed on both sides of brick & **stone pillar at 90 cm.***

Pottery: Red ware, black slipped ware" (Page 129)

3711. The day to day register on all the five days, as above, has been signed by the parties or their representatives but none of the above two witnesses have signed it. The two witnesses did not remain at Ayodhya from 1st June to 21st June, 2003. Therefore, we do not find any occasion for them to play any role in preparation of the complaint dated 7th June, 2003 or that might have been prepared by them by 31st May, 2003 but submitted on 7th June, 2003. We do not find anything on record to show that besides these two, anyone else assisted the complainants in preparing the objections since only these two have claimed on it.

3712. Now, the careless manner in which the complaints are made may be seen. On internal page three, in last paragraph, the complainants say that the depth recorded for trench F8 on May 21, 2003 was 2.70 m. and on May 22, 2003, it was found 2.65 m. It is complained that instead of increasing, the depth has gone decreasing. Had it been so, the complaint would have been absolutely correct. However, from perusal of Site Note Book No.44 maintained by Sameer Deewan, Trench Supervisor, on page 39 we find that the digging of trench F8, on 21st May, 2003, started at 220 cm depth and closed at 260 cm. On 22nd May, 2003, page 41 of the aforesaid site note book shows that the digging started at 260 cm and closed at 265 cm. The complainants instead of 260 cms. have mentioned 270 cm which showed that either they have deliberately tried to misguide the authorities or the complaints lack *bona fide*. This laxity is strengthened from the fact that in para 8(A) of the affidavit, PW 29 has said that on 2nd May, 2003 in Trench ZH1 area covering 4 x 0.5 metre dug upto a depth of 0.5 metre and soil was thrown without any sorting.

3713. PW 32 on page 212 of statement has said:

"The Trenches G-2 and F-3 were excavated in my presence."

3714. The Site Note Book No.16 pertaining to Trench F3 maintained by Sri Sujeet Nayan, Trench Supervisor, shows that digging of Trench F3 started on 30th May, 2003 and continued till 19th July, 2003. A pillar base was found on 5th June, 2003. Page 25, site note book says:

"A squarish brick structure (and in a "middle portion" scored out) seems to be a pillar base was noticed

at the depth of 2.86 metre from surface and continued upto 3.03 to 3.08 metre resting on floor 3."

3715. Admittedly, PW 32 was not present at the site from 1st June, 2003 to 21st June, 2003 and therefore, her claim that the excavation was made in her presence in Trench F3 as such is not correct. The correct position is that excavation of Trench F3 started when she claims to be at the site but on the date when pillar base was found, she was not present at the site. On page 211 about the objection dated 7th June, 2003 she said:

*"I have clearly mentioned about the structural basis (which was later prescribed as pillar bases) in **my objections dated 7th June, 2003**, I do not know as to when the trenches referred in para 3 of objections dated 7th June, 2003 were excavated. Since I was not present at the time of excavation of above referred trenches, I cannot exactly disclose as to when these trenches were excavated."*

3716. PW 32 also said that the objection dated 21st May, 2002 was also her's, as is evident from page 212:

*"It is wrong to suggest that except the objections dated May 21, 2003 and 7th June, 2003, I have not prepared any other objection for the party I represented. It is correct to say that **my objections of May, 21, 2003 related to trench G-2 alone**. It is completely wrong to say that no irregularity had been committed as mentioned in the objection dated 21st May, 2003, vis-a-vis, the irregularity during excavation in trench G-2 and it is also wrong to say that there was no occasion to point out any irregularity."*

3717. From the texture and the over all facts and circumstances, some of which we have already discussed, it

appears to us that as soon as underneath structures started appearing, the complainants, in consultation with their alleged experts, engaged in preparing a kind of anticipatory ground to assail the ASI people, their proceedings and report. What was submitted on spot does not show that it was a simultaneous preparation of something which was actually observed and found objectionable by the persons present thereat.

3718. PW 30, who claims to remain present at the site of excavation from March to August 2003 (para 2 of the affidavit), has said on page 118:

‘यह सही है कि अयोध्या की खुदाई में अदालत के आदेशों के अनुसार सभी पक्षकार एवं उनके नामिनी की उपस्थिति में ही कोई मजदूर या ए 0एस0आई0 टीम का कोई सदस्य उत्खनन क्षेत्र में जा सकता था। खुदाई के समय अदालत द्वारा नियुक्त पर्यवेक्षक उपस्थित रहते थे। खुदाई के समय मेरे साथ मुस्लिम पक्ष के एक, दो, तीन एक्सपर्ट – नामिनी रहते थे।’ (पेज 118)

"It is true that in the Ayodhya excavation, under the orders of the court, any labourer or any member of the ASI team could go to the excavation site only in the presence of all the parties or their nominees. Court-appointed supervisors used to be present at the time of excavation. ... At the time of excavation, I used to be accompanied with one or two or three experts or nominees from the Muslim side." (E.T.C.)

3719. PW 16, Suraj Bhan, visited the site of excavation for three days in June 2003 and has admitted that consistent with the GPR survey anomalies, ASI has discovered certain walls, pillars, floors. He stated :

“जी0पी0आर0 सर्वे ने जो एनामलीज हिन्ट की थी, उनमें से कुछ पर उत्खनन में वाल्स, पिलर्स और फ्लोर्स तो मिले थे,” (पेज 153)

“at some places in respect of which anomalies were hinted in the G.P.R. survey, walls pillars and floors were discovered in the excavation” (E.T.C.)

“मेरी दृष्टि में ए0एस0आई0 की रिपोर्ट में जो आलोचना न किए जाने वाली चीज थी, वह यह थी कि उन्होंने बाबरी मस्जिद के नीचे कई दीवारें, फर्श और कुछ पिलर बेसेज खोज निकाले हैं, यह साक्ष्य है।” (पेज 199)

“In my opinion, the ASI Report had a feature not amenable to criticism. It was that they (the excavators) have discovered many walls and floors and some pillar bases beneath the Babri mosque, and all these constitute evidence.” (E.T.C.)

3720. We find it a bit surprising that the two experienced experts i.e. PW-16 and 24 of plaintiffs (Suit-4) visited the site in June, 2003 yet they were not taken into confidence by disclosing full facts pertaining to the alleged creation of pillar bases.

3721. **Trench F10** was taken up for excavation on 18th May 2003 by the Trench Supervisor Z. Ali. Site notebook no. 9 from pages 37 to 45 deals with Trench F10 which was excavated on 18th, 20th, 21st and 22nd May, 2003 Sri Z.Ali found floors and brick structures which he mentioned in detail. The day to day register dated 18th May 2003 at page 178 says:

*"Trench: F10 New Trench Opposite Areas: Norther half
Digging closed at 10 cm.*

Squarish brickbats alignments noticed on plan

Pottery: Red ware."

3722. Similarly further details of other three days are on pages 183, 187 and 191. They are also duly signed by the representatives of the parties which do not include either PW 29 or PW 32.

3723. In the complaint, about Trench F10, the only averment is:

"Brick bats do not only lie under the stone but even over as in SB No. 11 and 12 and F7 and SB No. 2 in F10."

3724. This is the only reference of Trench F10 mentioned in the aforesaid complaint. Thereafter, in the concluding part it has been included with the allegation that structural bases are being sought to be created in trenches. The site notebook no. 9 on page 37 shows that after initial excavation a floor was exposed and in order to go deep the floor was removed in the north half. It is just below the floor, a single course brick alignment partly squarish shape was noticed at 10 cm depth which was below the floor. Then again further structure was found on 20th May, 2003 going further deep, i.e., from 10 cm to 52 cm.

3725. We find no reason to doubt the correctness of the above record. There does not exist any other reason to infer that there could have been any occasion for the Trench Supervisor, Sri Z. Ali to create any pillar base on his own and if so why.

3726. **Trench F9** is mentioned in the complaint with a general statement that brick bats have been removed from the sections. Amongst other, Trench F9 is also mentioned.

3727. Site notebook no. 18 contains the details of excavation of Trench No. F9 under the Trench Supervisor, Sujeet Narayan (Assistant Archaeologist). The work started on 8th April, 2003 and on the first day, digging was made up to the depth of 25 cm. Further digging was made on 9th April, 2003 from 25 cm to 55 cm, and on 17th April, 2003 from 55 cm to 80 cm. On page 6 of the notebook, discovery of a pillar base at the

depth of 50 cm is mentioned on 9th April, 2003. PW 29 obviously was not present when the above digging took place though PW 32 was present at the site as claimed by her. There is no averment however by her that she witnessed anything wrong in Trench F9.

3728. In the day to day register dated 9th April, 2003, brief detail of the work of Trench F9 is mentioned at page 39 to 41. The register has been signed by nine persons which included Mohd. Abid, Mahfooz Ahmad, Khalid Ahmad Khan. We find no reason as to why after almost two months this kind of complaint was made when at the relevant time nothing of this sort was found by any party particularly when nine persons have signed day to day register showing that it was highly watched at that time.

3729. Moreover GPR survey indicated anomaly at the depth of 0.5 meter and ASI actually found pillar base in Trench F9 at such depth which conform the said anomaly. PW 32 Dr. Supriya Verma has admitted that she is totally unaware of the GPR report and has not even gone through it. On page 133/134 she has shown her unawareness with GPR survey report. On page 132 she said "*such so called pillar bases appearing in the section were not created in my presence but from the close study of the section, I could say that there were created pillar bases.*" This is purely imaginary and that too without giving reasons in support of such an opinion.

3730. In order to give weight to her statement she says that "*pillar base shown in the baulk of F2 G2 was created in my presence and I lodged complaint against ASI observations. It was created between 16th to 20th May, 2003. Besides me, Mohd. Abid*

was also present at the time of aforesaid pillar base being created. This pillar base and pillar base no. 21 was created during aforesaid period of 5 days."

3731. Sri Abid on page 156 has said that he has seen only one person creating pillar bases in respect to whom a joint objection was given to observer though the complaint was not signed by him. The person concerned was some Sharma. On his complaint the observer also came to the site. His statement is:

"मैंने अपने जो बयान में कहा है कि पिलर बेसेज काटकर बनाये गये हैं, वह ए0एस0आई0 के सभी लोग नहीं करते थे। मैंने अपनी मौजूदगी में एक साहब को बनाते हुए देखा था उनके बारे में ज्वाइन्टली आब्जेक्शन आब्जर्वर्स को दिया था। वो साहब का नाम शायद शर्मा जी था। उस एतराज पर हमारे दस्तखत नहीं है। बल्कि वह हाजी महबूब साहब या जफरयाब जीलानी साहेब आदि के दस्तखत से दाखिल किया गया था। यह पिलर बेस ट्रेंच नं0 जी-2 के आस-पास था, पर मुझे तारीख और समय अब याद नहीं है। मैंने आब्जर्वर्स को जाकर बताया था कि वहाँ पर पिलरबेस बनाये जा रहे हैं। दोनों आब्जर्वर्स चेम्बर में बैठे रहते थे और वहीं जाकर दोनों को बता दिया करता था। मेरी शिकायत पर आब्जर्वर्स मौके पर गये थे। यह मुझे पता नहीं कि आब्जर्वर्स साहब ने इस न्यायालय को इस संबंध में रिपोर्ट दी थी या नहीं। पिलर बेस बनाने के दौरान ही अर्थात् प्रासेस के दौरान ही मैं आब्जर्वर्स साहब को वहाँ ले गया और दिखाया था। मुझे नहीं मालूम कि आब्जर्वर्स साहब ने ए0एस0आई0 वालों से कुछ कहा या नहीं। मैं जब आब्जर्वर्स साहब के साथ मौके पर गया तो आब्जर्वर्स साहबान वहाँ खड़े हो गये और वहीं खड़े रहे।" (पेज 156)

"The fact stated by me in my statement that the pillar bases have been carved out, was not done by all the ASI people. I had seen one gentleman do the same in my presence. I had given a joint objection to the observers regarding him. That gentleman was probably known as Mr. Sharma. Said objection does not bear my signature

*and instead had been filed under the signature of either Hazi Mahboob or Zafaryab Jilani etc. This pillar base was near the Trench No. G2, but I do not recollect the date and time now. I had gone to the observers and told them that pillar bases were being carved. Both the observers used to remain seated in the chamber and I used to tell both of them over there. **The observers went to the spot on my complaint.** I do not know whether the observers had submitted a report in this behalf to this Court, or not. I had taken the observers to that place during the creation of pillar bases, i.e., during the process and had shown it to them. I do not know whether the observers told something to the ASI people, or not. When I visited the spot alongwith the observers, they stopped there and stood there." (E.T.C.)*

3732. Now this statement of Sri Abid does not corroborate statement of PW 32 inasmuch as she has not said anything about such complaint to Observer and his coming to the concerned place etc.

3733. The excavation of Trench F2 commenced on 24th May 2003 under the Supervision of C.B. Patil vide site notebook no. 8. Excavation of Trench G2 admittedly commenced on 16th May 2003 under Sri S.K. Sharma Trench Supervisor which we have already discussed above. Therefore, this part of the complaint is also untrustworthy.

3734. Trench F6 was supervised by Gajanan L. Katade. The excavation commenced on 29th April 2003 on which date PW 32 was not present at site. It continued on 1st May 2003, 2nd May 2003 and 3rd May 2003. The pillar base is said to have been discovered on 01.05.2003. In day today register four persons

have signed the report on page 122. Nothing has been said against the above Trench Supervisor as is evident from the statement of Mohd. Abid.

3735. Trench G9 though has been mentioned in the complaint alleging that the same was created but on page 25 DW 6/1-2 Mohd. Abid has admitted that there was no disturbance in the pillar base shown in plate 38, Vol. II, ASI report, which is pillar base no. 45, Trench G9. He says:

“प्रश्न:- क्या आप जब मौके पर थे तो प्लेट नं. 48 में छायांकित कथित पिलरबेस ऐज़ ईट इज़ ऊपर की सतह खोदने के बाद निकला।

उत्तर:- इस कथित पिलर बेस के ऊपर लाइम सुर्खी मौजूद थी और इसके ऊपर फ्लोर था इसलिए पिलर बेस नहीं कहा जा सकता है

यह कहना सही है कि जिस शकल में यह दिखायी पड़ रहा है ऐसा ही फ्लोर हटाने के बाद दिखायी पड़ रहा था। यह कहना गलत है कि जितने भी कथित पिलरबेसेज मिले हैं, उन सबमें प्लेट 48 जैसे ही कंकरीट या सैण्ड स्टोन का बेस मिला हो। प्लेट 48 में जैसा कथित पिलरबेस दिखायी पड़ रहा है वैसा ही निकला था, इसमें काट-छॉट नहीं किया गया था।” (पेज 25)

"Question:- Whether the alleged pillar base appearing in Plate No. 48, had been recovered as it is on excavation of the upper surface, in your presence at the spot?"

Ans. Lime-'Surkhi' were present over this alleged pillar base and a floor existed above it, due to which it cannot be called pillar base.

It is correct to say that after removal of the floor, it was appearing similar to the one appearing here. It is wrong to say that concrete or sand stone bases have been found in all the alleged pillar bases, as found in plate 48.

The alleged pillar base appearing in plate 48, was found

in the same form and it had not been cut." (E.T.C.)

3736. We may mention at this stage that there is a self contradiction in the statement of expert witnesses of Sunni Board and other muslim parties. While DW 6/1-2 on page 25 has not disputed the correctness of pillar base in Trench G9 as shown in page 48, Vol. II of ASI report, PW 29 Jaya Menon on page 230 has said:

"The Plate No. 48 shows some structure but the same is not pillar base. I do not know what it is."

3737. Similarly in the complaint the pillar bases in Trench ZF1, ZG1 and ZH1 have been alleged to be created by ASI people but PW 32, Dr. Supriya Verma on page 120 has admitted the pillar bases forming part of Z series:

*"The pillar bases **which are acceptable to me form part of Z series of trenches.** The area of the Z series of trenches was surveyed by the GPR survey team but I am not hundred percent sure as to whether they had covered that area or not."*

3738. The pillar base in Trench ZH1 has been admitted to be there and correct by PW 29 on page 203 where she said:

*"Plate no. 36, 37, 38 of the ASI report were shown to the witness who stated that all these photographs are INSITU photographs of pillar bases. These pillar bases were found in the north of dispute site. **In my opinion these are the pillar bases.**"*

3739. Plate no. 36 is pillar base no. 13 Trench ZH1 while plate No. 37 and 38 are pillar bases no. 1 and 5 of trenches ZH 3/ZH 2. The above discussion, therefore, shows that in respect to most of the pillar bases which are mentioned in the above

complaint one or the other witnesses have said otherwise.

3740. There are three complaints of 8th June 2003, two by Sri A.A. Siddiqui and one by Sri R.L. Verma Advocates. The two complaints of Sri Siddiqui are about omission of recording of a glazed ware recovered from Trench F3 on 6th June, 2003 by the Trench Supervisor, Sujeet Narayan Singh and rest one is about some newspaper reports. Sri R.L. Verma had complained against stoppage of excavation in Trench F4 and G4. Complaint dated 05.06.2003 is by Sri Hazi Mahboob about the visit of Sri S.P. Gupta at the site but non mention of his name at the entry point. Complaint dated 07.06.2003 is by Sri Jilani for taking protective measures. The complaint dated 10.06.2003 in fact is not a complaint but a letter requesting the Observer asking ASI to inform about the trenches where excavation has completed so that his experts may enter the same and obtain necessary information. Then again the complaints dated 11.06.2003, 28.05.2003, 28.05.2003 are in respect to some news paper reports etc. The complaint dated 13.06.2003 is for arranging water proof tents for protection of trenches. The letter dated 08.06.2003 is about an inquiry pertaining to samples sent to various laboratories. Then letter/complaint dated 15.06.2003 of Sri Jilani is for ensuring the observances of principles of excavation by ASI team in preparation of report. It says:

"With reference to the orders of the court regarding maintenance of Transparency of the excavation work and digging to be done on the basis of the principals governing excavation, it is submitted that setting up Section Labels, indicating stratum numbers, on the key/important sections, was imperative and in the initial stages of digging this

practice was even adopted but, for the reasons best known to the ASI Team, this practice was not only abandoned but even the labels put earlier were removed making it almost impossible for our Nominees and Experts to check and observe the strata, specially with reference to the numbering of layers vis-a-vis the pottery kept in the pottery yard.

*It may also be relevant to mention that **sketch plans of the features (walls etc.) uncovered during excavation and sketch of sections of certain key trenches** should also be accompanied with any report filed by the ASI, whether progress report or any other report, and in future this essential component of the report should not be omitted.*

It is therefore requested that the ASI Team Leader may kindly be instructed to observe the aforementioned principles of excavation so that transparency may also be maintained in the excavation work and the digging/excavation may be completed and report may be submitted in accordance with the order/orders of the Court."

3741. Thereupon the Observer has made the following note, after obtaining views of Sri Hari Manjhi ASI team leader at that time:

"The views of the ASI team leader Shri Hari Manjhi on the objections raised in this application/objection are as follows:

The ASI has been following the transparency in the excavation work right from the beginning and the work is being carried out strictly on the principle of excavations.

*There is nothing known as section labels as mentioned in the application dated 15.06.03 by the learned advocate. The layer labels and with them only the photograph of the trenches and their section are taken. All the sectional photographs contain layer labels and as such it is wrong to say that layer labels have not been put up on the sections. Due to wind, rains and other factors the labels have fallen and damaged. They have not been removed. **Any trained excavator and archaeologist does not require the layer labels for study the strata and he can study the stratigraphy on the basis of his own knowledge. It is strange that the experts nominated by the party are finding it "almost impossible", "to check and observe the strata".** Relevant sketch plans of the features (walls etc.) would be definitely included in the final report and to far as periodic progress report is concerned they are not required as essential feature of the report.*

As the ASI team is following the principles of excavation/perfectly and observing full transparency in the work no instruction is required to be given to the team leader in this regard."

3742. The complaint dated 21.06.2003 by Sri M.A. Siddiqui is in respect to certain media reports. The complaint dated 21.06.2003 by Sri M.A. Siddiqui is for requesting ASI people to notice the existence of plaster on the walls in trench F1, F6, F8 and F9. The letter dated 01.07.2003 of Sri R.L. Verma is not a complaint but actually it is an objection against the complaint dated 07.06.2003 and 29.06.2003 submitted on behalf of muslim parties alleging that there is an attempt to put

barrier and hurdle in the free functioning of ASI without there being any substance.

3743. Next is the complaint dated 28.06.2003 signed by several persons including Sri Jilani, Mohd. Afzal, Hazi Mahboob etc. as a supplementary objection to that of dated 07.06.2003. It requests that apart from the pillar bases ZH2/ZJ2 baulk other reported structures be not labeled as pillar base and be dismantled. Here complaint is in respect to Trenches G8, J1, H9 and H10.

3744. There are three more complaints of the same date. The second complaint dated 28.06.2003 by Sri Jilani and others is in respect to pillar base G5 and next one is with respect to the stratification in Trench G8.

3745. The complaint dated 02.08.2003 is for dismantling of pillar bases in Trench G2 and F2/G2 baulk. It is alleged that between 17.07.2003 to 26.07.2003 the excavation was made in such a manner that a pillar base in the baulk F2/G2 was created.

3746. So these are the total complaints. The substantial one are dated 21.05.2003, 07.06.2003 and 28.06.2003. Broadly we have seen and considered the same by perusing record and find no basis. It thus appears that these complaints were a brainchild of two experts PW-29 and 32 who could not support the same during cross examination. This is really unfortunate. As admitted by these two witnesses, they were partisan and interested, yet it was expected from the renowned Experts that they shall tender opinion objectively but here we found it lacking.

3747. Now we proceed to those objectives which were filed before us after ASI report. Such objections/additional

objections/replies, in brief, are :

(a) Objection dated 8.10.2003 filed by plaintiff no.1 (Suit-4). The prayer made in the objection is to reject the ASI report dated 22.08.2003.

(b) An additional objection dated 3.2.2004 was also filed by plaintiff no.1 (Suit-4). It was filed on the ground that initially, only four out of ten video cassettes were displayed and unless all the video cassettes are displayed to the parties alongwith other concerned material, complete objection may not be filed. In the circumstances, while permitting all the cassettes/C.Ds to be made available to the party/parties concerned, they were also permitted to file additional objections. The prayer for rejection of ASI report was reiterated in the additional objections.

(c) Objection dated 6/8th October 2003 filed on behalf of defendant no.5 (Suit-5) Mohd. Hashim praying for rejection of ASI report and in particular, Chapter X thereof, and further to direct ASI as under:

"(i) to make a tabulation of all the bone pieces, glazedwares and glazed tiles found during excavation in the manner the other finds have been tabulated, indicating the layer, trench, pit or dump with a comparative table of the other artefacts as well.

(ii) to place the whole situation of the entire spot on one sheet at one surface by making use of different inks as regards the structures, the floors, the walls with other materials found/noticed by the ASI during the course of excavation and if it is found difficult it

may be done on the 5 sheets as the ASI has itself indicated to have partitioned the area in 5 blocks and below the same the necessary notes enabling the reader to get whole thing at one look instead of jumping through different chapters, figures, plates or appendixes."

Defendant no.5 (Suit-5) also filed a supplementary objection dated 16.2.2004.

(d) Plaintiff no.9 (Suit-4) filed objection dated 8/9thOctober 2004 praying for rejection of ASI report. Plaintiff no.9 in para 2 of objection adopted objections filed by other plaintiffs and raised his objection in addition thereto. In para 8 of his additional objections, plaintiff no.9 also adopted the additional objections filed by plaintiff no.1 (Suit-4).

3748. There are several replies filed by other parties to the objections/supplementary objections referred to above but we find it unnecessary to refer in details at this stage.

The Nature, Status and Scope of challenge to ASI Report

3749. Order XXVI, Rule 10A of C.P.C. empowers the Court to issue a commission where the question involving a scientific investigation is involved and the Court is of the opinion that it would be convenient to have a commissioner appointed to enquire into such question and file report. The procedure of commission, as contained in Order XXVI rule 10, has been made applicable vide sub-rule 2 of Rule 10A. Order XXVI, Rule 10 and 10A of C.P.C. read as under:

"Rule 10. Procedure of Commissioner- (1) The Commissioner, after such local inspection as he deems

necessary and after reducing to writing the evidence taken by him, shall return such evidence, together with his report in writing signed by him, to the Court.

(2) Report and depositions to be evidence in suit- *The report of the Commissioner and the evidence taken by him (but not the evidence without the report) shall be evidence in the suit and shall form part of the record; but the Court or, with the permission of the Court, any of the parties to the suit may examine the Commissioner personally in open Court touching any of the matters referred to him or mentioned in his report, or as to his report, or as to the manner in which he has made the investigation.*

(3) Commissioner may be examined in person- *Where the Court is for any reason dissatisfied with the proceedings of the Commissioner, it may direct such further inquiry to be made as it shall think fit.*

Rule 10A. Commission for scientific investigation- *(1) Where any question arising in a suit involves any scientific investigation which cannot, in the opinion of the Court, be conveniently conducted before the Court, the Court may, if it thinks it necessary or expedient in the interests of justice so to do, issue a Commission to such person as it thinks fit, directing him to inquire into such question and report thereon to the Court.*

(2) The provisions of rule 10 of this Order shall, as far as may be, apply in relation to a Commissioner appointed under this rule as they apply in relation to a Commissioner appointed under rule 9."

3750. A bare reading of Rule 10A of C.P.C. shows that a

discretion is vested in the Court to get any scientific investigation conducted only if it thinks necessary or expedient. It is only when the Court is of the opinion that scientific investigation may help it in extracting truth. The report of Commissioner appointed to make investigation together with the evidence enclosed therewith is an evidence in the suit. The parties having grievance, have two kinds of remedies. Firstly, they can file an objection to the report and secondly, they can also lead evidence to show that what has been said in the report is not correct.

3751. In **Vembagounder Vs. Pooncholai Gounder AIR 1996 Madras 347** the Court took the view that before asking parties to lead evidence on merit, if an objection has been raised to the report of Commissioner, it ought to be considered and decided.

3752. In this case also parties have raised objections against the report and were to be decided by this Court, but then it was found that the nature of objections raised by the parties is such that unless the parties are allowed to lead evidence, as several factual aspects were involved, the decision on objection cannot be taken. Therefore, a detailed order was passed on 03.02.2005 directing that ASI report shall be admitted as an evidence but the objections raised by the parties shall be considered and decided at the time of final hearing by which time the evidence etc. would stand completed.

3753. In **Amena Bibi Vs. S.K. Abdul Haque AIR 1997 Cal. 59** the Court said that acceptance of Commission's report as an evidence does not mean that parties are precluded from challenging the report. The report of the commissioner is not

binding on the Court. It may accept the facts arrived at by the commissioner or may not accept his conclusion or vice-versa as held in **Bibhuti Bhushan Vs. Sadhan Chandra AIR 1965 Cal. 199** and **Sankar Kumar Vs. Mohanlal Sharma AIR 1998 Orissa 117**.

3754. There is no requirement in law nor the reading of rule 10 or 10A C.P.C. which shows that unless the Commissioner is examined as a witness, his report cannot be treated to be a substantive evidence. None of the parties in this case has opted to examine the commissioner touching on any of the matter in the report submitted by ASI. In fact the detailed objections filed by the parties, particularly the plaintiffs (Suit-4), do not suggest that the entire report and finding are incorrect or perverse but what has been argued vehemently is that the conclusion drawn by ASI in its report in the penultimate paragraphs and chapter is wrong and should be ignored or rejected. However, allegations of bias or mala fide are also levelled and in case those allegations are found substantiated, it may result in vitiating the entire report.

3755. Sri P.N.Mishra, learned counsel for the defendant no.20 (Suit-4) supporting ASI report contended:

A. The report of ASI is an elaborate document and the persons comprising excavation team of ASI were working directly under the control and direction of this Court. Their integrity is unquestioned and as such the said report is entitled to be accepted in its entirety as an expert scientific report under Order XXVI Rule 9, 10 and 10A read with Section 75 C.P.C. as well as Section 45 of the Evidence Act.

B. Section 75(e) of C.P.C. is part and parcel of Part III titled as 'incidental proceedings' whereunder the order can be passed by this Court to carry out excavation work and submit report to this Court. The report having been submitted in compliance thereof is a scientific report and an expert opinion under Section 45 of the Evidence Act. It is reliable and admissible being valuable piece of evidence.

C. The A.S.I. Report is result of incidental proceeding which is in aid of the final proceedings. The report has to be relied on to do complete and ultimate justice.

D. A.S.I. is a reputed institution. Integrity of its team members cannot be questioned hence its report must be accepted as it is.

E. There are only wild allegations that the ASI people acted under the hands of the then BJP Government and Minister concerned but the same has not been substantiated by giving cogent evidence. The plaintiffs had several opportunities to make applications before this Court impeaching the integrity of the ASI but as the opportunity has not been availed of and no such thing was done. It is only when the report was submitted to this Court which goes against the plaintiffs (Suit-4) i.e. some of the defendants of other suits, the objections making reckless allegations have been filed therefore are liable to be rejected.

F. The plaintiffs, their experts, nominees, advocates have participated in excavation proceedings and the excavation proceedings were conducted in their presence

and observance. It was also supervised by the Observers appointed by this Court. In these circumstances any challenge to the ASI report on the ground that the excavation has not been done faithfully and correctly cannot be accepted and the objections are liable to be rejected.

G. Since no party made an application for examination of ASI Archaeologist/Experts, there is no occasion for them to assail the report since it amounts to acceptance.

3756. He has also relied on some of the authorities of the Apex Court and High Courts which we may refer in brief since the principles laid down therein cannot be doubted.

3757. Chandan Mull Indra Kumar & Others Vs. Chiman Lal Girdhar Das AIR 1940 PC 3 says that it is not safe for a Court to act as an expert and to overrule the elaborate report of a Commissioner whose integrity and carefulness are unquestioned, whose careful and laborious execution of task was proved by his report and who had not blindly adopted the assertions of either party.

3758. In **Vareed Jacob Vs. Sosamma Geevarghese 2004(6) SCC 378** the Court said that "incidental" and "ancillary" proceedings are taken recourse to in aid of the ultimate decision of the suit and any order passed therein would have a bearing on the merit of the matter. "Supplemental proceedings", however, mean a separate proceeding in an original action in which the court where the action is pending is called upon to exercise its jurisdiction in the interest of justice. Supplemental proceedings may not affect the ultimate result of suit and a supplemental order can be passed even at the instance of the defendants.

3759. In **G.L. Vijan Vs. K. Shankar. 2006 (13) SCC 136** in the context of incidental and ancillary power, the Court said:

“11. Such a supplemental proceeding is initiated with a view to prevent the ends of justice from being defeated. Supplemental proceedings may not be taken recourse to in a routine manner but only when an exigency of situation arises therefor. The orders passed in the supplemental proceedings may sometimes cause hardships to the other side and, thus, are required to be taken recourse to when it is necessary in the interest of justice and not otherwise. There are well defined parameters laid down by the Court from time to time as regards the applicability of the supplemental proceedings.

13. The expression “ancillary” means aiding; auxiliary; subordinate; attendant upon; that which aids or promotes a proceeding regarded as the principal.

14. The expression “incidental” may mean differently in different contexts. While dealing with a procedural law, it may mean proceedings which are procedural in nature but when it is used in relation to an agreement or the delegated legislation, it may mean something more; but the distinction between an incidental proceeding and a supplemental proceeding is evident.

3760. In **Harihor Misra Vs. Narhari Setti Sitaramiah AIR 1966 Orissa 121** in para 4 the Court said :

"Rule 10 of O. 26 does not make the report of the Commissioner as concluding the question of valuation. On the contrary, the rule gives clear indication that the report of the Commissioner is only one of the pieces of evidence

amongst other evidence to be led by the parties for determination of the issue on valuation of the suit. When the parties file no objection to the Commissioner's report, the court rightly accepts the report. Its acceptance by itself does not, however, mean that parties are precluded from challenging the evidence of the Commissioner and the witnesses examined by him or by giving any other evidence to countermand the effect of the Commissioner's report. "

3761. Following the above decision, Calcutta High Court in **Amina Bibi (Supra)** said:

"Thus, from the underlying principle emerging from the above cases, it is manifest that the party objecting to the Commissioner's report can lead best possible evidence at the time of hearing to countermand the report even if the same was accepted earlier. The Court on taking the comprehensive view decide the point at issue and arrive at right conclusion I do not find at this stage any justification to interfere with the findings of the learned trial court order accepting the Commissioner's report."

3762. In **Bandhua Mukti Morcha Vs. Union of India AIR 1984 SC 802** in para 14 it was held:

"It would be entirely for the Court to consider what weight to attach to the facts and data stated in the report of the Commissioner and to what extent to act upon such facts and data. But it would not be correct to say that the report of the Commissioner has no evidentiary value at all, since the statements made in it are not tested by cross-examination."

3763. In para 81 of the said judgement the court said:

"Interference with the result of a detailed and careful report so submitted should be made only for cogent and compelling reasons. In a case where an elaborate report is filed by the Commissioner, whose integrity, credibility and carefulness are not questioned, whose careful and laborious execution of his task is proved by the report itself, interference will be made only in exceptional circumstances, in cases where convincing evidence contra is available before Court."

3764. In **Sharda Vs. Dharampal 2003 (4) SCC 493** the Court held that the primary duty of the Court is to see that truth is arrived at. It also held that in certain cases scientific investigation by the experts in the field is not only to be found leading to the truth of the matter, but may also lead to the removal of misunderstanding between the parties.

3765. There are some other authorities which are basically on the question that the report of the Commissioner cannot be rejected or ignored only on the ground that the Commissioner was not examined as witness or that in the absence of any allegation against the integrity and impartiality of the Commissioner the report must be admitted. These are not relevant for our purposes for the reason that there is no challenge to the ASI report on the ground that the members of the team of ASI have not been examined. So far as the second part is concerned, general allegations of bias have been levelled and they have to be considered and investigated.

3766. Sri Jilani referred to one part of his objection i.e., bias and *mala fide* of ASI in order to buttress his submission for rejection of the entire report but rest of his objections pertain to

individual findings/interpretation of finds and artefacts and, therefore, basically travel into the realm of credibility of the evidence and not the mere procedural irregularity.

3767. The allegations of bias, lack of impartiality against ASI have been made in general in the objections filed by the plaintiffs (Suit-4), but perusal thereof makes it clear that no individual in particular or the group of persons as such has been named in respect of the said allegations. When an act of officials is challenged on the ground of bias etc., certain well established principles have to be observed.

3768. We may refer to **State of Bihar and Anr. Vs. P.P.Sharma 1992 Supp (1) SCC 222**. The Court in para 50, 51 and 52 said:

"50. Mala fides means want of good faith, personal bias, grudge, oblique or improper motive or ulterior purpose. The administrative action must be said to be done in good faith, if it is in fact done honestly, whether it is done negligently or not. An act done honestly is deemed to have been done in good faith. An administrative authority must, therefore, act in a bona fide manner and should never act for an improper motive or ulterior purposes or contrary to the requirements of the statute, or the basis of the circumstances contemplated by law, or improperly exercised discretion to achieve some ulterior purpose. The determination of a plea of mala fide involves two questions, namely (i) whether there is a personal bias or an oblique motive; and (ii) whether the administrative action is contrary to the objects, requirements and conditions of a valid exercise of administrative power.

51. The action taken must, therefore, be proved to have been made mala fide for such considerations Mere assertion or a vague or bald statement is not sufficient. It must be demonstrated either by admitted or proved facts and circumstances obtainable in a given case. If it is established that the action has been taken mala fide for any such considerations or by fraud on power or colourable exercise of power, it cannot be allowed to stand.

52. Public administration cannot be carried on in a spirit of judicial detachment. There is a very wide range of discretionary administrative acts not importing an implied duty to act judicially though the act must be done in good faith to which legal protection will be accorded. But the administrative act de hors judicial flavour does not entail compliance with the rule against interest and likelihood of bias. It is implicit that a complainant when he lodges a report to the Station House Officer accusing a person of commission of an offence, often may be a person aggrieved, but rarely a propone publico. Therefore, inherent animosity is licit and by itself is not tended to cloud the veracity of the accusation suspected to have been committed, provided it is based on factual foundation."

3769. In **CEAT Ltd. Vs. Anand Abasaheb Hawaldar & Ors. 2006 (3) SCC 56** the words "favoritism" or "partiality" came to be considered. In para 11 to 16 the Court held:

"11.the Legislature has consciously used the words 'favoritism or partiality to one set of workers' and not differential treatment. Thus, the mental element of bias was necessary to be established by cogent evidence. No

evidence in that regard was led. On the contrary the approach of the Industrial Court and the High Court was different. One proceeded on the basis of breach of assurance and the other on the ground of discrimination. There was no evidence brought on as regards the pre requisite i.e. favoritism or partiality. favoritism means showing favour in the matter of selection on circumstances other than merit. (per *Advanced Law Lexicon* by P.Ramanatha Aiyar, 3rd Edition, 2005). The expression 'favoritism' means partiality, bias. Partiality means inclination to favour a particular person or thing. Similarly, it has been sometimes equated with capricious, not guided by steady judgment, intent or purpose. favoritism as per the *Websters' Encyclopedic Unabridged Dictionary* means the favouring of one person or group over others having equal claims. Partiality is the state or character being a partial, favourable, bias or prejudice.

12. According to *Oxford English Dictionary* "favoritism" means - a disposition to show, or the practice of showing favour or partiality to an individual or class, to the neglect of others having equal or superior claims; under preference. Similarly, "partiality" means the quality or character of being partial, unequal state of judgment and favour of one above the other, without just reason. Prejudicial or undue favouring of one person or party: or one side of a question; prejudice, unfairness, bias.

13. Bias may be generally defined as partiality or preference. It is true that any person or authority required to act in a judicial or quasi-judicial matter must act

impartially.

"If however, 'bias' and 'partiality' be defined to mean the total absence of preconceptions in the mind of the Judge, then no one has ever had a fair trial and no one ever will. The human mind, even at infancy, is no blank piece of paper. We are born with predispositions and the processes of education, formal and informal, create attitudes which precede reasoning in particular instances and which, therefore, by definition, are prejudices." (per Frank, J. in Linahan, Re. F 2d at p 652).

14. It is not every kind of differential treatment which in law is taken to vitiate an act. It must be a prejudice which is not founded on reason, and actuated by self-interest - whether pecuniary or personal.

15. Because of this element of personal interest, bias is also seen as an extension of the principles of natural justice that no man should be a judge in his own cause. Being a state of mind, a bias is sometimes impossible to determine. Therefore, the courts have evolved the principle that it is sufficient for a litigant to successfully impugn an action by establishing a reasonable possibility of bias or proving circumstances from which the operation of influences affecting a fair assessment of the merits of the case can be inferred.

16. As we have noted, every preference does not vitiate an action. If it is rational and unaccompanied by considerations of personal interest, pecuniary or otherwise, it would not vitiate a decision.

3770. In a case where mala fide or bias is substantiated by cogent material the act of the authority, howsoever high it may be, shall immediately get tainted and vitiated in law but mere dissatisfaction or displeasure of an individual or group of individual's perception about something cannot be a yardstick to hold, an otherwise valid act or report of an authority, invalid.

3771. In **People's Union for Civil Liberties Vs. U.O.I. 2005(5) SCC 363** the Court in para 11 and 12 observed :

"11.if public displeasure or perception were to be the yardstick to exclude people from holding constitutional or statutory offices then many such posts in the country may have to be kept vacant.

12. Then again what is the yardstick to measure public perception. Admittedly, there is no barometer to gauge the perception of the people. In a democracy there are many people who get elected by a thumping majority to high legislative offices. Many a times public perception of a class of society in regard to such people may be that they are not desirable to hold such post but can such a public opinion deprive such people from occupying constitutional or statutory offices without there being a law to the contrary? There is vast qualitative difference between public prejudice and judicial condemnation of an institution based on public perception."

3772. In **Kumaun Mandal Vikas Nigam Ltd. Vs. Girja Shankar Pant 2001 (1) SCC 182** explaining the concept of bias the Apex Court said:

"10. The word "bias" in popular English parlance stands included within the attributes and broader purview of the

word “malice”, which in common acceptation means and implies “spite” or “ill-will” (Stroud’s *Judicial Dictionary*, 5th Edn., Vol. 3) and it is now well settled that mere general statements will not be sufficient for the purposes of indication of ill-will. There must be cogent evidence available on record to come to the conclusion as to whether in fact there was existing a bias which resulted in the miscarriage of justice.

32. Lord Hutton also in *Pinochet case 16* observed:

“There could be cases where the interest of the Judge in the subject-matter of the proceedings arising from his strong commitment to some cause or belief or his association with a person or body involved in the proceedings could shake public confidence in the administration of justice as much as a shareholding (which might be small) in a public company involved in the litigation.”

33. Incidentally in *Locabail [Locabail (U.K.) Ltd. v. Bayfield Properties Ltd. 17]* the Court of Appeal upon a detail analysis of the oft-cited decision in *R. v. Gough 18* together with the *Dimes case 19* *Pinochet case 16*, Australian High Court’s decision in the case of *J.R.L., ex p C.J.L., Re 20* as also the Federal Court in *Ebner, Re 21* and on the decision of the Constitutional Court of South Africa in *President of the Republic of South Africa v. South African Rugby Football Union*²² stated that it would be rather dangerous and futile to attempt to define or list the factors which may or may not give rise to a real danger of bias. The Court of Appeal continued to the effect that everything will depend upon facts which may include the

nature of the issue to be decided. It further observed:

*“By contrast, a real danger of bias might well be thought to arise if there were personal friendship or animosity between the Judge and any member of the public involved in the case; or if the Judge were closely acquainted with any member of the public involved in the case, particularly if the credibility of that individual could be significant in the decision of the case; or if, in a case where the credibility of any individual were an issue to be decided by the Judge, he had in a previous case rejected the evidence of that person in such outspoken terms as to throw doubt on his ability to approach such person’s evidence with an open mind on any later occasion; or if on any question at issue in the proceedings before him the Judge had expressed views, particularly in the course of the hearing, in such extreme and unbalanced terms as to throw doubt on his ability to try the issue with an objective judicial mind (see *Vakuta v. Kelly*²³); or if, for any other reason, there were real ground for doubting the ability of the Judge to ignore extraneous considerations, prejudices and predilections and bring an objective judgment to bear on the issues before him. The mere fact that a Judge, earlier in the same case or in a previous case, had commented adversely on a party-witness, or found the evidence of a party or witness to be unreliable, would not without more found a sustainable objection. In most cases, we think, the answer, one way or the other, will be obvious. But if in any case there is real ground for doubt, that doubt should be resolved in favour of recusal. We repeat: every application*

must be decided on the facts and circumstances of the individual case. The greater the passage of time between the event relied on as showing a danger of bias and the case in which the objection is raised, the weaker (other things being equal) the objection will be.”

34. *The Court of Appeal judgment in Locabail 17 though apparently as noticed above sounded a different note but in fact, in more occasions than one in the judgment itself, it has been clarified that conceptually the issue of bias ought to be decided on the facts and circumstances of the individual case — a slight shift undoubtedly from the original thinking pertaining to the concept of bias to the effect that a mere apprehension of bias could otherwise be sufficient.*

35. *The test, therefore, is as to whether a mere apprehension of bias or there being a real danger of bias and it is on this score that the surrounding circumstances must and ought to be collated and necessary conclusion drawn therefrom — in the event however the conclusion is otherwise inescapable that there is existing a real danger of bias, the administrative action cannot be sustained: If on the other hand, the allegations pertaining to bias is rather fanciful and otherwise to avoid a particular court, Tribunal or authority, question of declaring them to be unsustainable would not arise. The requirement is availability of positive and cogent evidence and it is in this context that we do record our concurrence with the view expressed by the Court of Appeal in Locabail case 17.”*

3773. In State of Punjab Vs. V.K.Khanna 2001 (2) SCC

330 it was decided that the test is whether there is a mere apprehension or there is a real danger of bias and it is on this score that the surrounding circumstances must and ought to be collated and necessary conclusion drawn therefrom. The court in para 8 and 8 said:

"5. Whereas fairness is synonymous with reasonableness- bias stands included within the attributes and broader purview of the word "malice" which in common acceptation means and implies "spite" or "ill will". One redeeming feature in the matter of attributing bias or malice and is now well settled that mere general statements will not be sufficient for the purposes of indication of ill will. There must be cogent evidence available on record to come to the conclusion as to whether in fact, there was existing a bias or a malafide move which results in the miscarriage of justice....In almost all legal enquiries, "intention as distinguished from motive is the all- important factor" and in common parlance a malicious act stands equated with an intentional act without just cause or excuse."

"8. The test, therefore, is as to whether there is a mere apprehension of bias or there is a real danger of bias and it is on this score that the surrounding circumstances must and ought to be collated and necessary conclusion drawn therefrom. In the event, however, the conclusion is otherwise that there is existing a real danger of bias administrative action cannot be sustained. If on the other hand allegations pertain to rather fanciful apprehension in administrative action, question of declaring them to be

unsustainable on the basis therefor, would not arise."

3774. Since some general but serious allegations have been levelled against ASI regarding manner of excavation, interpretation and assessment, though not substantiated, but we shall examine all these aspects minutely since it is not a matter where we should leave even an iota of doubt in the mind of any party. Rather we intend to consider all the possible angles in the matter so that there may not remain a grievance that one or other aspect, howsoever minor it is, has escaped consideration of the Court.

3775. The origin, status, reputation and other credentials of ASI would be a relevant factor for considering credibility and reliability of its report, besides other aspects of the matter. The facts about ASI's origin, development, status etc. have been placed before us in the form of a computerized printout taken from Internet site of Archaeological Survey of India and this has not been doubted or objected by any of the parties. A perusal thereof shows that the ASI traced back its origin to 15th January 1784 when Sir William Jones formed "Asiatic Society" at Calcutta consisting of a group of antiquarians. This Society started archaeological, historical, monumental, cultural and religious researches in India and commenced its publication of periodical journal "Asiatic Researches" in 1788. The objective of the said research and publication was to make public aware of the antiquarian wealth of India.

3776. Since William Jones is referred as the point of commencement of ASI, some facts throwing light on his profile would be ancillary but important. Born on 28th September' 1746 in London, William Jones studied Arabic, Hebrew and also

acquainted himself with French and Italian. In 1764, he entered University College, Oxford and continued his study of oriental literature. He learnt Persian and Arabic by the aid of one “Syrian Mirza”, whom, it is said, he discovered and brought from London. He added to his knowledge Spanish, Puertageese and Chinese also. In 1766, he obtained a fellowship. When King Christian VII of Denmark visited England in 1768 bringing with him a “Light of Nadir Shah” in Persian, Jones was requested to translate the manuscript in French. This translation appeared in 1770 with an introduction containing a description of Asia and short history of Persia. In 1771, he published a Dissertation “Sur Law Literature Orientale” defending Oxford scholars against the criticism made by Anquetil du Perron in the introduction to his translation of the “Zend Avesta”. In the same year, i.e. 1771 appeared his Crammer of Persian language. He then studied law and was called to the Bar at the Middle Temple in 1774. Appointed Commissioner in Bankruptcy in 1776 made Judge of Supreme Court of Judicature at Calcutta, then “Fort William” and was Knighted in 1783. He arrived in India sometime in 1783 (probably in December) and founded in January' 1784, the “Bengal Asiatic Society”. He remained its President till his death. In India, he studied Sanskrit. In 1789, he completed his translation of “Shakuntala” of Kalidasa. He also translated the collection of fables titled as “Hitopadesa”, “Geet Govind” and considerable portion of “Vedas”; besides editing the text of Kalidasa's poem “Ritusamhara”. He undertook in 1788, task of compiling a digest of Hindu and Mohammedan law, which he could not complete since died on 27.4.1794, but got published “Ordinance of Manu” and some items with respect to

Mohammedan laws of succession of property by intestate and inheritance.

3777. This biography apparently shows his mettle but there existed something more. In “**Asiatic Researches**” Vol-I, first published in 1788, recently republished in 1979, pages 234-235, we find the following comments of Sir William Jones:

*“As to the general extension of our pure faith in Hindustan there are at present many sad obstacles to it We May assure ourselves that **Hindus will never be converted by any mission from the Church of Rome, or from any other Church; and the only human mode perhaps, of causing so great revolution, will be to translate it to Sanskrit Such chapters of the prophets, particularly of Isaiah, as are indisputably evangelical together with one of the gospels, and a plain prefatory discourse, containing full evidence of the very distant ages, in which the predictions themselves, and the history of the divine person (Jesus) predicted, were severally made public; and then quietly to disperse the work among the well educated natives.**”*

3778. He wrote an essay “On the Gods of Greece, Italy and India” in 1784 running in about 47 pages, which had the following comments:

“Since Gods of all shapes and dimensions may be framed by the boundless powers of imaginations or by the frauds and follies of men, in countries never corrected; but when features of resemblance, too strong to have been accidental, or observable in different systems of polytheism, without fancy or prejudice to colour them and

improve the likeness It is my design, in this assay, to point out such a resemblance between the popular worships of the old Greeks and Italians and that of the Hindus.”

*“**Rama and Crishna**, must now be introduced, and there several attributes distinctly explained. **The first of them, I believe, was the Dionysus of the Greeks.**”*

*“The first poet of the Hindus was the great Valmic, and his Ramayan is an Epick Poem Comparison of the two poems (the Dionysus and the Ramayan) would prove **Dionysus and Rama to have been the same person;** and I incline to think that he was **Rama the son of Kush**, who might have established the first regular Government in this part of Asia.” (emphasis added)*

3779. About “Manu”, Jones writes:

“This epitome of the first Indian history though whimsically dressed up of a form of allegory, same to prove a Primeval tradition in this country of the universal deluge described by Moses and fixes consequently the time when the genuine Hindu chronology actually begins.”

*“We may suspect that all the 14 Menus are reducible to one, who was called Nuh by the Arabs and probably by the Hebrews; though we have disguised his name by an improper pronunciation of it. **Some mere relation between the 7th Menu and Grecian Menos may be inferred.**”*

3780. He further said:

“The whole crowd of God and Goddess of ancient Rome and modern Varanes (Varanasi of India) mean only the powers of nature, expressed in a variety of males and a

multitude of fanciful names.”

“Be all this as it may, I am persuaded that a connection subsisted between the old idolatrous nations of Egypt, India, Greece and Italy, long before they migrated to their several settlements.”

3781. This shows the approach, real motive and attitude with which the learned gentleman appears to give boost to the Indian literature. However, one must feel indebted to him for the reason that he and others like him gave birth to a local cadre of historians, academicians etc. to explore and research with sheer nationalistic instinct. Moreover, ultimately we got an institution which has been able to protect commendably a lot of ancient monuments and has also resulted in discovery of cultural wealth of this country.

3782. Going back to our study about ASI, the research work, it claimed, resulted in collection of a large number of manuscripts of Hindu scriptures as also antiquities and other remains in the office of Asiatic Researches. A museum was established at Calcutta in 1814 where the above collection housed. Similar Societies were also started at Bombay (Mumbai) in 1804 and at Madras (Chennai) in 1818. In 1800 Dr. Francis Buchanan (a Physician) was appointed by Marquis of Wellesley to survey Mysore. Dr. Buchanan was also required to undergo a survey of Provinces subject to Presidency of Bengal by the Governor General in Council in 1807. This area of survey constituted parts of the present day Bihar and Uttar Pradesh. He was engaged to survey the monuments and antiquities in the area of survey. At that time it was East India Company which had commenced its transmission into a Ruler

from its initial position of a Merchant. Dr. Buchanan was required to collect information upon the general topography of each District; the conditions of the inhabitants, their religious customs; the natural productions of the country; fisheries, forests, mines and quarries; the state of agriculture; the condition of landed property and tenures; the progress made in the arts and manufactures; the operation of commerce, and every particular that can be regarded as forming an element in the prosperity or depression of the people.

3783. To provide protection to antiques, monuments etc. the first legislation came in the form of Bengal Regulation, XIX of 1810 which empowered the Government to intervene in case of risks to monuments. In 1833 "James Prinsep" became Secretary of Asiatic Society. He was assisted by "Alexander Cunningham", a Second Lieutenant of the Bengal Engineers. They planned for an organization "Indian Archaeological Survey" and placed their proposal before the British Government in 1848. However, this attempt failed. After take over of reign by the British Government from East India Company, it appears that a fresh proposal was submitted by "Alexander Cunningham" which drew attention of Lord Canning who sanctioned a scheme of survey in Northern India and appointed "Alexander Cunningham" as the first Archaeological Surveyor with effect from December 1861. Cunningham's survey stretched from Gaya in the East, to Indus, in the northwest, and from Kalsi in the north to Narmada in the south between 1861 to 1865. In this survey, it is said that Cunningham proceeded in the footsteps of Chinese traveller (pilgrim) Hieun Tsang and also submitted his report.

3784. In 1863, Act No. XX of 1863 was passed which empowered the Government to prevent injury to and preserve buildings remarkable for their antiquity or for their historical or archaeological value. Lord Lawrence, however, abolished the archaeological survey in 1866 bringing to a sudden halt of the archaeological survey in Indian Sub-continent. Some minor work with respect to the state of archaeological style of India in Bombay, Madras, Bengal and the Northwestern Provinces continued but the revival of archaeological survey saw the light of the day in 1871 when it was revived as a distinct department of the Government. A. Cunningham was appointed as Director who assumed charge in February 1871. He was provided with three assistants J.D. Beglar, A.C. Carlleyle and H.B.W. Garrik. A new journal "Indian Antiquary" was also started in 1872. Cunningham got published "Corpus Inscriptionum Indicarum" which contains inscriptions of connected epigraphical material and pursuant to his suggestion the Government appointed J.F. Fleet as Government Epigraphist in January 1883 for deciphering and interpreting the inscriptions.

3785. The Indian Treasure Trove Act, 1878 was promulgated to protect and preserve the treasure found accidentally but had archaeological and historical value. This legislation was treated to be a landmark for confiscation and safety of treasures and antiquities found during chance digging. In 1878 when Lytton observed that conservation of ancient monuments be not left exclusively to the charge of the Provincial Governments and should be brought under the purview of the Government of India, it resulted in appointment of Major H.H. Cole as Curator of ancient monuments in 1881

with an aim to assist the Provincial and Central Government in all matters related to conservation of monuments. A. Cunningham retired in 1885 followed by Burgess who was appointed Director in March 1886. Besides others, during his period, a new publication “*Epigraphica Indica*” started in 1888 and he got 20 volumes published of which seven formed part of Archaeological Survey of India, New Imperial Series. He suggested to abolish the post of Director General and to divide the entire country into two Circles which caused a lot of chaos and confusion. In 1895 the Government of India requested the Asiatic Society to bear the responsibilities of publication of survey report which it refused. Later on, a proposal was made for creation of five Circles with an Archaeological Surveyor as Head at Bombay with Sind and Berar ; Madras and Coorg ; Punjab, Baluchistan and Ajmer; Northwestern Provinces and central Provinces ; Bengal and Assam and to make provision for pension to those who joined survey department before that date. The said proposal was accepted in May 1899.

3786. John Marshall was appointed as the new Director General in 1901 and the entire Survey Department was centralized vesting power with the Director General of A.S.I. by Lord Curzon. Marshall started new series of publication, namely, Annual reports of the Director General which contained the works and research activities carried out by the Survey Department. A separate branch for Arabic and Persian in Epigraphy was also created and Dr. Ross was appointed for this purpose in 1904 Ancient Monuments Preservation Act, 1904 (Act no. 7 of 1904) was promulgated to provide effective preservation and authority over the monuments particularly

those which were in the custody of individual for private ownership. The strength of the organization thereafter continued to increase by addition of Archaeological Chemist and Deputy Director General in 1917 and 1918. John Marshall relinquished the post of Director General in 1928 succeeded by H. Hargreaves and since thereafter this organization has continued with credit of making several discoveries, explorations and excavations of National and International repute. After the country achieved its independence in 1947, the Act no. 31 of 1947 “The Antiquities Export Control Act, 1947” was enacted to regulate export of antiques through Director General, ASI. Under the constitution which the people of India gave to themselves on 26.1.1950, the Archaeology was given due importance which is reflected from Entry 67 of List 1 ; Entry 12 of List 2 and Entry 40 of List 3 Seventh Schedule which read as under :

List-1

“67. Ancient and historical monuments and records, and archaeological sites and remains, declared by or under law made by Parliament to be of national importance.”

List-2

“12. Libraries, museums and other similar institutions controlled or financed by the State; ancient and historical monuments and records other than those declared by or under law made by Parliament to be of national importance.”

List-3

“40. Archaeological sites and remains other than those declared by or under law made by Parliament to be of

national importance.”

3787. The Government of India also enacted “The Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act” in 1951 (Act no. LXXI of 1951). All the protected ancient monuments already notified under Act no. VII of 1904 were redeclared as monuments and archaeological sites of national importance under Act no. LXXI of 1951. Another 450 monuments and sites of **part B States** were also added. Some more monuments and archaeological sites were also declared as of national importance under Section 126 of the States Reorganization Act 1956.

3788. Later on some more enactments came into existence, i.e., Ancient Monuments and Archaeological Sites and Remains Act, 1958 and Antiquities and Art Treasures Act, 1972. The former repealed Act no. LXXI of 1951 and the later repealed Act no. XXXI of 1947. Under the aforesaid legislations ASI and its Director General and other Authorities have been entrusted several statutory duties/obligations and powers besides the power of granting license for private individuals (natural or juristic) to undertake excavation work in the country.

3789. The above discussion beyond doubt shows that ASI is an organization under the Government of India and satisfies all the requisites to be termed as a “Department of the Central Government”. Admittedly it is working under the Ministry of Culture and Human Resources. By all means ASI therefore, represents the Government of India being a Department thereof and in law, can be presumed to be an expert body of the Government on the subject.

3790. The disputed site or the disputed building was not notified/declared as a Protected or Preserved Monument under the above enactments and the learned counsel for the parties neither could dispute it nor could show otherwise.

3791. Sri P.R. Ganpati Ayer, senior Advocate referring to the Act of 1904 and 1958 submitted that ASI and its officers including the Director General are part and parcel of the Government of India and a 'State' within the meaning of Article 12 of the Constitution of India. No substantial objection thereto could be raised by other learned counsels also. In view of discussion made above, we find substance in it.

3792. Now back to the objections, the substantive objections to the very credibility of ASI report and its functioning are by the plaintiffs (Suit 4) and defendant no. 5 (Suit 5). These objections were considered by this Court but vide order dated 3.2.2005. It held that objections can suitably be considered and appreciated after giving liberty to the parties to adduce relevant evidence and thereafter decide at the time of hearing.

3793. We propose to refer ASI report as well as the objections of the parties aforementioned and the relevant evidence (favour and against) in order to appreciate the genuineness thereof and to decide whether ASI report can be relied upon as an evidence wholly or partly in consideration of the aforesaid issues which are of prime importance to both the sides.

3794. The first allegation is that the ASI has prepared its report with prejudiced mind and one-sided presentation of evidence. It is under the pressure of the then BJP Government at

the Centre (para-1 of the objection of plaintiff no.1 (Suit-4). The rest of the objections are under the headings "Archaeological evidence of 'massive structure'"; "The pillar bases are real and no myth as alleged"; "The alleged circular shrine"; "The Divine Couple and other architectural Members"; "Inadequacies of the stratigraphy"; "Terracotta figurines—Relevance of"; "Glazed wares and Glazed Tiles "Pottery"; "Bones"; "inscriptions"; and lastly "Other contradictions and discrepancies". We shall reproduce details at the relevant stage.

3795. In the objections filed by defendant no.5 (Suit-5) great stress has been laid on who wrote Chapter X. Para 2 thereof shows that he has proceeded by assuming that the disputed structure “indisputably” was raised in 1528 though the record shows that this fact itself is an issue and has to be adjudicated upon by this Court. Therefore, the question that it is an “indisputable fact” does not arise. About the identity of figurines and artefacts, defendant no.5 (Suit-5) says that they are not confined to only Hindus but Ayodhya was also an important religious centre for Muslims known as “Khurd Mecca” having graves of two sons of Adam i.e., Ayyub and Sheesh and also that of Buddhist, Jains and Shaivites. The terracotta, human and animal figurines are used and played by children of all irrespective of religious inclination, particularly during festivals like Diwali etc. but ASI has ignored this aspect. The divinity to any such figurine would not come unless there is deification by observing prescribed rituals i.e., Pran Pratishtha. Rest of the objections are basically in line with what has been said by plaintiff no.1 (Suit-5). Similar is the position to the objections filed on behalf of plaintiff no.9 (Suit-4).

3796. One thing however is clear. Though the report of ASI on certain aspects including technical has been criticized by the Experts of Muslim parties but in general, what emerges, some undisputed facts, i.e. admission on the part of the objectors on many aspects, which are :

- (i) A lot of structural and construction activities existed at the disputed site going back to the level of Shunga and Kushan period.
- (ii) The exact number of floors, pillar bases and walls noted by ASI though objected but the very existence of several floors, walls, and pillar bases beneath the disputed structure is not disputed.
- (iii) The structure below the disputed structure was sought to be explained as Kanati mosque or Idgah. There is no suggestion that the structure below the disputed building was of non-religious nature.
- (iv) Some of the constructions or artefacts are sought to relate to Jains or Buddhist but here also it is not the case that it was Islamic in nature or non religious.
- (v) Though allegations of lack of independence in professional style etc. is sought to be supported from the alleged misinterpretation or wrong interpretation or omission or contradictions and discrepancies in some part of the report but no one of ASI team, individual or group has been named or shown to have worked in a manner lacking integrity, independence etc. (except where two nominees of Muslim side i.e. Dr. Jaya Menon (PW 29) and Dr. Supriya Verma (PW 32) reported creation of pillar bases in Trench G2 vide complaints dated 21.5.2003 and

7.6.2003).

3797. 28 witnesses, i.e., PW 1 to 28 on behalf of plaintiffs (Suit-4) were examined between 24.07.1996 to 14.05.2005. The rest of four witnesses, i.e., PW 29 to 32 were examined between 28.09.2005 to 27.03.2006, i.e., against ASI report. Two witnesses were examined again i.e. PW 16 from 20.03.2006 to 28.07.2006 and PW 24 from 05.12.2005 to 04.01.2006 i.e. after ASI report. Similarly, on behalf of plaintiffs (Suit-5) 16 witnesses, i.e., OPW 1 to 16 were examined between 22.11.1999 to 21.07.2003. After the submission of ASI report three witnesses, i.e., OPW 17 to 19 were examined between 17.08.2006 to 05.12.2006. Defendant no. 1 (Suit-4) got all his three witnesses, i.e., DW 1/1 to 1/3 examined from 22.07.2003 to 21.08.2003 and did not produce any oral evidence after ASI report. Plaintiff (Suit-3) got his 20 witnesses, i.e., DW 3/1 to 3/20 examined from 29.08.2003 to 30.11.2004 and he also did not produce any witness either in support or against ASI report. Defendant no. 2/1 (Suit-4) got three witnesses, i.e., DW 2/1-1 to DW 2/1-3 examined from 01.12.2004 to 09.03.2005 and none was in respect to ASI report. DW 13/1 (Suit-4) got examined three witnesses, i.e., DW 13/1-1 to 13/1-3 from 10.03.2005 to 05.05.2005. Out of these three witnesses the statement of Mahant Awadh Bihari Das Pathak, DW 13/1-2 remained incomplete and, therefore, has to be excluded and cannot be read in evidence. Similarly, defendant no. 17 (Suit-4) examined sole witness DW 17/1 from 09.05.2005 to 17.05.2005; defendant no. 20 (Suit-4) got examined four witnesses, i.e., DW 20/1 to 20/4 from 25.05.2005 to 23.11.2005. Its fifth witness DW 20/5, Jayanti Prasad Srivastava deposed statement to

support ASI report and was examined from 15.01.2007 to 23.03.2007. Defendant no. 6/1 (Suit-3) produced two witnesses, i.e., DW 6/1-1 and 6/1-2 who were examined from 29.08.2005 to 29.09.2005.

3798. Thus plaintiffs (Suit-4) produced eight witnesses called 'experts' (Archaeologist) to assail ASI proceedings, observations interpretations and findings. Similarly, plaintiffs (Suit 5) produced three witnesses, and defendant no.20 produced one witness in support of ASI report.

3799. We would refer hereat first that part of statements of the plaintiffs (Suit-4)'s Experts where they have concurred with ASI report and will find out the extent of consensus:

(a) PW 16, Surajbhan

“मेरी दृष्टि में ए0एस0आई0 की रिपोर्ट में जो आलोचना न किए जाने वाली चीज़ थी, वह यह थी कि उन्होंने बाबरी मस्जिद के नीचे कई दीवारें, फर्श और कुछ पिलर बेसेज खोज निकाले हैं, यह साक्ष्य है।” (पेज 199)

*“In my opinion, the ASI Report had a feature not amenable to criticism. It was that **they (the excavators) have discovered many walls and floors and some pillar bases beneath the Babri mosque, and all these constitute evidence.**” (E.T.C.)*

“बल्कि मस्जिद के नीचे सल्तनत काल के इस्लामिक ढांचे ही रहे थे।” (पेज 267)

“Rather, only the Islamic structures of the Sultanate period were beneath the mosque.” (E.T.C.)

“वाल्सूम-1 के पेज-41 पर पीरियड-7 (मेडिवल लेबिल) के नीचे दूसरी तीसरी पंक्तियों में लिखी गयी बात पर साक्षी का ध्यान आकृष्ट किया गया। साक्षी ने बताया कि इस ढांचे को 12वीं से 16वीं सदी के बीच रखना सही नहीं है, बल्कि इसका निर्माण सल्तनत काल में ही दीवार नं0-17 के ढांचे

के बाद किया गया था। इस ढांचे को मिडिवियल कहना ब्राड सेन्स में तो ठीक है, परन्तु मिडिवियल काल के भी कई फ़ेज़ेज़ माने जाते हैं और इसलिए मैं इस ढांचे को सल्तनतकाल के बाद के पार्ट में रखूंगा।” (पेज 287)

“When the attention of the witness was drawn to second and third lines below period-7 (medieval level) on page 41 of volume-1, he stated – It is not correct to place this structure between the 12th century and the 16th century; rather its construction followed the structure of wall no. 17 in the Sultanate period itself. To attribute this structure to the medieval period is certainly correct in a broad sense; but since the medieval period is also taken to have many phases, I will place this structure in the later part of the Sultanate period” (E.T.C.)

“ए सरकुलर सबसिडियरी श्राईन ... फीगर 24 व 24 ए पर आकृष्ट किया, साक्षी ने बताया कि यह कहना ठीक है कि यहां उसी सेमी सरकुलर कान्स्ट्रक्शन का उल्लेख हुआ है जो ऊपर इन ट्रेंचज़ में बताई गयी है। मैं ब्राडली इस काल को अर्ली मिडिवल कहना उचित समझता हूँ और यह ढाँचा उस काल में स्थित होने के विरुद्ध मेरे पास कोई तर्क नहीं है।” (पेज 285)

“When the attention of the witness was attracted to a circular subsidiary shrine ... Figures 24 and 24A, he stated – It is correct to say that the semi-circular construction which is mentioned here is same as stated above to be in these trenches. Broadly speaking, I think it proper to call this period early medieval period. I do not have any arguments contradicting this structure being attributed to that period.” (E.T.C.)

“रिपोर्ट की प्लेट सं० 59 व 60 को दिखाये जाने पर साक्षी ने बताया कि यह स्टक्चार 5ए के साथ उत्खनन के समय मिले हुए सरकुलर

श्राईन का इनसीटू फोटोग्राफ़ है। यह कहना सही है कि प्लेट सं० 60 में नार्थ ओरियन्टेशन में एक नाली दिखायी दे रही है यह कान्स्ट्रक्शन इस्लामिक काल के पहले का है” (पेज 482)

“On being shown plate nos. 59 & 60 of the report, the witness stated that **it was the in-situ photograph of the circular shrine found along with structure 5A at time of excavation. It is correct to say that a drain is visible in north orientation of plate no.60. This construction is prior to the Islamic period.**” (E.T.C.)

“जिस प्रकार की ईंटें प्लेट संख्या 67 में नजर आ रही हैं, उस प्रकार की ईंटों को मैंने उत्खनन स्थल अयोध्या में नहीं देखा था। उत्खननकर्ता इन ईंटों को सल्तनतकाल में रख रहे हैं, मुझे इसमें कोई आपत्ति नहीं है।”

(पेज 289)

“I had at the excavation site of Ayodhya seen such bricks as are seen in plate no.67. The excavators have placed these bricks in the Sultanate period to which I do not have any objection.” (E.T.C.)

“वाल नं०-16 में एक डेकोरेटेड ब्रिक री-यूज की गई है। इस प्रकार की डेकोरेटेड ईंटें गुप्तकाल से लेकर सल्तनत पीरियड के पहले तक बनती रही हैं। प्लेट सं०-29 में नजर आ रही दीवार इनसीटू है। जब मैंने इसे देखा था, तब शायद यह ट्रेच लगभग एक मीटर गहराई तक खोदी जा चुकी थी।” (पेज 383)

“**One decorated brick has been re-used in wall no.16. Such decorated stones were built from the Gupta period to the Sultanate period. The wall visible in plate no. 29 is in-situ. By the time I saw it, this trench had probably been dug about one metre deep.**” (E.T.C.)

“उत्तर की तरफ कुछ पिलरबेसेज सही मालूम देते हैं, जिन पर स्तम्भ आदि खड़े रहे होंगे और छत भी रही होगी।” (पेज 301)

“**There appear to have been some actual pillar bases on**

the north on which pillars etc. may have been standing and the roof may also have been based.” (E.T.C.)

“प्लेट सं०-48 को दिखाये जाने पर साक्षी ने बताया कि इस प्लेट में एक गोल आकृति का कांसट्रक्शन नजर आ रहा है, जिसे उत्खननकर्ता ने पिलरबेस कहा है। फर्श जहाँ पर टूटी हुई है, उसमें यह कांसट्रक्शन स्थित है। इस प्लेट में जो फर्श नजर आ रही है, उसकी मोटाई 2-3 सेमी० रही होगी।” (पेज 387)

“On being shown Plate No.-48, the witness stated that a round shaped construction is visible in this plate, which has been termed as pillar base by the excavator. This construction is situated on the floor where it is broken. Thickness of the the floor visible in this plate might be 2-3 cm.” (E.T.C.)

“ए०एस०आई० द्वारा प्रदर्शित पिलर बेसेज में एलाइनमेंट तो दिखाई देता है, परन्तु फिर भी इनमें अन्तर तो है ही और रिपोर्ट में भी यही लिखा गया है। ए०एस०आई० की रिपोर्ट में यह लिखा हुआ है कि जी०पी०आर० सर्वे में पाई गई कुछ एनामलीज के स्थान पर ए०एस०आई० द्वारा कुछ पिलर बेसेज पाए गए थे, परन्तु लगभग 180 आइडेंटिफाईड एनामलीज में से केवल 40 के करीब स्ट्रक्चर्स को भौतिक रूप में खोजा गया था, इस प्रकार का उल्लेख रिपोर्ट में किया गया है। कुछ तथाकथित पिलर बेसेज सेक्वेंस में भी देखे जा सकते हैं। जो पिलर बेसेज सेक्वेंस में मिले हैं, उनमें से कुछ को मैंने देखा है।” (पेज 464)

“Alignment is visible in pillar bases shown by ASI, however, the difference is there and the same has been written in the report. It has been mentioned in the ASI report that the ASI had found few pillar bases instead of the few anomalies found in GPR survey. The report contains reference to the effect that out of approximately 180 identified anomalies, only about 40 structures had been physically traced out. The sections of few alleged

pillar bases can also be seen. Out of the pillar bases sections found, I have seen few.” (E.T.C.)

“जो तथाकथित 50 पिलर बेस ए०एस०आई० ने दिखाए हैं, वे एक ही फ़र्ष पर नहीं हैं और न एक ही काल से सम्बन्धित हैं।” (पेज 465)

“The alleged 50 pillar bases shown by ASI, are not on the same floor and are also not related to the same period.” (E.T.C.)

“उत्तर की तरफ मस्जिद की बाउन्डी से जो सैंड स्टोन का प्रयोग किये हुए स्टक्चर्स हैं, वे पिलर बेसेज दिखाई देते हैं। ए०एस०आई० ने स्वयं भी अपनी रिपोर्ट में यह लिखा है कि 12 के करीब पिलर बेसेज स्पष्ट, खादे गये हैं।” (पेज 467)

“The sand stone structures in north from the boundary of the mosque, appear to be pillar bases. The ASI has also mentioned in its report that it had clearly dug out about 12 pillar bases.” (E.T.C.)

“ए०एस०आई० रिपोर्ट वाल्यूम – 1 के फ़ीगर 3-ए में, पी०बी०.1, पी०बी०-3, पी०बी०.5, पी०बी०-6, पी०बी०-7, पी०बी०-8, पी०बी०-9, पी.बी. 13 और 14 पिलर बेसेज मालूम देते हैं,” (पेज 468)

“P.B.-1, P.B.-3, P.B.-5, P.B.-6, P.B.-7, P.B.-8, P.B.-9, P.B.-13 & P.B.-14 of figure 3-A of ASI report Vol.-1, appear to be pillar bases.” (E.T.C.)

“साक्षी का ध्यान ए०एस०आई० रिपोर्ट वाल्यूम-2 के प्लेट संख्या 37,38, व 46 पर आकृष्ट किया, साक्षी ने इन प्लेटों को प्रश्न किये जाने पर बताया कि यह सही है कि यह कांस्ट्रक्शन जिन्हें पिलर बेसेज कहा गया है, उत्खनन स्थल पर इन-सी टू दिखायी दे रहे हैं। मेरी दृष्टि में प्लेट संख्या 37 के पिलर बेस नं० 1 व 5 तथा प्लेट संख्या 38 के पिलर बेस संख्या 1 मुझे रिजनेबिली पिलर बेसेज मालूम देते हैं।” (पेज 471)

“The attention of the witness was drawn towards plate nos. 37, 38 and 46 of ASI’s report Vol. II and on being

questioned about these plates, the witness stated that it is true that these constructions, which have been termed pillar bases, are visible in- situ at the excavation site. The pillar base nos. 1 & 5 of plate no.37 and the pillar base no.1 of plate no.38, reasonably appear pillar bases to me.” (E.T.C.)

“ए0एस0आई0 वाल नं0 16 के स्क्वचर के सबसे ऊपर वाले फर्श पर 50 पिलर बेसेज बता रही है। यह प्रापर इलस्ट्रेशन द्वारा प्रदर्शित किया जाना चाहिए, तभी उनकी संख्या और इनका फर्शों से संबंध स्पष्ट हो पायेगा।”

(पेज 473)

“The ASI is giving 50 pillar bases on the top floor of the structure of wall no.16. It should have been shown by proper illustration and it is only thereafter that the relationship between their number and floors would be established.” (E.T.C.)

“यह सही है कि दीवार नं0-16 के फाउंडेशन में तथा कुछ ऊपर भी रियूज्ड मैटीरियल मिला है जो अर्ली मेडीवियल टाइम का होना मालूम होता है, परन्तु यह तय नहीं हो जाता कि उसके ठीक नीचे कोई मन्दिर था, जिसे तोड़कर ये पत्थर आदि के अवशेष दीवार नं0-16 में इस्तेमाल किए गए।” (पेज 331)

“It is true that the reused material found in the foundation of wall no. 16 as well as slightly above it, appears to be of early medieval period but that does not go on to establish that immediately below it lay any temple, which was demolished and its remains like stone etc. were used in wall no.16.” (E.T.C.)

“दीवार नं0-16, बाबर की बनाई हुई नहीं है, परन्तु उसमें जो स्कल्पचर्ड स्टोन लगे हैं, वे निश्चित रूप से पुराने ढांचों में इस्तेमाल हुए पत्थर हैं और उन सभी कालों में जहाँ ढांचों को नई सामग्री से बनाने की आर्थिक क्षमता का अभाव था या उस किस्म के

स्थोटिक संस का अभाव था, वहाँ जो भी उपलब्ध मैटीरियल आसानी से और कम खर्च से मिल जाता था, उसका प्रयोग किया जाता था।” (पेज 331)

“The wall no. 16 has not been built by Babar however, the sculptured stones used in it, are certainly the stones used in old structures. During those periods where there was lack of either financial means to build structures with new materials or aesthetic sense of that kind, all such materials were used, which were easily available at low cost.” (E.T.C.)

“प्लेट सं०-३३ को देखने के बाद साक्षी ने बताया कि इस प्लेट में नजर आ रहे भाग को मैंने मौके पर देखा था। इस प्लेट में वाल -१६ नजर आ रही है। इस प्लेट को देखने से यह पता चलता है कि वाल नं०-६, वाल-१६ के ऊपर जा रही है और इसलिए बाद में बनी थी।” (पेज ३८५)

“After looking at plate no.33, the witness stated that the portion visible in this plate had been seen by me on the spot. The wall 16 is visible in this plate. On looking at this plate it appears that the wall no.6 was moving above the wall 16 and as such had been built subsequently . (E.T.C.)

“वाल नं० १६ के नीचे का पोर्शन प्लास्टर्ड है। इससे स्पष्ट होता है कि यह किसी भवन की दीवार है। वाल नं० १६ को वाल नं० ५ के आधार के रूप में इस्तेमाल किया गया है। वाल नं० ५ का पश्चिम की तरफ स्वतंत्र नींव भी पार्टली रही है तथा कुछ ट्रेंचेज़ में वाल नं० १६ वाल नं० ५ का आधार दिखायी गयी है।” (पेज ४७७)

“The portion beneath wall no.16 is plastered. It shows that it is the wall of some building. The wall no. 16 has been used as foundation of wall no.5. There was a partly independent foundation of wall no. 5 towards west and in some of the trenches, the wall no.16 appears as foundation of wall no. 5.” (E.T.C.)

“प्लेट सं० 25 को दिखाये जाने पर साक्षी ने बताया कि यह वाल नं० 16 का अन्दर का फोटोग्राफ है। इसमें ब्रिक्स के 17 कोर्सेज दिखायी दे रहे हैं और इन ईंटों के नीचे पत्थर के स्लैब्स नींव में दिखायी दे रहे हैं। यह पत्थर के स्लैब्स इस दीवार की नींव के रूप में हैं।” (पेज 478)

“On being shown plate no.25, the witness stated that it is the photograph of inside of wall no.16. Seventeen courses of bricks are visible in it and stone slabs are also visible beneath these bricks in the foundation. These stone slabs are in form of foundation of this wall.” (E.T.C.)

‘यह कहना सही है कि वाल नं० 05 वाल नं० 16 पर रेस्ट कर रही है।’ (पेज 477)

“It is correct to say that wall no. 05 is on rest against wall no.16.” (E.T.C.)

“मौके पर वाल नं०-16 और वाल नं०-17 को मैंने देखा था। वाल नं०-17 उत्तर-दक्षिण दिशा में मोटे तौर पर 50 मीटर के लगभग लम्बी बताई गई है। वाल नं०-16 भी लगभग इतनी ही लम्बी बताई गई है। ये दोनों वाल थोड़े से डिविएशन को छोड़कर लगभग एक ही एलाइनमेंट में ऊपर – नीचे चल रही है।” (पेज 302-303)“

“ On the site I saw wall no.16 and wall no.17. From the north to the south wall no.17 is roughly stated to be nearly 50 metres in length. Wall no.16 is also stated to have nearly the same length. Except for certain deviations these two walls are in up and down positions nearly in the same alignment.” (E.T.C.)

‘मैंने वाल नं०- 23 लगायत वाल नं०-27 की कालगणना के सम्बन्ध में स्वयं कोई रिसर्च या अध्ययन नहीं किया है। इन दीवारों की जो कालगणना ए०एस०आई द्वारा की गई है, उसमें मुझको किसी प्रकार की कोई आपत्ति नहीं है।’ (पेज 476)

“I have not carried out any research or study on my own regarding the period calculation of wall nos.23 to 27. I

have no objection on the period calculation of these walls, as made by ASI.” (E.T.C.)

“वाल नं०-16 के ऊपर बाबरी मस्जिद की पश्चिमी दीवार थी। ए०एस०आई० की रिपोर्ट में इसे वाल नं० - 5 कहा गया है दीवार की जो संख्या ए०एस०आई द्वारा डाली गई है, से मैं असहमत नहीं हूँ।” (पेज 333)

“The western wall of the Babri mosque lay above the wall no. 16. It has been termed as wall no. 5 in the ASI report but I do not agree with the number assigned to the wall by the ASI.” (E.T.C.)

“ए०एस०आई० की रिपोर्ट वाल्यूम 1 के फीगर चार (पृष्ठ 51 बी) देखकर बताया कि विवादित स्थल के दक्षिणी भाग में एक फाउन्डेशन वाल मिली है जो किसी हाल की दिखायी दे रही है। इसकी लम्बाई 6.15 मीटर हो सकती है परन्तु इसकी चौड़ाई इस समय मालूम नहीं है। कंकरीट ब्लॉक्स के दो कोर्सेज नजर आ रहे हैं। इस फीगर में जो कोर्सेज नजर आ रहे हैं वो मौके पर कंकरीट स्टोन के थे।” (पेज 380)

“After looking at figure-4 (page-51B) of ASI’s report vol.-1, (the witness) stated that a foundation wall was found in south of the disputed site, which appears to be of some hall. Its length may be 6.15 metres but its breadth is not known presently. Two courses of concrete blocks are visible. The courses which appear in this figure, are of concrete stone at the spot.” (E.T.C.)

“वाल नं० -1 लगायत 15 विवादित भवन के अहाते की दीवारे हैं। वाल नं०-16 उत्तर से दक्षिण लम्बाई में है तथा लगभग 50 मीटर लम्बी है। इसकी चौड़ाई अंदाजन 1.77 मीटर है। इसी के सामानान्तर वाल नं० -17 है, यह भी लगभग उसी लम्बाई की है, जिस लम्बाई की वाल नं० 16 है। वाल नं० 17 में दक्षिण की तरफ पश्चिम दिशा में स्लाइट डेविएशन है, जेसा कि उत्तर में यह डेविएशन पूरब की ओर है। वाल नं० 16 बाबरी मस्जिद के निर्माण से पहले के भवन की दीवार है। यह दीवार, बाबरी मस्जिद की पश्चिमी दीवार से नीचे

स्थित है। ... वाल नं०-18ए , 18बी, 18 सी तथा 18डी – वाल नं०-16 के पीरियड की है तथा एक ही ढांचे की दीवारें मालूम देती हैं। वाल नं० – 19 बी, स्टक्चर -5, जिसे सर्कुलर श्राइन कहा गया है, के पश्चिम में है और वाल नं० – 19ए, उसके पूर्व में स्थित है। वाल नं०-20 स्टक्चर नं०-5 के पूर्व में दर्शाई गई है। मुझे इस बात पर कोई विवाद नहीं है कि वाल नं०-20, वाल नं०-19ए की फाउण्डेशन वाल के रूप में प्रयुक्त हुई होगी। वाल नं० 21 सर्कुलर श्राइन के उत्तर पूर्व दिशा में दिखाई गयी है। फीगर-3ए में शायद वाल नं० 21 डेढ़ दो मीटर लम्बी दिखाई गई है।” (पेज 475-476)

“Wall nos. 1 to 15 are walls of the courtyard of the disputed structure. The wall no.16 runs from north to south and is about 50 meters long. Its breadth is approximately 1.77 meters. The wall no.17 runs parallel to it and is of almost the same length as that of wall no.16. There is slight deviation towards west in south of wall no.17, which deviation is eastwards in the north. The wall no.16 is a construction prior to the construction of Babri mosque. This wall is situated beneath the western wall of the Babri mosque. ... The wall nos. 18A, 18B, 18C & 18D are of the period of wall no.16 and appear to be walls of the same structure. The wall no. 19B is to the west of structure-5, which has been stated termed circular shrine, and the wall no. 19A is situated in its east. The wall no.20 has been shown in east of structure no.5. I do not dispute that wall no.20 may have been used as foundation wall of wall no.19A. The wall no.21 has been shown in north-east of the circular shrine. The wall no. 21 has possibly been shown about 1½-2 meters longer in figure 3A.” (E.T.C.)

“वाल नं०-23 केवल आंशिक रूप में ही दिखाई दे रही है, सम्भवतः यह

उत्तर-दक्षिण में रही होगी। **वाल नं०-25 पूरब की तरफ उत्तर-दक्षिण दिशा में है। यह दीवार, ट्रेंच जे-6 में है। मैं अकस्मात् बिना सन्दर्भ को जाने हुए यह नहीं बता सकता कि वाल नं०-25 गुप्तकाल की है, परन्तु मुझे ए०एस०आई० द्वारा इसे गुप्तकाल की बताने पर कोई आपत्ति भी नहीं है। वाल नं० 26 भी वाल नं०-25 से पहले की है या नहीं, यह इस फीगर मात्र को देखने से स्पष्ट नहीं है, लेकिन ऐसा सम्भव है कि यह दीवार वाल नं०-25 से पूर्वकालिक हो, क्योंकि मैंने वहां पर ट्रेंच में अर्लीयर पीरियड की दीवार देखी थी। ए०एस०आई० द्वारा इसे कुषाण पीरियड में रखा गया है, तो मुझे इसमें कोई आपत्ति नहीं है।” (पेज 476)**

“Wall no. 23 is visible only partially. Probably it may have been in north-south. The wall no. 25 is eastwards in north-south direction. This wall is in trench J-6. I can not tell at the spur of moment without knowing the context, as to whether the wall no. 25 is of the Gupta period. However, I do not have any objection in ASI terming it to be of the Gupta period. Whether the wall no.26 is older than wall no.25 or not, is not clear only from perusal of this figure. However, it is possible that this wall is earlier to wall no.25, because I had seen wall of earlier period over there in the trench. ASI has shown it to be of Kushana period, and I have no objection in it.” (E.T.C.)

“**वाल नं०-28 ट्रेंच जे०-3 में है। यह कंकीट स्टोन वाल शुंग पीरियड की है, ऐसा रिपोर्ट में लिखा हुआ है। इस प्रकार की कालगणना से मुझे कोई आपत्ति नहीं है।”** (पेज 477)

“The wall no.28 is in trench J-3. It is so mentioned in the report that this concrete stone wall is of the Shunga period. I have no objection about such period calculation.” (E.T.C.)

“रिपोर्ट के ही प्लेट सं0127 को देखकर बताया कि इस प्लेट के फोटोग्राफ में एक पकी हुई मिट्टी की हाथी की टूटी हुई आकृति नजर आ रही है। वैदिक धर्म में हाथी इंद्र का वाहन था परन्तु हिन्दू धर्म में ब्रह्मा, विष्णु, महेश तीनों प्रमुख देवताओं से हाथी का संबंध नहीं है फिर भी हिन्दू धर्म एक विराट धर्म है और इसकी विविध शाखायें हैं और इसका बड़ा विकास हुआ है तो कहीं न कहीं किसी न किसी समुदाय में कोई पशु पौधा आदि महत्वपूर्ण धार्मिक चिन्ह के रूप में मौजूद हो सकते हैं यह टेराकोटा भी बाबरी मस्जिद से पूर्ववर्ती सल्तनतकाल के ढांचों से सम्बन्धित नहीं है।” (पेज 309–310)

“Looking at plate no.127 only of the report, the witness stated – A broken figure of elephant made of baked soil is visible in the photograph of this plate. In the Vedic religion, elephant was a vehicle of Indra; but in Hinduism, three main deities – Brahma, Vishnu and Mahesh – are not associated with elephant. Nevertheless, Hinduism is a vast religion and it has various branches, and as it has developed considerably, animals, plants etc. may be found as important religious emblems somewhere or the other or in some community or the other. This terracotta is not associated with the structures of the Sultanate period prior to the Babri masjid.” (E.T.C.)

“यह कहना सही है कि हिन्दू धर्म से संबंधित अनेक अवशेष अयोध्या के विशेषस्तरों के उत्खनन से प्राप्त हुए हैं।” (पेज 310)

“ It is correct to say that several remains associated with Hinduism have been discovered from the excavations of particular strata of Ayodhya.” (E.T.C.)

“ जितना भी उत्खननकर्ताओं ने दिखाया है, वह निश्चित रूप से उत्खनन में ही मौजूद था। अर्थात् उतना पोर्षन इन-सी-टू मालूम देता है।” (पेज 471)

“Whatever has been shown by the excavators, was

definitely present in the excavation i.e. that portion appears to be in-situ.” (E.T.C.)

“मन्दिर के बारे में ए०एस०आई० ने जिन अवशेषों को अपनी रिपोर्ट में बताया है, उनसे मैं इस रूप में कई जगह सहमत हूँ कि वे अवशेष किसी मन्दिर के रहे होंगे।” (पेज 337)

“I agree with the report of ASI about the remains of temple, to the extent that these remains may have been of some temple” (E.T.C.)

“ए०एस०आई० की रिपोर्ट में यह बताया गया है कि देवनागरी लिपि का एक इंसक्रिप्शन खुदाई के दौरान मिला था। जहाँ पर औंधें मुँह पड़ा था।”

(पेज 338)

“It has been mentioned in ASI’s report that an inscription in Devnagari script was found during excavation, where it was lying upside down.” (E.T.C.)

“औंधें मुँह पड़े हुए शिलालेख का फोटोग्राफ ट्रेंच के अन्दर से ही लिया गया होगा। औंधें मुँह से मेरा तात्पर्य यह है कि शिलालेख की लिखावट नीचे की तरफ थी तथा वह भाग जिस पर नहीं लिखा था, वह ऊपर की तरफ था। जिस समय मैं ट्रेंच के अन्दर गया था, उस समय शिलालेख नीचे की तरफ थी। मैंने केवल इस पत्थर को वेरीफाई करने की कोशिश की थी कि इस पर कुछ लिखा है अथवा नहीं।” (पेज 339)

“The photograph of the inscription lying upside down, must have been taken inside the trench. By ‘upside down’ I mean that the writing of the inscription was towards the lower part and the unwritten part was upwards. When I entered the trench, the inscription was facing the lower side. I had only tried to verify whether anything had been inscribed over this stone or not.” (E.T.C.)

“यह कहना सही है कि लाइम मार्टर का प्रयोग थर्ड सेंचरी ए०डी० में तक्षशिला और पाकिस्तान में होना कुषाणकाल में पाया गया है परन्तु यह बहुत सीमित मात्रा में था।” (पेज 341)

“It is correct to say that lime mortar was found to have

been used in the 3rd century AD during the Kushana period in Takshshila and Pakistan, but its use was very limited.”

(E.T.C.)

“ए०एस०आई० रिपोर्ट वाल्यूम-2 की प्लेट नं०-22 व 23 देखकर बताया कि दोनों फोटोग्राफ्स में डेकोरेटेड स्टोन रियूज किया गया दिखाई दे रहा है। यह फाउण्डेशन के उपरी भाग में वाल-5 में रियूज किया गया है। प्लेट सं० -22 में प्लास्टर नज़र आ रहा है। ए०एस०आई० द्वारा इसका नाम मकर प्रणाली दिये जाने में मुझे कोई आपत्ति नहीं है। इसी रिपोर्ट की प्लेट सं०-24 को दिखाये जाने पर साक्षी ने बताया कि इस प्लेट में पत्थर की दीवार, जो दीवार नं०-5 से सम्बन्धित है, ईंटों की दीवार नं०- 16 के ऊपर जाती दिखाई दे रही है।” (पेज 382)

“After looking at plate nos. 22 & 23 of ASI report Vol.-2, (the witness) stated that in both the photographs decorated stones can be seen to have been re-used. They have been used in the upper part of the foundation of wall-5. Plaster is visible in plate no.-22. I have no objection in ASI naming it as Makar system. On being shown plate no.-24 of said report, the witness stated that in this plate the stone wall related to wall no.-5, can be seen going above the stone wall no.-16.” (E.T.C.)

“मैंने इस ट्रेंच को मौके पर देखा था। इस ट्रेंच में नीचे की तरफ एक डेकोरेटेड री-यूज्ड स्टोन स्लैब नज़र आ रहा है। ऊपर से देखने पर यह पत्थर ब्रैकेट सा नजर आ रहा है। इस पत्थर को निकालकर देखने के बाद ही बताया जा सकता है कि यह पिलर का हिस्सा है या नहीं।” (पेज 387)

“I had seen this trench at the spot. A re-used stone slab is visible in this trench towards bottom. If seen from above this stone appears like a bracket. Only after taking out this stone, can it be said whether it is a part of the pillar or not.” (E.T.C.)

“प्र०— बहुत से आर्किटेक्चरल मेम्बर जिनकी डिजाइन उपरोक्त प्लेट सं० 86 तथा 87 में नज़र आ रही है, स्टेंसिल कट वाली डिजाइन से मिलती जुलती थी, वाल-16 में रियूज़ किये हुए पाये गये थे। क्या आपने उनको देखा था?”

उ०— जी हाँ। यह सही है कि मैंने उनको देखा था और ऐसे कुछ डेकोरेटेड स्टोन स्लैब्स, वाल नं०-16 की फाउंडेशन वाल में लगे थे। यह कोई बहुत ज्यादा दिखाई नहीं दे रहे थे और यह सभी अर्लीमिडिवियल पीरियड के थे और यह भी सभी डेकोरेटेड आर्किटेक्चरल मेम्बर हैं, जो अर्लीमिडिवियल काल की रचना हैं, परन्तु उन्हें सल्तनतकाल की वाल नं०-16 की फाउंडेशन वाल में रियूज़ किया गया है।” (पेज 424-425)

“Question- Many architectural members, whose designs were appearing in aforesaid plate nos. 86 & 87 and were resembling the stencil cut design, were found to have been re-used in wall-16. Did you see them?”

Answer- Yes. It is correct that I had seen them and few such decorated stone slabs were used in the foundation wall of wall no.16. They were not much in number and were of early medieval period. There are all decorated architectural member, which are works of early medieval period, but have been re-used in the foundation wall of wall no.16 of the Sultanate period.” (E.T.C.)

“ए०एस०आई० ने सिक्स पीरियड को 11वीं व 12वीं सदी में रखा। मुझे ए० एस० आई० द्वारा I से V की काल कम की गणना के निर्धारण के संबंध में कोई आपत्ति नहीं है, क्यों कि इसका इस समस्या से कोई संबंध नहीं है।” (पेज 455)

“The ASI has marked the sixth period in 11th & 12th century. I have no objection in determination of period calculation of I to V by the ASI, because it is not related to the present dispute.” (E.T.C.)

“मेरे हिसाब से VII पीरियड सल्तनत काल में पीरियड VI के बाद निश्चित होना चाहिए। हालांकि सल्तनत के इन दोनों कालों की कोई निश्चित तिथि अभी तक उपलब्ध नहीं है। मेरे अध्ययन के अनुसार उत्तर भारत में सल्तनत काल 13वीं सदी से माना जाता है। मेरे अनुसार VI पीरियड सल्तनत काल में पहले आया और पीरियड VII उसके बाद। यह सम्भव है कि पीरियड VI 13वीं सदी से शुरू हुआ हो और पीरियड VII 16वीं सदी से शुरू तक रहा हो। ... वास्तव में इनको दो काल कहना भी गलत होगा। यह केवल दो भवनों के ढाँचें हैं, जो सल्तनत काल में बनाये गये और समाप्त भी हो गये। इनमें वाल नं० 17 वाला ढाँचा अर्थात् काल VI से संबंधित कहा जाने वाला ढाँचा पहले का है और केवल काल VII का ढाँचा बाद का है, सल्तनत काल का। इनके साथ पाये गये डायग्नोस्टिक अवशेषों तथा इनकी दीवार व फर्ष तथा प्लान आदि की समानता से देखा जा सकता है जो पीरियड V के पुरातात्विक अवशेषों और भवन निर्माण शैली से एकदम भिन्न हैं।” (पेज 456–457)

“I feel that the VII period should be fixed during the Sultanate period after period VI. However, no fixed date of both these Sultanate periods, is not available so far. According to my studies, the Sultanate period in north India is considered from the 13th century. According to me, the VI period came first in the Sultanate period and the period VII followed. It is possible that the period VI started in the 13th century and the period VII in the 16th century. . . . Actually it be wrong to term them as two periods. They are only the remains of two buildings, which were built and saw their end during the Sultanate period. The structure of wall no. 17, said to be related to period VI, is a prior structure and only the structure of period VII is of subsequent period, Sultanate period. It can be seen in the similarity of diagnostic remains, their walls, floor, plan etc., which is entirely different from archaeological remains

and house construction pattern of period V.” (E.T.C.)

“मुझे वाल नं०-16 व 17 के पीरियड की कालगणना पर आपत्ति है, मैं उसे गलत मानता हूँ। इससे पहले वाली दीवारों की कालगणना के सम्बन्ध में मुझे कोई आपत्ति नहीं है।” (पेज 477)

“I have objection regarding the period of wall nos.16 and 17, as worked out in the period calculation. I consider it to be wrong. I had no objection about the period calculation in respect of the other walls.” (E.T.C.)

“प्र०- वाल नं०-1 ता 15 व 18 ता 28 के सम्बन्ध में ए०एस०आई० द्वारा की गयी कालगणना के सम्बन्ध में आपको कोई आपत्ति नहीं है, जैसा कि आपके उत्तर से स्पष्ट है। इस सम्बन्ध में आपको क्या कहना है?

उ०- मुझे पीरियड -6 व पीरियड 7 के बाद की कालगणना अथवा उससे सम्बन्धित स्टक्चर्स की कालगणना को छोड़कर उसके पहले वाले स्टक्चर्स अथवा दीवारों की कालगणना में कोई आपत्ति नहीं है।” (पेज 477)

“Question- From your reply it is clear that you have no objection about the period calculation made by ASI in respect of wall nos. 1 to 15 and 18 to 28. What you have to say in this behalf?

Answer- I have no objection regarding the period calculation of structures and walls except for the period calculation made in respect of structures subsequent to period 6 & 7.” (E.T.C.)

“वाल्चूम की फीगर 3ए (पेज 48ए) देखने के बाद बताया कि इस फीगर में स्टक्चर्स का प्लान दिखाया गया है।

इस फीगर में उत्खनन के दौरान विभिन्न कालों के स्टक्चर्स, वाल्स, तथाकथित पिलर बेसेज आदि के प्लान दिखाये गए हैं। इस प्लान में जहाँ तक मैं देख पा रहा हूँ 28 दीवारें दिखाई गई हैं। उत्खनन में इस की प्लान के अनुसार 28 दीवारों के अंश प्राप्त हुए। मैं पहले कह चुका हूँ कि मैं केवल तीन दिन उत्खनन के दौरान वहाँ

गया था और ये सब की सब दीवारें उस समय तक उत्खनित नहीं हुई थीं। कुछ दीवारें ही उत्खनित हुई थीं। मेरे निरीक्षण तक जो दीवारें वहाँ स्पष्ट दिखाई दीं, उनमें दीवार नं०-5, 16, 17, 6, 7, 8, 9, 10, 11, 3, 25, 2 और कुछ अन्य दीवारें हैं। इस प्लान में ए०एस०आई० द्वारा 50 तथाकथित पिलर बेसेज दिखाए गए हैं। चूँकि मैंने इन सभी तथाकथित पिलर बेसेज को स्थल पर नहीं देखा था, कुछ को ही देखा था, इसलिए इनको सत्यापित करना मेरे लिए सम्भव नहीं है।” (पेज 460)

“After looking at figure 3A (page 48A) of the volume, (the witness) stated that the plan of structures has been shown in this figure.

This figure shows the plan of structures, walls, alleged pillar bases etc. of different periods found during excavation. To the best of my ability, I can see that 28 walls have been shown in this plan. According to this plan, remains of 28 walls have been found in the excavation. I have already stated that during the excavation I had gone there on only three days and all these walls had not been excavated by that time and only few walls had been excavated. At time of my inspection, the walls clearly visible were wall nos. 5, 16, 17, 6, 7, 8, 9, 10, 11, 3, 25, 2 and few other walls. The ASI has shown 50 alleged pillar bases in this plan. Since I had not seen all these alleged pillar bases on the spot and had seen only few, as such it is not possible for me to verify them.” (E.T.C.)

“यह सही है कि डे-टू-डे रजिस्टर (पेज 255) तारीख 13.6.2003 में ग्लेज्ड वेयर की डिटेल लिखी हुई हैं और पेज 256 पर श्री ज़फ़रयाब जीलानी के दस्तखत हैं।” (पेज 514)

“It is true that the details of glazed ware are mentioned in the day-to-day register dated 13.06.2003 (page 255) and

page 256 bears the signature of Mr. Zafaryab Jilani.”(E.T.C.)

“यह कहना सही है कि सल्तनत काल से पहले भी भारत में ग्लेज्ड वेयर व ग्लेज्ड टाइल्स बनती रही हैं, परन्तु बहुत कम मात्रा में है और सल्तनत व मुगलकाल की ग्लेज्ड वेयर व टाइल्स भिन्न प्रकार के हैं।” (पेज 526)

“It is true that glazed ware & glazed tiles were being made in India even prior to the Sultanate period, but they were very less in number and different from the glazed ware & tiles of the Sultanate and Mughal period.” (E.T.C.)

“प्लेट नं०-59 और 60 में जो अर्द्धगोलाकार स्टक्चर बना है, वह बाबरी मस्जिद के मेन स्टक्चर से थोड़ी दूरी पर है। इन प्लेट्स में ब्रिक वाल भी दिखाई दे रही हैं। ए०एस०आई० की रिपोर्ट ने इन दोनों चीजों को एक ही काल यानी पीरियड - 5 में रखा है। मैं ए०एस०आई० द्वारा दिए गए पीरियड का प्रतिवाद नहीं कर पा रहा हूँ, क्योंकि मैंने इससे सम्बन्धित साक्ष्य नहीं देखा है।इन प्लेटों को देखने से ऐसा विदित होता है कि विवादित स्थल पर सक्सेसिव कंस्ट्रक्शनल एक्टिविटी रही होगी, यदि इनकी तिथियाँ ठीक हों। इन तस्वीरों को देखने से यह भी स्पष्ट है कि ब्रिक वाल “इन सी टू” यानी अपने मूल स्थान पर है।” (पेज 535)

“The semi-circular structure in plate nos. 59 & 60, is a bit after the main structure of Babri mosque. Brick wall is also visible in these plates. Both of them have been marked in the same period-5, in the ASI report. I am unable to dispute the period given by ASI, because I have not seen the evidence related to it. ... From perusal of these plates it appears that successive constructional activity must have existed at the disputed site, if their dates are correct. From perusal of these photographs, it is also clear that the brick wall is in-situ i.e. at its original

place.”(E.T.C.)

(b) **PW 24, D. Mandal:**

“यह सही है कि उत्खनन के समय स्थिर फोटोग्राफी तथा वीडियोग्राफी दोनों ही होती रही है। खुदाई के समय विवादित स्थल पर जो आर्टिफैक्ट जहाँ पर मिला उसके सम्बन्ध में ड्राफ्टमैन उसकी स्थिति यानि वह किस स्थान पर कितने एंगिल तथा कितनी गहराई पर है, यह बनाता रहा है। ड्राफ्टमैन खुदाई होने वाले स्थान का सर्वेक्षण करके यह निर्धारण करता है कि कहाँ पर खुदाई होगी तथा कहाँ-कहाँ पर कितने साईज की टेंच बनेगी तथा उस पर नम्बर डालेगा। वर्तमान मामले में भी इसी प्रकार कार्यवाही हुई, परन्तु कहाँ और कितनी टेंच कितने साईज की बनेगी यह ड्राफ्टमैन ने नहीं तय किया, बल्कि खुदाई करने वाले आर्कियोलॉजिस्ट जो टीम का लीडर था उसने तय किया था।” (पेज 157)

*"It is true that both still-photography and videography were carried out at time of excavation. **The drafts-man had been maintaining the location i.e. the place, angle and depth of the place where artefact was found during excavation at the disputed site.** The drafts-man surveys the site to be excavated and determines the place to be excavated, the place & size of the trenches to be dug up and numbers them. In the present matter also, similar action was taken but the drafts-man did not determine the place, number and size of the trenches to be dug up and instead it was decided by the archaeologist carrying out the excavation, who was also the team leader."*(E.T.C.)

“खुदाई के पहले खुदाई स्थल के ऊपर की सतह की फोटोग्राफी भी की जाती है।” (पेज 157)

"Prior to excavation, photography is also done of the upper surface of the excavation site." (E.T.C.)

“मेरे अपने रुकने के दौरान मैं नहीं समझता कि पुरातत्ववेत्ताओं ने किसी पिलर आदि का निर्माण किया हो। मेरे सामने ऐसा कुछ नहीं हुआ कि उक्त पुरातत्ववेत्ताओं ने छिपाकर या ज़बरदस्ती कुछ बनाया हो। खुदाई के दौरान मैंने यह देखा था कि उत्खनन के दौरान मिली सामग्रियों को अलग-अलग किया जाता था।” (पेज 161)

"I do not think that during my stay, the archaeologists had built any pillar etc. In my presence, nothing took place such as the said archaeologists building something secretly or forcibly. During the excavation, I had seen that the articles found in excavation were separated." (E.T.C.)

“यह कहना सही है कि 9 मीटर बाईं 9 मीटर का एक कंकरीट फर्श का निर्माण जे-5, जे-6, जी-5, जी-6 के नीचे मिला था। उसी फर्श का एक्सटेंशन जी-7 ट्रेंच में मिला था।” (पेज 161)

"It is true that a concrete floor construction of 9 metre x 9 metre size was found beneath J-5, J-6, G-5, G-6. The extension of that very floor was found in Trench G-7."
(E.T.C.)

“मैंने ए0एस0आई0 रिपोर्ट का अध्ययन स्टेटीग्राफी की दृष्टि से गहन अध्ययन किया है और स्टेटीग्राफी किसी भी उत्खनन का बैक बोन होता है।” (पेज 186)

"I have carefully studied the A.S.I. Report from the angle of stratigraphy. Stratigraphy is the backbone of any excavation." (E.T.C.)

“छठी शताब्दी ईस्वी के बाद का काल पोस्ट गुप्ता पीरियड कहा जाता है। मध्य काल भारत के इतिहास के काल में 12वीं शताब्दी के अंत से व 13वीं शताब्दी के शुरुआत से माना जाता है। सल्तनत पीरियड की शुरुआत 1206 ईस्वी से मानी जाती है।” (पेज 242)

"The post 6th BC period, is called post-Gupta

period. The Medieval period of Indian History is considered to be from last of 12th century to the beginning of 13th century. The beginning of Sultanate period is considered to be 1206 AD." (E.T.C.)

“उत्खनन में पीरीयडाईजेशन के दो तरीके हैं, पहला स्तरीकरण दूसरा प्राप्त अवशेष का स्तरीकरण से पारस्परिक संबंध। मैं ऐसा समझता हूँ कि यह दोनों विधियों पीरीयडाईजेशन का आधार भी हैं और विधि भी हैं। पुरातत्व में डायनेस्टी के आधार पर भी काल निर्धारण होता है यदि प्रासंगिक अवशेष प्राप्त हुए हों। यह कहना सही है कि पुरातत्व में पीरीयडाईजेशन के लिए तीन तरीके हैं पहला लेयर वाइज़, दूसरा डायनेस्टी वाइज़, तीसरा सेन्चुरी वाइज़। यह कहना सही है कि सेन्चुरी वाइज़ पीरीयडाईजेशन पुरातत्व में मान्यता प्राप्त व वैज्ञानिक विधि है। मैं एक पुरातत्ववेत्ता के रूप में इस बात से सहमत हूँ कि सेन्चुरीवाइज़ पीरीयडाईजेशन के संबंध में एक चैप्टर रखा है। इस चैप्टर का मैंने अध्ययन किया है। ए०एस०आई० रिपोर्ट में तीनों विधियों अर्थात् लेयर वाइज़, सेन्चुरी वाइज़ तथा डायनेस्टीवाइज़ पीरीयड, के आधार पर पीरीयडाईजेशन किया है। ऐसा नहीं है कि ए०एस०आई० ने काल गणना में इन तीनों विधियों का उल्लेख अलग-अलग किया हो।” (पेज 269-270)

"There are two methods of periodization in excavation. The first is stratification, the second is the mutual relation of the remains found with the stratification. I am of the view that both these methods form basis of periodization as also the methods. In archaeology, period determination is also made on basis of dynasties, if relevant remains are found. It is correct to say that there are three methods of periodization in archaeology. The first is layer-wise, second is dynasty-wise and third is century-wise. It is correct to say that century-wise periodization is a recognised and scientific method of archaeology. As an archaeologist, I agree that there is a

chapter related to century-wise periodization. I have studied this chapter. Periodization has been done in the A.S.I. Report on basis of all the three methods i.e. layer-wise, century-wise and dynasty-wise period. It is not that in period determination, the A.S.I. has mentioned all the three methods separately." (E.T.C.)

“लेयर, डायनेस्टी तथा सेंचुरी विधियों को पुरातत्व की दृष्टि से दो भागों में विभाजित किया जा सकता है। पहला रिलेटिव डेटिंग मैथड दूसरा एबसोल्यूट डेटिंग मैथड।” (पेज 271)

"From archaeological point of view the layer, dynasty and century methods can be divided in two parts. The first being relative dating method and the other being absolute dating method." (E.T.C.)

“एब्सोल्यूट डेटिंग के अन्तर्गत कार्बन डेटिंग तथा अन्य विधियों आती हैं। कार्बन डेटिंग पीरियडाईज़ेशन का एक वैज्ञानिक तरीका है। सामान्यतः कार्बन डेटिंग से जो तिथि आती है, उसको सही मानते हैं।”

(पेज 271–272)

"Carbon dating and other methods fall under absolute dating. Carbon dating is a scientific method of periodization. Usually the date determined by Carbon dating, is considered correct." (E.T.C.)

“रिलेटिव डेटिंग तथा एब्सोल्यूट डेटिंग में मैं तुलनात्मक रूप से एब्सोल्यूट डेटिंग अधिक प्रमाणित मानूँगा। कार्बन डेटिंग के आधार पर जो काल निर्धारण किया जाता है, वही प्रमाणित है। यह कहना सही है।” (पेज 272)

"Comparatively I would consider absolute dating to be more authentic between relative dating and absolute dating. It is correct to say that the period determined on basis of Carbon dating is authentic." (E.T.C.)

“प्रश्नगत उत्खनन में ए०एस०आई० ने डे-टू-डे रजिस्टर,

साइटनोट बुक तथा एंटीक्यूटी रजिस्टर-तीनों को मेन्टेन किया था। डे-टू-डे रजिस्टर में उत्खनन के दौरान प्रतिदिन किये गये कार्य का विवरण तथा उत्खनन के दौरान प्राप्त सामग्रियों का ब्यौरा प्रथम दृष्टया अंकित किया जाता था। एंटीक्यूटी रजिस्टर में एंटीक्यूटी प्रथम दृष्टया जैसी लगती है, उसका विवरण नोट किया जाता है। साइट नोट बुक टेंचवाइज मेन्टेन की जाती है।" (पेज 284)

"In the excavation in question, the A.S.I. had maintained all three-Day-to-day Register, Site Notebook and Antiquity Register. The details of work done on each day of excavation and the prima facie description of articles found during excavation, were entered in the Day-to-day Register. The details of antiquities, as they appeared prima facie, were entered in the Antiquity Register. The Site Notebook was maintained trench-wise." (E.T.C.)

“मैंने अपनी मुख्य परीक्षा के शपथ पत्र में ए0एस0आई0 द्वारा अनुरक्षित डे-टू-डे रजिस्टर को भी आधार माना है। मैंने साइट नोटबुक तथा एंटीक्यूटी रजिस्टर, जो उत्खनन के आवश्यक रिकार्ड हैं, को देखने की आवश्यकता नहीं समझी, क्योंकि ए0एस0आई0 की रिपोर्ट तथा डे-टू-डे रजिस्टर में अध्ययन के लिए पर्याप्त सामग्री उपलब्ध हो गई थी।”

(पेज 285)

"In the affidavit of my examination-in-chief, I have also taken the Day-to-day Register maintained by A.S.I. as a basis. I did not deem it necessary to peruse the Site Notebook and Antiquity Register, which are essential records of excavation, because sufficient material was available for study from the A.S.I. Report and Day-to-day Register." (E.T.C.)

“मैं जे-3 टेंच में किसी भी लेयर का अंदर जाकर निरीक्षण नहीं कर पाया, केवल ऊपर से ही देखकर आबजरवेशन किया था। मैंने जे-4 और जे-5 टेंच का भी निरीक्षण किया था। यह सही है कि जे-3, जे-4 व जे-5 के बराबर पूरब की ओर ईंटों का फर्श मिला था

जो खुदाई वाली जगह पर ऊपरी सतह से करीब सवा मीटर नीचे था। मैंने इन चौकोर ईंटों का अध्ययन नहीं किया। इसी सतह पर जे-1, जे-2 व के-1, के-2 टेंचेज जो यात्रियों के गैंगवे के उत्तर में हैं, के नीचे उसी गहराई पर ठीक उसी तरह के ईंटों का फर्श मिला था। अब मुझे यह याद नहीं है कि जे-3 टेंच में खुदाई नेचुरल स्वायल तक हुई थी अथवा नहीं। (पेज 160)

"I was not able to go inside and inspect any layer of Trench J-3, and had carried out observation from outside. I had inspected Trenches J-4 and J-5 as well. It is true that a brick floor was found towards east in front of J-3, J-4 and J-5, which was about 1¼ metre below the upper surface of the excavation site. I did not study these square bricks. A similar brick floor was found at the same depth below Trenches J-1, J-2 & K-1, K-2, which are in north of traveler's gangway. I do not recollect as of now whether the excavation in Trench J-3 had been carried out upto the natural soil or not." (E.T.C.)

“विवादित स्थल के उत्तरी भाग में एक मैसिव वाल पाई गई थी, जो उत्तर-दक्षिण दिशा में थी। उस वाल की लम्बाई शायद 50 मीटर है तथा उसकी चौड़ाई मुझे ठीक से याद नहीं है, लेकिन यह दीवार काफी चौड़ी थी तथा लगभग 1.60 मीटर के लगभग चौड़ाई में थी। इस मैसिव वाल के नीचे एक और दीवार पाई गई थी, जो उत्तर-दक्षिण में थी।” (पेज 194)

"A massive wall was found in the northern part of the disputed site, which was in the north-south direction. The length of that wall was probably 50 metres and I do not properly remember its breadth. However, this wall was very thick, and was about 1.60 metres in thickness. Another wall was found under this massive wall, which was in north-south." (E.T.C.)

“ए०एस०आई० की रिपोर्ट तथा स्वयं के स्थल निरीक्षण के आधार पर मैं इस निष्कर्ष पर पहुँचा हूँ कि विवादित स्थल पर कुषाण काल में तथा गुप्त काल में बड़े पैमाने पर स्टक्चरल ऐक्टिविटी हुई है।” (पेज 274)

"On basis of the A.S.I. Report and my own spot inspection, I have arrived at the conclusion that large scale structural activities were carried out at the disputed site during the Kushana period and Gupta period."(E.T.C.)

“विवादित स्थल पर जो स्टक्चर पाये गये हैं, उनका विवरण ए०एस०आई० ने अपने रिपोर्ट वॉल्यूम के फ़ीगर 3 और 3ए में दिया है। विवादित स्थल पर पाये गये जिन स्टक्चरर्स का उल्लेख फ़ीगर 3 तथा 3ए में किया गया है, वे विवादित स्थल पर हैं, इससे मैं सहमत हूँ। ए०एस०आई० ने अपनी रिपोर्ट में 4 फ़्लोर्स का उल्लेख किया है, जिससे मैं सहमत हूँ।” (पेज 275)

"The details of structures found at the disputed site, have been given by the A.S.I. in Figure 3 & 3A of its report volume. I agree that the structures found at the disputed site and mentioned in Figure 3 & 3A, are at the disputed site. The A.S.I. has mentioned four floors in its report, with which I agree." (E.T.C.)

“ए०एस०आई० की रिपोर्ट वॉल्यूम 1 के पृष्ठ 27 –ए पर दिये गये चार्ट में दर्शायी गयी ट्रेंच जी-7 के लेयर नं० 3 व 4 का काल अरली मिडीवल सल्तनत सही दर्शाया गया है। मैं इससे सहमत हूँ।” (पेज 170)

"The period of Layer Nos. 3 & 4 of Trench G-7 shown in the chart at page 27A of A.S.I. Report volume-1, has been correctly shown as early medieval Sultanate. I agree with it." (E.T.C.)

“जी-5 ट्रेंच में लेयर 5 व 6 का काल भी अरली

मिडिवल सल्तनत सही दिया गया है। यह कहना सही होगा कि जी-7 की लेयर 3 व 4 तथा जे-5 ट्रेंच की लेयर 5 व 6 की समकालीन थी। जे-5, जी-7 के फ्लोर नं० 4 व 3 क्रमशः एक ही सतह पर हैं।”

(पेज 170-171)

"The period of Layer 5 & 6 of Trench G-5 has also been given correctly as early medieval Sultanate. It would be correct to say that Layers 3 & 4 of G-7 and Layers 5 & 6 of Trench J-5, were contemporary. The Floor Nos. 4 & 3 of J-5, J-7 were of the same level." (E.T.C.)

“ए०एस० आई० की रिपोर्ट वाल्यूम -1 फिगर -1 पृष्ठ -13ए एक कंटूर मैप है। मैं इससे सहमत हूँ।” (पेज 176)

"Figure-1 at page 13A of Volume-1 of A.S.I. Report, is a contour map. I agree with the same." (E.T.C.)

“मेरे विचार में यह सर्कुलर श्राइन, गुप्तकाल का होगा।” (पेज 177)

"In my view, this circular shrine would be of the Gupta period." (E.T.C.)

“गवाह ने ए०एस०आई० रिपोर्ट वाल्यूम -2 की प्लेट -15 को देखकर कहा कि इसमें पाँच विभिन्न स्ट्रक्चरल फ़ेज़ दिखाई दे रहे हैं। यह कहना सही है कि प्लेट -15 के नीचे रामचबूतरे का पूर्वी दृश्य दिखाई पड़ना लिखा है।” (पेज 187)

" After looking at Plate-15 of A.S.I. Report Volume-2, the witness stated that five different structural phases appear in it. It is correct to say that visibility of eastern view of Ramchabuttra, is written below Plate-15." (E.T.C.)

“यह कहना ठीक है कि ऊपरी सतह से बेस की सतह तक कई लेबिल विद्यमान थे। प्लेट 15 में जैसा कि दिखाई पड़ रहा है, ऊपरी सतह को छोड़कर चार विभिन्न लेविल्स हैं। यह कहना भी सही है कि हर सतह में सुर्खी लाइम का मार्टर है और कैंलक्रीट के ब्लाक भरे हैं। यह कहना सही नहीं है कि सेकेण्ड लेविल में एक चौकोर पत्थर का टुकड़ा दिखाई दे रहा है। प्लेट नं०-15 में ऊपर से नीचे दूसरी सतह पर ग्राउण्ड लेविल

पर एक चौकोर सफ़ेद छोटा सा प्लेटफ़ॉर्म दिखाई दे रहा है, जो मुख्य रूप से चूने से निर्मित है। इसकी मोटाई तक़रीबन 4-5 इंच होगी। मुझे यह ज्ञान नहीं है कि इस चौकोर जगह का इस्तेमाल यज्ञशाला में वेदी के रूप में किया जाता था। इस सम्बन्ध में मैं यह कहना चाहूँगा कि इस जगह का कोई पुरातात्विक प्रमाण यज्ञ की वेदी होने का नहीं मिला है। मैं न तो यज्ञ का मतलब जानता हूँ और न ही वेदी का।" (पेज 187)

"It is correct to say that many levels existed from the upper surface to the surface of the base. As appearing in Plate-15, there are four different levels besides the upper surface. It is also correct to say that each layer has lime-surkhi mortar and are full of calcrete blocks. It is not correct to say that a square stone piece is visible in the second level. From top to bottom in Plate No.15, a small square shaped platform, made-up mainly of lime, is visible in the ground level of second layer. Its thickness would be about 4-5 inches. I have no knowledge that this square place was used as 'Vedi' of 'Yagyashala' (altar). In this behalf I would like to say that no archaeological evidence has been found about this place being the 'Vedi' of 'Yagya' (altar). I neither know the meaning of 'Yagya' nor of 'Vedi'." (E.T.C.)

“मैं 10 जून, 2003 से 15 जून 2003 तक उत्खनन स्थल पर रहा था। उस समय ज्यादातर उत्खनन कार्य समाप्त होने की अवस्था में था। उस समय तक ज्यादातर महत्वपूर्ण स्क्वचर एक्सपोज़ हो चुका था और ज्यादातर सेक्शन्स भी उत्घाटित हो चुके थे। मेरे उत्खनन स्थल पर रहने के दौरान स्क्वचर्स ही एक्सपोज़ हुए थे, कोई चल पुरावशेष मेरे उपस्थित रहने के दौरान वहां पर प्राप्त नहीं हुए थे।” (पेज 198)

"I remained at the excavation site from 10th June, 2003 to 15th June, 2003. At that time, most of the excavation work was in conclusion stage. By that time most

of the important structures had been exposed and most of the sections had been explored. Only structures had been exposed during my stay at the excavation site, and no movable archaeological remain had been found over there during my stay." (E.T.C.)

"बीरबल साहनी इन्स्टीट्यूट, कार्बन डेटिंग की एक प्रमाणिक संस्था है। ए०एस०आई० ने अपनी रिपोर्ट में एन.बी०पी०डब्लू० का काल जो पीरियड 1 के रूप में छठी शताब्दी बी०सी० से तीसरी शताब्दी बी०सी० दिखाया है, उससे मैं सहमत हूँ।" (पेज 272)

"Birbal Sahni Institute is a recognised institution of Carbon-Dating. I agree with the period of NBPW given by A.S.I. in its report as Period-1 from 6th BC to 3rd BC."

(E.T.C.)

"ए०एस०आई० की रिपोर्ट में पृष्ठ 39 पर पीरियड 3 के रूप में कुषाण लेविल की अवधि पहली से तीसरी शताब्दी ए०डी० निर्धारित की गयी है, जिससे मैं सहमत हूँ। इसी के नीचे पीरियड 4 के रूप में गुप्ता लेविल का उल्लेख है तथा इसका काल चौथी से छठी ए०डी० निर्धारित किया गया है जिससे मैं सहमत हूँ।" (पेज 273)

"At page-39 of the A.S.I. Report, the period of Kushana level has been determined from first to third century AD as Period-3, with which I agree. The Gupta level is mentioned under it as Period-4 and its period has been determined from 4th to 6th AD, with which I agree."

(E.T.C.)

"ए०एस०आई० द्वारा दिये गये इन आइसोमेट्रिक व्यू में दर्शित पिलरवेसेज का सत्यापन मैंने विवादित स्थल से नहीं किया है।" (पेज 275)

"The pillar bases visible in these isometric view given by A.S.I., have not been verified by me from the disputed site." (E.T.C.)

"फ्लोर 1 डिस्पुटेड स्टक्चर की फ्लोर है। फ्लोर 2,

फ्लोर 1 से पूर्ववर्ती फ्लोर है, जिसमें रिपोर्ट में सभी पिलरबेसेज व स्टक्चर्स को दिखाया गया है।वाल के संबंध में मेरी असहमति नहीं है परन्तु फ्लोर 3 से अटैच जो पिलर दिखाये गये हैं, उससे मैं सहमत नहीं हूँ। फ्लोर 4, 3 की पूर्ववर्ती फ्लोर है, जिससे अटैचड वाल तथा स्टक्चर से मैं सहमत हूँ।" (पेज 275-276)

"Floor-1, is the floor of the disputed structure. The Floor-2 lies to east of Floor-1, in which all the pillar bases and structures have been shown in the report. My disagreement is not regarding the wall, but I do not agree with the pillars shown attached to Floor-3. Floor-4 lies to east of three, and I agree with the wall and structures attached to it." (E.T.C.)

“मैंने वाल नं० 16, 18ए, 18बी, 18 सी, 18डी के बारे में अध्ययन किया है। वाल सं० 18ए, 18बी, 18सी, 18 डी, वाल सं० 16 के समकालिक नहीं हैं। वाल सं० 16 को मैं सल्तनत काल की वाल मानता हूँ। इसका प्रारम्भ 13वीं ए०डी० से हुआ था।” (पेज 278)

"I have studied about Wall Nos. 16, 18A, 18B, 18C and 18D. Wall Nos. 18A, 18B, 18C and 18D are not contemporary of Wall No. 16. I consider the Wall No. 16 to be of the Sultanate period. It began in 13 AD." (E.T.C.)

“वाल सं० 5 का अस्तित्व मेकशिफ्ट स्टक्चर के उत्तर में थोड़ा और इसी प्रकार मेकशिफ्ट स्टक्चर के दक्षिण में है।” (पेज 279)

"The existence of Wall No. 5 is partly in north of the makeshift structure and similarly in south of the makeshift structure." (E.T.C.)

“वाल सं० 17 में एक डेकोरेटेड स्टोन लगा है। यह डेकोरेटेड स्टोन फ्लोरलमोटिफ है। इसका प्रयोग हिन्दू मंदिरों में होता है। वाल सं० 17 गुप्त काल की है। यह चौथी शताब्दी से छठी शताब्दी ए०डी० के बीच की अवधि की है।” (पेज 282)

"A decorated stone has been fixed in Wall No. 17. This decorated stone is floral motif. It is used in Hindu temples. Wall No. 17 is of the Gupta period. It is of the period between 4th to 6th AD." (E.T.C.)

“प्लेट सं० 22 में डिसप्यूटेड स्टक्चर की पश्चिम दिशा की आउटर वाल नज़र आ रही है। यह मौके का इन-सी-टू फ़ोटोग्राफ है। मैं यह नहीं बता सकता कि इसी वाल को वाल सं० 5 के रूप में जाना जाता है अथवा नहीं। इस दीवार में एक अलंकृत पत्थर का टुकड़ा नज़र आ रहा है, जिसमें मकर की आकृति बनी है। यह भी हिन्दू मंदिरों में प्रयुक्त होता है।” (पेज 283)

"The outer wall in western side of the disputed structure, is visible in Plate No. 22. It is in-situ photograph of the spot. I cannot tell whether this wall is known as Wall No. 5 or not. A piece of decorated stone is visible in this wall, which has a crocodile figurine over it. It is also used in Hindu temples." (E.T.C.)

“ए०एस०आई० की रिपोर्ट में लेयर -5ए का जो उल्लेख किया गया है, उससे मैं सहमत हूँ। यह नान - इस्लामिक स्टक्चर है। स्तूप में परनाला संभवतः नहीं होता है। फिर कहा कि मुझे इस बात की जानकारी नहीं है कि स्तूप में परनाला होता है कि नहीं।” (पेज 294-295)

"I agree with the layer 5A mentioned in A.S.I. Report. It is non-Islamic structure. A 'Parnala' (gargoyle) is possibly not there in Stupa. Then stated that I do not have knowledge of the fact whether there is a 'Parnala' (gargoyle) or not in a Stupa." (E.T.C.)

“यह कहना सही है कि मुगल काल के पहले भी विवादित स्थल पर निर्माण कार्य की गतिविधियां हुई थीं।” (पेज 254)

"It is correct to say that construction activities had been carried out at the disputed site even before the Mughal period." (E.T.C.)

‘‘एक पुरातत्वविद् के रूप में विवादित ढांचे के नीचे उत्खनन में स्ट्रक्चर के मिलने की बात मैं स्वीकार करता हूँ।’’ (पेज 266)

"As an archaeologist, I admit discovery of structures beneath the disputed structure during excavation." (E.T.C.)

(c) **P.W. 29, Dr. Jaya Menon :**

" I agree with N.B.P.W., Mughal and late post Mughal periods" (Page 71)

"The contour map given at page 13-A is correct. To make a contour map Theodolite, tapes, and measuring staff are required and now a days a total station is used."

(Page 71)

" After going through page no.1 of this site note book the witness stated that the location mentioned there, is correct." (Page 92)

"..the caption for plate 62, is correct." (Page 111)

"Plate no. 36,37,38 of the ASI report were shown to the witness who stated that all these photographs are INSITU photographs of pillar bases. These pillar bases were found in the north of dispute site. In my opinion these are the pillar bases." (Page 203)

"Floor 2, floor 3 and 4 were associated with the pre Babri Masjid structure. These floors may be dated from the end of the 12th century to the 16th century AD. According to me walls and structures prior to 12th century were found in excavation but no floor prior to 12th century was found at the site. According to me the oldest wall found in excavation was of first to third century AD and the oldest structure found would be

structure 5 which may be of 6th century AD." (Page 205-206)

"I agree with the observation of Prof. H.C. Bharadwaj at page 73 of his article that gypsum mortar/plaster was used in the Harappan period. I agree with the observation in the latter part of this para that gypsum was used as mortar in the Kalibangan period also. . . . Lime mortar was definitely used from Neolithic period." (Page 224)

3800. PW 30 Dr. R.C.Thakran (student of Prf. Surj Bhan PW 16) also deposed as an Archaeologist. He admits that he is a field archaeologist and does not possess enough knowledge of architecture. He, however, admits of having no proof which may justify any doubt on the integrity of ASI people and said:

मुझे आर्किटेक्चर का बहुत ज्ञान तो नहीं है, लेकिन पुरातत्व व इतिहास का विद्यार्थी होने के नाते थोड़ी – बहुत जानकारी तो है।"
(पेज 41)

"I do not have a good knowledge of architecture but I do have some knowledge of it as a student of archaeology and history." (E.T.C.)

'मैंने कभी कोई उत्खनन स्वयं किसी फील्ड में नहीं किया। मुख्य तौर पर आर्कियोलॉजी को फील्ड आर्कियोलॉजी व टेबिल आर्कियोलॉजी में विभाजित किया जा सकता है। यह कहना गलत होगा कि मैं फील्ड आर्कियोलॉजी नहीं हूँ। बल्कि केवल टेबिल आर्कियोलॉजिस्ट ही हूँ। ... मैं अपने आप को फील्ड आर्कियोलॉजिस्ट मानता हूँ, क्योंकि मैं फील्ड आर्कियोलॉजिस्ट का काम करता रहा हूँ।" (पेज 136)

"I myself never did any excavation in any field. Archaeology can be divided mainly into field archaeology and table archaeology. It will be wrong to say that I am

not a field archaeologist; rather, I am just a table archaeologist. I consider myself to be a field archaeologist because I have been doing the job of field archaeologist.”(E.T.C.)

“मेरे इस विषय का ज्ञान स्थापत्य कला एवं वास्तु कला से संबंधित है और अन्य बातों से भी जुड़ा हुआ है। अन्य बातों में ग्लेज्ड-वेयर, ग्लेज्ड टाइल्स तथा संबंधित मैटीरियल में शामिल हैं। मैंने इन सभी बातों का अध्ययन किया है। मेरा यह ज्ञान विभिन्न लेखों के अंशों मात्र पर ही आधारित नहीं है, बल्कि स्वयं मेरे अनुभव पर भी आधारित है। यह कहना सम्पूर्ण रूप से ठीक नहीं होगा कि मैं भवनों में प्रयुक्त उपरोक्त संदर्भित मैटीरियल एवं स्टाइल्स का विशेषज्ञ नहीं हूँ। मैं सम्पूर्ण ज्ञान के शब्द का प्रतिशत तो नहीं बता सकता, परन्तु मैं यह कह सकता हूँ कि मुझे विशेष ज्ञान उपरोक्त का है, जो मेरे अध्ययन के आधार पर आधारित है। मैंने इस विषय पर कोई खास पुस्तक नहीं पढ़ी है। मैंने किसी विज्ञान-प्रयोगशाला में भी इसका अध्ययन अर्जित नहीं किया है, परन्तु मुझे अनुभव एवं अध्ययन के आधार पर यह ज्ञान है।” (पेज 167)

“My knowledge of this subject is related to sculpture and architecture and also to other things. Other things include glazed ware, glazed tiles and concerned materials. I have made study on all these things. This knowledge of mine is based not only on some portions of several articles but also on my own experience. It would not be fully proper to say that I am not a specialist in the above referred materials and styles applied to buildings. I cannot quantify the word 'complete knowledge' in percentage but can say that I have special knowledge of the afore-said facts which is based on my study. I have not studied any particular book on this subject. I have not gained knowledge of it in any science laboratory too but I have this knowledge on the basis of

my experience and study.” (E.T.C.)

“मैं एक पुरातत्व विशेषज्ञ के रूप में यहाँ पर उपस्थित हुआ हूँ।” (पेज 187)

“I am present here as an expert in archaeology”.
(E.T.C.)

“मैं पुरातत्व शास्त्र की सभी विधाओं के विशेषज्ञ के रूप में बयान दे रहा हूँ।” (पेज 151)

“I am giving statement as a specialist in all branches of archaeology.” (E.T.C.)

“भारतीय, इतिहास को प्रो० सूरजभान पढ़ाते थे। प्रो० सूरजभान विगत दस वर्षों से रिटायर हो चुके हैं प्रो० सूरजभान वहीं हैं, जिनका बयान इस न्यायालय में हो चुका है।” (पेज 31)

“Prof. Suraj Bhan taught Indian history. 10 years has passed since Prof. Suraj retired. Prof. Suraj Bhan is the same person that has given his statement in this court.”(E.T.C.)

“मेरी जानकारी में ऐसा कोई इस स्थिति में प्रमाण नहीं है, जिससे यह साबित हो सके कि इनकी एंटीग्विटी (सत्यनिष्ठा) पर संदेह किया गया हो।” (पेज 52)

“To my knowledge, there is no proof capable of establishing that their integrity has been doubted.”(E.T.C.)

3801. PW 30 also makes it clear that it was not possible for anyone to take anything inside the area due to the security reasons.

“उत्खनन स्थल पर कोई बैग अथवा अन्य किसी प्रकार का “लगेज” लेकर नहीं जाने पाते थे। इसे ले जाना संभव ही नहीं था। केवल मात्र हम लोग अपना पेन, पेंसिल व राईटिंग पैड लेकर वहाँ पर जाते थे।” (पेज 50)

“None was allowed to go to the excavation side along

with any bag or any other type of luggage. It was not possible to take it along. Only we went there taking along our pens, pencils and writing pads.” (E.T.C.)

3802. The parts of his statement which show agreement on some aspects of ASI report are:

“मेरे अनुसार ए0एस0आई0 रिपोर्ट वाल्यूम – 2 (प्लेट्स) में जो चबूतरा दिखाया गया है, वह स्टक्चर है। यह चबूतरा फर्श पर टिका हुआ है। फर्श वैसे ही छोड़ दी गई है। फर्श तक सेक्शन भी कायम है। इस स्तर तक इसमें कोई गलती नहीं है।” (पेज 120)

“The Chabuttra shown in plates of the ASI report volume-2, is, in my opinion, are structure. This chabuttra is based on the floor. The floor has been left as it is. The section also exists up to the floor. Up to this level it has no flaw.”(E.T.C.)

“इस आइसोमैट्रिक व्यू में जो एक से चार तक फ्लोर दिखाये गये हैं या उनकी जो गणना की गयी है, वह सही है। लेकिन जिस तरह से चारो फ्लोर को यहाँ पर प्रदर्शित करने की कोशिश की गयी है, वह उचित नहीं है।” (पेज 127)

“Showing of floors from one to four in the isometric view or whatsoever calculation of them has been done, is true. But the way in which an endeavour has been made to show the four floors here, is not proper.” (E.T.C.)

“मुझे ए0एस0आई0 की रिपोर्ट वाल्यूम – 1 के पृष्ठ – 70ए पर फीगर – 17 के नीचे वाले चित्र में दाहिनी ओर एक पतली सी नाली दिखाई पड़ रही है। यह कहना सही है कि इस फीगर – 17 के अनुसार यह नाली उत्तर की ओर जा रही है। यह भी कहना सही है कि उत्तर की ओर जाती हुई ऐसी नाली बौद्ध स्तूप में नहीं होती है। ...यह कहना सही है कि ए0एस0आई0 की रिपोर्ट वाल्यूम-2 के प्लेट संख्या-60 में बाईं ओर एक तीर का निशान बना हुआ है। इस प्लेट में एक पतली सी नाली नज़र आ रही है।” (पेज 150)

"A slender drain is visible to me on the north side in the

picture below figure 17 on page 70-A of the ASI report volume-1. It is correct to say that as per this figure 70, this drain is going northwards. It is also correct to say that the Buddhist stupas do not have such north-bound drains. .It is true to say that there is an arrow mark on the left side in plate no.60 of the ASI report, volume-2. A narrow drain is seen in this plate.” (E.T.C.)

“विवादित स्थल पर स्ट्रक्चरल एक्जीविटीज की शुरुआत मेरी जानकारी के अनुसार कुषाण काल से प्रारम्भ होती है और उसके बाद के कालों में किसी न किसी रूप में चलती रही है। निश्चित तौर पर विवादित स्थल पर जो “विवादित भवन” था उसे “वर्जिन लैंड” पर नहीं बनाया गया था। जैसा कि मैंने पहले ऊपर बताया है विवादित भवन जिस स्थान पर बनाया गया उस भवन के स्थल पर निर्माण गतिविधियाँ। कुषाण काल से प्रारम्भ होकर पाश्चात् के कालों में किसी न किसी रूप में चलती रही हैं। पाश्चात् काल से मेरा तात्पग्र गुप्त काल, अर्ली मिडिवल पीरियड, सल्तनत और मुगल पीरियड व बाद के कालों से है। मैं यह नहीं कह सकता हूँ कि विवादित स्थल पर जो निर्माण या भवन रहे होंगे उन्हें तोड़ा भी गया होगा, क्योंकि खुदाई के दौरान किसी भी पूर्व कालीन स्ट्रक्चर के विध्वंस के कोई अवशेष नहीं मिले हैं।” (पेज 218)

“In my knowledge, the structural activities at the disputed site started from the Kushana period and continued in the subsequent periods in one form or the other. Certainly the disputed site, which was the ‘disputed structure’, had not been built over ‘virgin land’. As already stated by me, the site where the disputed structure had been built, had seen structural activities beginning from the Kushana period and continuing periods, in one form or the other. By subsequent periods, I mean the Gupta period, early medieval period, Sultanate

period, Mughal period and subsequent periods. I cannot tell that the constructions or buildings existing at the disputed site, must have been demolished because during the excavation, no remains were found of demolition of any earlier period structure.”(E.T.C)

“विवादित स्थल पर मैंने फर्श देखी है। मैंने विवादित स्थल पर उत्खनन के दौरान चार फ्लोर देखे थे। चौथी फ्लोर का पीरियड मेरे अनुसार मिडिवियल पीरियड है। फ्लोर थ्री भी मिडिवियल पीरियड की है। इसी प्रकार फ्लोर –टू भी मिडिवियल पीरियड की थी, परन्तु फ्लोर – वन इस पीरियड की नहीं थी। फ्लोर वन आधुनिक काल की है। चौथी फ्लोर में फर्श को बनाने के लिए लाइम तथा एक खास तरह की बढ़िया मिट्टी और ईंटों के पाउडर का प्रयोग हुआ है, जिसको लाइम –सुखी कहा जाता है।” (पेज 263)

“I have seen floors at the disputed site. During the excavation, I had seen four floors at the disputed site. According to me, the fourth floor is of the medieval period. The floor-three was also of the medieval period. Similarly, the floor-two was also of the medieval period, but the floor-one was not contemporary. The floor-one is of modern period. Lime and a special type of good quality earth and brick powder, called lime- surkhi, has been used in laying down the fourth floor.” (E.T.C)

“साक्षी का ध्यान ए0एस0आई0 रिपोर्ट वाल्यूम-2 के प्लेट संख्या 49, 50 तथा 55 पर आकृष्ट किया गया, साक्षी ने इन प्लेट्स को देखकर बताया कि प्लेट संख्या 50 व 55 में फ्लोर संख्या 1 व फ्लोर संख्या-2 दिखाई दे रहे हैं। इन प्लेट्स को देखने से यह स्पष्ट होता है कि यहाँ पर सक्सेसिव स्टक्चरल एक्टिविटीज रही।” (पेज 264)

“The attention of witness was drawn towards plate nos.49, 50 & 55 of the A.S.I report vol.-2. After looking at these plates, the witness stated that floor no.1 & floor no.2 are

visible in plate nos.50 & 55. By looking at these plates, it transpires that successive structural activities existed over here.” (E.T.C)

प्र०—क्या फ्लोर संख्या -2 व 3 समकालीन फ्लोर है?

उ०—दोनों फ्लोर्स हू-ब-हू समकालीन नहीं है।

उ० उससे मेरा तात्पर्य यह है कि दोनों फ्लोर्स एक समय की बनी हुई नहीं हो सकती हैं। फ्लोर संख्या-2 व 4 की भी यही स्थिति है।” (पेज 265)

“*Question:- Are floor nos.2 & 3, contemporary floors?*

Answer:- Both the floors are not exactly contemporary.

Answer:- By it, I mean that both the floors cannot be contemporary. The position of floor nos.2 & 4, is also the same.” (E.T.C)

“मैंने विवादित स्थल पर फ्लोर्स की जो स्थिति देखी थी, उसके अनुसार फ्लोर -2 व -3 को विवादित भवन से जोड़ा जा सकता है और उसी तरह से फ्लोर न०-1 को भी विवादित भवन के स्टक्चर के साथ जोड़ा जा सकता है। फ्लोर नं०-1, 2 तथा 3 भी समकालीन नहीं थे। स्वयं कहा कि समकालीन होने का यहां पर विशेष अर्थ है, इसका तात्पर्य यह है कि जिस समय फ्लोर नं०-3 बनाया गया होगा, उसी समय फ्लोर नं०-2 भी बनाया गया हो। फ्लोर नं०-3, प्रीवियस स्टक्चर का फ्लोर है। यह उस स्टक्चर का फ्लोर है, जो विवादित भवन के नीचे मिला। फ्लोर नं० 1 व 2 विवादित भवन के ही फ्लोर हैं। मुझे ऐसा नहीं लगता है कि फ्लोर नं०-2 किसी प्रीवियस स्टक्चर का फ्लोर है।” (पेज 267-268)

“*According to the situation of floors seen by me at the disputed site, the floor nos.2 & 3 can be linked to the disputed structure and similarly the floor no.1 can also be linked to the structure of the disputed building. Floor nos.- 1, 2 & 3 are not contemporary. The floor nos.2 & 3 were also not contemporary. Stated on his own that contemporary has a special meaning over here. It implies that when the floor-3 was laid, at the same time floor-2*

must also have been laid. Floor no.-3 is a floor of previous structure. It is the floor of that structure, which was discovered beneath the disputed structure. Floor nos.1 & 2 are floors of the disputed structure. It does not appear to me that the floor no.2, was the floor of any previous structure.” (E.T.C)

“ए0एस0आई0 रिपोर्ट वाल्यूम-2 की प्लेट संख्या-26 को दिखाये जाने पर साक्षी ने बताया कि इस प्लेट में भी दो पत्थर के डेकोरेटेड पीसेज का प्रयाग हुआ है। प्लेट संख्या-25 तथा प्लेट सं0 26 में जिन डेकोरेटेड पीसेज के बारे में मैंने अभी बताया है, को रियूज किया गया है। यह पत्थर निश्चित तौर पर किसी न किसी स्टक्चर के कहीं न कहीं हिस्सा रहे होंगे और उस स्टक्चर के खण्डित होने के बाद ही इनका दोबारा प्रयोग इस नींव में किया गया होगा। इन दोनों प्लेटों को देखने से यह स्पष्ट है कि इसमें ब्रिक तथा पत्थरों दोनों का प्रयोग किया जाना लग रहा है।” (पेज 302)

“On plate no. 26 of ASI Report, Volume-2 being shown the witness stated – Two decorated stone pieces are used in this plate as well. The decorated pieces in plate nos. 25 and 26 – about which I have just stated – have been reused. These stones must have been somewhere parts of some structure or the other, and only after that structure having been demolished, they may have been reused in this foundation. At the sight of these two plates it is clear that there is use of both bricks and stones in them.”(E.T.C.)

“साक्षी का ध्यान ए0एस0आई0 रिपोर्ट वाल्यूम 2 के प्लेट सं0-59 व 60 की ओर आकृष्ट किया तथा निम्न प्रश्न पूछा:-

प्रश्न- क्या प्लेट सं0 -59 तथा 60 में सरकुलर स्टक्चर के किनारे जो दीवार नज़र आ रही है, वह उसी पीरियड की है जिस पीरियड का सरकुलर स्टक्चर है?

उत्तर- यह संभव है कि सरकुलर स्टक्चर तथा दीवार एक ही पीरियड की हो। सरकुलर स्टक्चर तथा दीवार गुप्त पीरियड की होना

संभव है।

प्रश्न— क्या उपरोक्त प्लेटों को देखकर आप बता सकते हैं कि इस स्थान पर गुप्त पीरीयड के बाद भी स्ट्रक्चरल एक्टिविटीज रही है?’

उत्तर— इन प्लेटों को देख कर इस बारे में बता पाना सम्भव नहीं है कि उस स्थान पर बाद में स्ट्रक्चरल एक्टिविटीज हुई या नहीं।” (पेज 329)

“The attention of the witness was drawn to plate nos. 59 and 60 of ASI report, volume-2 and the following question was asked:-

Question:- Is the wall, visible on the edge of the circular structure seen in Plate nos. 59 and 60, is of the same period as that of the circular structure?

*Answer:- The circular structure and the wall may be of the same period. **The circular structure and the wall are possibly of the Gupta period.***

Question:- Can you, by looking at the aforesaid plates, tell whether structural activities have been witnessed at this place even after the Gupta period?

Answer:- By looking at these plates it not possible to tell whether structural activities were later seen or not at that place.” (E.T.C.)

“पृष्ठ 37 ए पर जो कल्चरल डिपोजिट को दिखाने के लिए तालिका बनायी गयी है तथा जिसका शीर्षक “टेन्टेटिव पीरीयडार्इजेशन आफ़ दि डिस्पुटेड साईट ऐट अयोध्या” है, को देखकर यह कहा जा सकता है कि टेंच नं०-7 में गुप्ता व पोस्ट गुप्ता पीरीयड के डिपोजिट्स हैं जबकि टेंच नं० जे० 3 में इन दोनों ही कालों के अवशेष नहीं दिखाये गये हैं। इसके साथ-साथ इस फ़ीगर को देखकर यह भी कहा जा सकता है कि टेंच नं० जी - 7 में लेयर संख्या 9,10,11,12 कुषाण काल के डिपोजिट को दर्शाती है और इसी तरह से टेंच नं० जे० 3 में लेयर सं०-7 व 8 कुषाण काल के कल्चरल डिपोजिट को दर्शाती है।” (पेज 330-331)

“Looking at the table on page 37A, showing cultural

deposits and having the caption 'Tentative Periodization of the Disputed Site at Ayodhya', it can be said that there are deposits of the Gupta and the post-Gupta period in Trench no. 7; whereas remains of both of these periods are not shown in Trench no. J-3. Besides by looking at this figure it can also be said that Layer nos. 9, 10, 11 & 12 of Trench no. G-7 show the deposits of the Kushana period; and in this very manner, Layer nos. 7 & 8 of Trench no. J-3 show cultural deposits of the Kushana period." (E.T.C.)

“उत्खनित स्थल पर यदि उपरोक्त कालों की वस्तुओं के बारे में पूछा जा रहा है तो उस संबंध में मैं केवल यही कह सकता हूँ कि जिन-जिन ट्रेन्चेज में कुषाण, गुप्ता, पोस्ट गुप्ता व राजपूत कालों के कल्चरल डिपोजिट्स सिलसिलेवार उपस्थित हैं, वहाँ पर इन कालों की पाटरी तो अवश्य मिली है।” (पेज 331)

“If I am asked about the things of the aforesaid periods present on the excavation site, I can only say that potteries of the Kushana, Gupta, post-Gupta and Rajput periods have certainly been discovered in the Trenches where cultural deposits of the said periods are serially present.”(E.T.C.)

“यह स्पष्ट हो जाता है कि 12वीं शताब्दी के पहले भी इस स्थल पर मानव बस्तियों के अवशेष उपलब्ध हैं।

ज़ाहिर है कि अगर सरकुलर स्टक्चर और उसके आस-पास के अन्य स्टक्चरल अवशेष गुप्त काल से संबंधित हैं, तो 12वीं शताब्दी से पूर्व यहाँ पर स्टक्चरल एक्वीविटीज के होने की पुष्टि करते हैं।” (पेज 331)

“It gets clear that remains of human settlements, even prior to the 12th century, are there on the site.

It is clear that if the remains of the circular structure

and other structures adjoining it, are related to the Gupta period, that establishes the presence of structural activities there prior to 12th century.” (E.T.C.)

“इस बात की पूरी सम्भावना है कि फ़ाउण्डेशन के ऊपर जो ईंटों की दीवार है, उसको आगे चल करके फ़ाउण्डेशन के रूप में भी प्रयोग किया हो।

प्र०— आपने यह कहा कि ऐसा हो सकता है कि ईंटों वाली दीवार का प्रयोग फ़ाउण्डेशन में किया गया हो, तो यह स्टक्चर की दीवार नहीं हो सकती है। क्या आप इस बात से सहमत हैं?

उ०— यहां पर यह सम्भव है कि पत्थरों के फ़ाउण्डेशन के ऊपर जो ईंटों की दीवार है, वह पहले स्टक्चर का हिस्सा रही हो।” (पेज 335)

“There is every possibility that the brick wall above the foundation, may also have been used as the foundation afterwards.

Question:- You stated that the brick wall might have been used as the foundation; then it cannot be the wall of the structure. Do you agree on this point?

Answer:- Here it is possible that the brick wall above the stone foundation may have earlier been the part of the structure.” (E.T.C.)

“मेरे अनुसार इस फ़ीगर 1 में जो मेजरमेंट दिखाया गया है, वह ठीक है। . . . मेरी जानकारी के मुताबिक उत्खनन के दौरान जी०पी०आर० में दिखाई गई कुछ एनामिलीज की पुष्टि हुई।” (पेज 344)

“The measurement shown in figure no. 1 is, in my opinion, correct. ... As per my knowledge, the presence of some anomalies in the GPR got confirmed in course of the excavation.” (E.T.C.)

“फ़्लोर नं० 3 व फ़्लोर नं० 4 से जुड़ी हुई दीवारें विवादित भवन के समय से पूर्व की थीं। . . . मेरे विचार से फ़ीगर -23 में विवादित स्थल की जो स्थिति दिखायी गयी है, वह सही है।” (पेज 359)

“The walls connected with Floor No. 3 and Floor No. 4 were prior to the time of the disputed structure. In my opinion, the position in which the disputed structure is shown in Figure 23 is correct.” (E.T.C.)

3803. PW 31, **Dr. Ashok Dutta** has assailed the ASI report only in respect to pillar bases by means of his affidavit dated 20.1.2006. However, while agreeing that underneath the disputed structure there exists earlier structure, he said in para 19 and 20 of the affidavit that the periphery region of the mound was inhabited by Islamic cultured people and the site was continuously occupied by Islamic cultured people right from the time of Sultanat period and the structure associated with this level belong to Islamic culture. Regarding the affidavit, he says on page 67:

“I have gone through the report submitted by ASI, and on the basis of my personal observation I filed my affidavit in examination in chief in the court. The affidavit filed by me is my observation report.” (Page 67)

3804. The following aspects in the proceeding and report of ASI has not been disputed by him:

“Human animal figurines in terracotta and stones were found from disputed site also. ... It is correct to say that terracotta figurine were recovered during excavation and have been shown in the report of the ASI. ” (Page 75)

“The floors which have been shown in this figure are correct as four floors were found from excavation and the floors as shown in figure 23-A may be similar as this figure is the replica of floors found in the excavation” (Page 90)

“On the basis of these floors an archaeologist can draw

*conclusion that **these floor represent structure of different periods.** It is very difficult to infer on the basis of these floors that it was an open space.” (Page 92)*

“The floors which have been shown in this figure are correct as four floors were found from excavation and the floors as shown in figure 23-A may be similar as this figure is the replica of floors found in the excavation” (Page 96)

“I agree with the opinion of ASI that there lie a number of structure in the forms of walls and floors beneath the disputed structure. Wall number 1-15 may be related to the disputed structure. Walls number 16 onwards are walls belonging to a period before the construction of disputed structure. (Page 249)

“Figure 3B ... shown to the witness. The witness stated that it appears from this figure that it has used 3 different colours for structures belonging to 3 different periods 6,7 and 8. It is correct to say that in this figure walls and structures found during excavation are shown. I can identify wall no.16 and 17 in this figure 3B. Wall number 16 is a bit larger than wall no. 17. Wall no. 16 appears to be about 50 meters in length, where as wall no. 17 is approximately 35-40 meters if the measurement as done by ASI is correct. I have seen wall no. 17 on spot but I have not taken its measurement. The measurement shown by ASI in this figure 3B appears to be correct because it will be presumed that their measurement given by ASI is correct.” (Page 249)

“The structures which were found beneath the structure, belong to earlier than 1528 AD.” (Page 253)

3805. In cross examination, PW 31 has concurred with the periodization of ASI except that of period VI :

*“I agree with the suggestion that the stratigraphy is it self a scientific mode of periodization. I agree with the periodization given by the ASI of period 1 from 6th to 3rd century B.C., period 2 is from 2nd to 1st century B.C., period third is from 1st to 3rd century A.D. and period 4 from 4th to 6th century A.D. The ASI has fixed period 5 from 7th to 10th century A.D. and period 6 has been fixed by ASI from 11th-12th century and period 7 is from 12th to the beginning of the 16th century A.D. It is true that in chapter 3 the ASI has given periodization on the basis of dynasty, Stratigraphy as well as on the basis of century wise but no stratigraphical sequence has been followed by the ASI. Moreover they have used both centurywise as well as dynasty wise periodization. Volunteered that **gross mistake of periodization is in the period 6 which is shown as medieval sultanate-period starting from 11th- 12th century A.D. when they were non existent.** This shows that the Stratigraphy was not followed properly. The ASI people had not done the carbon dating of different samples found from different level to support their periodization.” (Page 254)*

3806. The parts of statement of **PW 32 Supriya Verma**, which shows agreement on some aspects of ASI report are:

"It is correct that the ASI in its report has shown it as a Ram Chabutara because a larger platform on the top of it was existing and known as Ram Chabutara. The ASI has also in its report said that this platform was a Vedi.” (Page

97)

“It is correct to say that from the findings of ASI, it is established that there was some structure beneath the floor of disputed site and I also concede that there was some structure beneath the site in dispute.” (Page 131/132)

“However, I agree that the three floors were found.” (Page 134)

*“All the three floors no. 2 to 4 are attached with wall no. 16. Wall no. 16 is the same wall which is just below the wall no. 5. Undisputedly, wall no. 5 was that of the disputed structure. **It is correct to say that below wall no. 16 is there wall no. 17.** Yes, it is correct to say that ASI has shown a circular shrine which according to me is Buddhist Stoop.” (Page 135-136)*

“It is correct to say that this wall 22 lies below the foundation of wall 16 in west-side. This goes to show that wall no. 22 is earlier to wall 16. Wall no. 25 runs in north south direction which is situated in the east of the disputed structure. Wall No. 26 is earlier to wall no. 25. Just below wall no. 26 is wall no. 27 which is running in north south direction with a slight angle. The period of wall no. 27 has been indicated by ASI as Kushan period. I also date this wall to Kushan period. Huge calcrete blocks are attached to wall no. 28. It is in trench J-3. ASI has dated it to Shunga period and I agree with this conclusion. Shunga period can be dated between 2nd B.C. and 1st B.C. century. Kushan can be dated between 1st century A.D. to 3rd century A.D. Wall no. 16, 18-A, 18-B and 18-C are more or less contemporary.” (Page 146)

“I agree with the finding of the ASI regarding existence of the structure underneath the disputed structure but I disagree with the interpretation arrived at by ASI. I do not agree with the procedure followed by ASI. I think, very categorically it is very difficult to say that some of the finds of ASI relate to Hindu religion structures because these finds could well have been a part of palaces Buddhist structure, Jain structure and Islamic structure.” (Page 147)

“As far as plans are concerned except those concerning the pillar bases I agree with the rest of the plans given in the ASI report.” (Page 151)

“It is true that ASI has given concordance of some of the trenches showing relationship of different areas of the excavations. I agree with this chart.” (Page 153)

“It is true that plate 129 of ASI report is of cobra head. Similarly, plate 130 of the report is of bull head.” (Page 162)

“Plate 133 of ASI report is of bull figurine.” (Page 162)

“These animal figurines which are shown in plates 129 to 135 were recovered during excavation by the ASI.” (Page 162)

“I agree with the ASI report in regard to the pillar bases 1 and 5 shown in plate 37 Vol II of the ASI report.” (Page 167)

“It is correct to say that the disputed structure was not constructed on the virgin land.” (Page 168)

“Yes, in the foundation of the disputed structure, a few decorated stones were used which were found during

excavation.”(Page 171)

“From walls 16 to 28, except wall 18-D are the walls underneath the disputed structure.” (Page 137)

3807. PW 24 though had disputed the several artefacts found at different level by ASI stating that they were not found therefrom, but PW 32 has contradicted on page 107 and said :

“I have no doubt about the depths of the antiquities mentioned in ASI report.”

3808. Now we start with our journey of adjudicating the objections raised against the ASI's report and findings, in the light of the evidence adduced by the parties and the arguments of learned counsels.

3809. Initially the case set up by the plaintiffs (Suit-4) was that the building in dispute was constructed at a place where neither there existed any Hindu religious structure nor the place in dispute was place of worship nor there exist any evidence to show birth of Lord Rama thereat. However, when the excavation proceedings progressed, a marked change in the approach of plaintiffs (Suit-4) became evident. Some of the Archaeologist, who also deposed later in favour of plaintiffs (Suit-4), against ASI report, tried to set up a new case that there appears to be an Islamic religious structure existing beneath the disputed building or that there existed an Islamic religious structure when the disputed building was constructed. The suggestion was that it could be either an Idgah or a Kanati Masjid wherein only one long wall on the western side was constructed with a niche. The consensus appears to be amongst the eight experts of Muslim parties, more or less accepting the existence of a structure beneath the disputed structure. The

above approach that the earlier structure was a Islamic religious structure excludes the possibility of a non religious structure at the disputed site beneath the disputed structure. It narrows down our enquiry to the question whether such structure could be an Islamic religious structure or non Islamic structure i.e. a Hindu Religious Structure.

3810. In the pleadings, specific case of the plaintiffs (Suit-4) was about non existence of any temple or building on the disputed site when the building in dispute was constructed. Subsequently, parties have not sought for any amendment in the pleadings and there is no case or suggestion even till date, in the pleadings that there could have been or there was any possibility of existence of an Islamic religious structure at the time when the disputed structure was constructed and it is after demolition of such earlier structure the subsequent one was constructed.

3811. On the contrary, besides plaintiffs (Suit 5), defendant no.13 (Suit 4) had also pleaded that there existed a temple which was demolished and thereafter the disputed structure was constructed and the structure of the earlier demolished temple can be found beneath the disputed structure. It is in this context the OPW-9 had deposed that on excavation of the disputed site these facts can be fortified.

3812. The entire process of excavation and submission of report has been completed by ASI in a record period of about six months and ten days'. It commenced its work on 12th March 2003 and submitted report on 22nd August 2003. The report is in two Volumes. First consists of text of report and Second contains various plates (photographs) of the finds, excavated site, trenches etc. The report has been submitted by Sri Hari

Manjhi and B.R. Mani with contribution from M/S Shubhra Pramanik, P.K. Trivedi, P. Venkatesan, L.S. Rao, C.B. Misra, A.R. Siddqui, T.S. Ravishankar, C.B. Patil, S.K. Sharma, M.V. Vishweshwara, G.S. Khwaja, Vishnu Kant, N.C. Prakash, D.K. Singh, Niraj Sinha, A.A. Hashmi, Bhuvan Vikrama, Sujeet Nayan, Gajanan L. Katade, Prabash Sahu, Zulfeqar Ali and S.K. Tewari.

3813. Volume I of the Report is in 10 Chapters as under:

- A. Chapter 1 - "**Introduction**" written by B.R. Mani (Page 1-12)
- B. Chapter II – "**Cuttings**" written by *B.R. Mani, C.B. Misra, C.B. Patil, A.A. Hashmi (Page 13-36)*
- C. Chapter III - "**Stratigraphy and Chronology**" written by *L.S. Rao, Bhuvan Vikrama, N.C. Prakash, Zulfeqar Ali (Page 37-47)*
- D. Chapter IV – "**Structure**" written by *B.R. Mani, D.K. Singh, Bhuvan Vikrama, Gajanan L. Katade, Prabhash Sahu, Zulfeqar Ali (Page 48-72)*
- E. Chapter V – "**Pottery**" written by *B.R. Mani, P. Venkateshan, Vishnu Kant, Prabhu Sahu (Page 73 – 120)*
- F. Chapter VI - "**Architectural Fragments**" written by *L.S. Rao, A.R. Siddiqui, Sujeet Nayan, (Page 121 – 173)*
- G. Chapter VII - "**Terracotta Figurines**" written by *P.K. Trivedi, C.B. Patil, Gajanan L. Katade (Page 174 – 203)*
- H. Chapter VIII - "**Inscriptions, Seal, Sealings & Coins**" written by *T.S. Ravishankar, G.S. Khwaja (Page 204 – 218)*
- I. Chapter IX - "**Miscellaneous Objects**" written by *Shubhra Pramanik, S.K. Sharma, Prabhash Sahu (219 –*

267)

J. Chapter X – "**Summary of Result**" (Page 268 - 272)

3814. Besides, there are five Appendices (though numbered as Appendix I, IIA IIB, III and IV) and the contents thereof in summary are as under:

<i>Appendix</i>	<i>Contents</i>	<i>Page No.</i>
<i>Appendix I</i>	<i>C14 Dating of Charcoal Samples from Ayodhya-excavation</i>	<i>273</i>
<i>Appendix IIA</i>	<i>Report on the Chemical Analysis of Floor Samples pertaining to different trenches collected from Ayodhya</i>	<i>274-277</i>
<i>Appendix IIB</i>	<i>Report on the Chemical Analysis of Floor Samples pertaining to different trenches collected from Ayodhya</i>	<i>278-285</i>
<i>Appendix III</i>	<i>On-Site Chemical Treatment and Preservation of Excavated Artefacts</i>	<i>286-290</i>
<i>Appendix IV</i>	<i>Information on the Data-Form as per direction of Special Full Bench, Lucknow of the Hon'ble High Court, Allahabad.</i>	<i>291-309</i>

3815. The complex nature of the job, time constraint, functioning constraint, continuous observance by a huge number of persons, disrupted peace and calm atmosphere of functioning in a matter which requires serious concentration, were some of the features in which this body, not habitual of, but worked. This is admitted by ASI as is evident from Chapter I, "Introduction", under the heading "Objections and Methodology" and "Constraints" which reads as under :

"Objectives and Methodology

The High Court ordered the Archaeological Survey of India to excavate the site attesting the statement of the GPR Survey that the exact nature of anomalies/objects has to be confirmed by systematic truthing such as provided by

archaeological trench. Thus excavations at the disputed site were taken up with this objective only.

The excavation at the disputed site of Ayodhya is of a very special nature though with the limited but defined objective. All precautions by the Archaeological Survey of India under the High Court's direction were taken to plan it in such a way that the work could be taken up and completed as per the directions of the High Court. In planning the excavation, it was decided to adopt the latest technique of layout of trenches where limited spaces are available and therefore in place of general practice of layout of 10x10 m. squares divided into four quadrants of 4.25x4.25 m. separated by 0.50 m. baulk all around, the change in the practice was made by fixing pegs at a distance of every 5 m in both north-south and east-west directions with cutting area of 4x4 m in leaving 0.5 m baulk all around which in contiguous trenches effectively left a space of 1.0 m in between two cuttings for the easy movement of archaeologists and labourers. One meter wide baulk was specially provided, considering the fact that due to modern fillings and debris the trench may not collapse due to earth pressure in a most sensitive area.

To avoid any confusion and for better understanding by even laymen, instead of the X, Y and Z areas of traditional layout, it was decided to put the initial reference peg A1 at the north-west corner of the site and accordingly A, B, C, D etc. letters were put to denote trenches in the west to east direction and numerals 1,2,3 4 etc. attached with them in the north to south direction. Only at later

stage to expand the excavated area in the north the Z area was included with this setup and layout of trenches. The entire area under excavation was designated as AYD-1 to differentiate it with other mounds in the nearby localities.

*Full attention was given to the report and GPR Survey drawing submitted by the Tojo-Vikas International (Pvt.) Ltd and accordingly decision was taken to start excavation at first to the north of Ram Chabutra and also to its adjoining area **where greater signals had been detected by the GPR Survey.** As the work of excavation required to be completed at a time bound programme, the archaeological documentation including drawing and photography of the structural remains, pottery and antiquities were arranged to be done simultaneously. Samples of plaster, floors, bones, charcoal, palaeobotanical remains were also collected for scientific studies and analysis. Trenches were also laid in the entire disputed area on all sides excepting the area of the makeshift structure where Ram Lala is enshrined along with its periphery at a distance of 10 feet from Ram Lala as specified by the High Court. **The excavation work was planned in phased manner in particular areas as per significant signals for anomalies pointed out by the GPR Survey.***

The entire proceedings of excavation and recording of structures and antiquities were documented by still and video cameras as per the directions of the Hon'ble High Court.

Constraints

On the directions of the Hon'ble High Court, Archaeological Survey of India has excavated ninety trenches in a limited time of five months, soon after which the excavation report is required to be submitted within fifteen days. This is an unprecedented event in the history of one hundred and forty two years of the existence of the Survey. All through the period of excavations at the disputed site favourable as well as adverse criticism has been encountered in the press and the media. In view of the very sensitive and important issue involved, Archaeological Survey of India did not react or clarify the position as per the orders of the Hon'ble Court.

Throughout the period of excavation the team had to work under close presence of advocates, parties and their nominees involved in the title suit. As per the instructions of the High Court in order to maintain transparency, all the excavated material including antiquities, objects of interests, glazed pottery and tile and bones recovered from the trenches were sealed in the presence of advocates, parties and nominees and kept on the same day of their recovery in the strong room provided by the Authorised Person (The Commissioner of Faizabad Division) to the excavation team for the specific purpose which again was locked and sealed everyday when it was opened. Thus the time available for their documentation, study, photography, drawing and chemical preservations was limited to just a few hours only and that too not in the case of material recovered from the trenches towards closing of the work for the day. The Hon'ble High Court allowed the study,

documentation and preservation of the material after opening the seals in the presence of advocates, parties or their nominees and again putting them under seal in their presence. Work was often affected and delayed due to formalities involved in securities checks and such other administrative requirements.

Working condition worsened at the onslaught of the monsoon from June onwards when the entire site was covered with multi-coloured waterproof sheets creating heat and humidity besides total darkness in a number of deep trenches. Monkeys started damaging the sheets as a result of which several layers of the sheets were spread over bamboo and wooden poles. They created further darkness. Photography was also affected due to bad light and natural colours were not easily obtained as the multi-coloured sheets reflected their colours on the surface and sections. Much difficulty was felt for the stratigraphical observations particularly for determining layers. These factors slowed the process of ongoing work. However, the Authorised Person was asked by the High Court to provide sufficient light and air in the covered area for further work. The excavation team had to lower electric lights several meters deep in the trenches where work was continuing at further deep levels. Grill barricading and poles fixed on baulks of trenches throughout the area made normal movements difficult. One team member fell down and fractured his hand and leg while others including some casual labourers received electric shocks by touching pedestal fans fixed on baulks. In spite of all such

constraints the team of the Archaeological Survey of India worked vigorously with full devotion and spirit.

In the task of synthesizing and analyzing the enormous data that excavation produced every care has been taken to avoid mistakes, however, due to voluminous data coupled with time constraint some typing errors may have inadvertently crept in the report.”

3816. It is also mentioned at page 12 of the report that initially, excavation team of ASI consisted of 14 Members but it was enlarged at later stages to a total of 53 Members including two team leaders. Since ASI in this particular case proceeded on the report of GPR survey, carried out under the orders of this Court, it had the benefit of site information to some extent which obviously made it convenient to decide the working stretch with better certainty than that of a case of unknown excavation site. This is what has been said in **Chapter II (Cuttings)**:

"The benchmark denoting 108.48 m above the Mean Sea level was fixed at the spot on the stone slab, which represents the place where the outer eastern gateway of the disputed structure once stood. The 108.0 m contour at the site clearly suggests the region, which covered the core area of structural activity (Fig.1). Though the surrounding ground level still contains the cultural deposits and debris accumulated for centuries, the contour map itself suggests that the deposits at the site are no less than 8.0 m. Radar signatures of foundation and the different levels of stratigraphy shown in the GPR Survey had already suggested that anomalies mapped are not all

contemporaneous and they appear in different stratigraphic contexts noticed between the depths of 0.5 to 5 m (Fig.2)

In view of the above indications from GPR Survey followed by the contour survey, full precautions were taken for archaeological investigations through excavations planned in such a way that most of the area of strong amplitude and ringy signals, strong dipping reflectors, discontinuous anomaly alignments and scattered anomalies could be covered in the excavation trenches which were laid out in the form of 5 x 5 m grids with 4 x 4 m of cutting line instead of larger trenches as already explained in the previous chapter. This was planned to take up excavations to be completed in accordance with the time bound programme with the intention to cover maximum GPR indications as per the directions of the High Court and also in order to simplify the layout with lesser chances of erosion of sections and easy movement on baulks.

The area covered under GPR Survey comprises 132 trenches, which were all laid out, though many of them do not contain anomalies. Trenches having no anomalies were avoided and they were taken up for excavation only when some structural alignments were found to be traced in them. Five trenches in the northern area were excavated though that area was not covered by the GPR survey but was essential for excavation for exposing the buried structural remains. In total a number of 90 trenches were partly or fully excavated.

The entire site was divided into five areas – a) the

eastern area, b) the southern area, c) the western area, d) the northern area and e) the raised platform. Excavations in all these five areas were taken up in phased manner (Fig.3) for better understanding the nature of structures and cultural deposits.

The Eastern Area

*Excavations were taken up first in the eastern area where the eastern enclosure wall alongwith remnants of a gateway was noticed below which lie floors and walls of earlier phases (Pls. 1-2). The central part of the platform, locally called **Ram Chabutra** was noticed in this area constructed in five stages. The area is presently enclosed by barricaded gangway from three sides through which the visitors move. **Seventeen trenches fully or partly**, twelve within the above area and five outside the gangway within outer barricade towards east were taken up for excavation in **J,K and L series**. The main features exposed in this area include fourteen extant courses of reused brickbats and calcrete stone blocks in the enclosure wall with a part of 2.12 m in the middle of the wall suggesting the entrance doorway which was topped by marble slabs and the floor levels consisting of lime and cement floors by marble dedicatory slabs of the second half of the twentieth century. **Some elongated hearths and a furnace of late Mughal period were found (Pl.3)**. The enclosure wall was constructed over the lime floor connected with the **disputed structure** and therefore, it seems to be a later addition. The lime floor has a platform, sloping towards east and a step to descend on the floor. Below the lime floor*

*a brick paved floor having large squarish burnt bricks was encountered running further to the north beyond the outer barricade. Towards west of the brick floor another pavement attached to it divided by a brick-on-edge pattern was found which is composed of brickbats. Another lime floor has been noticed below this pavement. These floors were damaged during construction or enlargement of the Ram Chabutra which is located abutting them on the southern side. **In trench J3 excavations were conducted upto the depth of 10.85 m when natural soil was found.***

The Southern Area

*Twenty-three trenches were partly or fully excavated towards the south of the raised platform, partly covering it (Pl.4). This area covered the southern part of the disputed structure alongwith its southern enclosure wall moving towards west. Towards east the extended part of the Ram Chabutra was encountered abutting the floor of the courtyard of the disputed structure. Parts of the northern and western walls and their foundation and the foundation of the southern and eastern sides built of calcrete stone blocks of the disputed structure were exposed which were found resting directly in the west over a 1.77 m wide brick wall of earlier period, the lower part of which has decorated stone blocks and calcrete stone foundation and over 50 pillar bases arranged at regular intervals connected with the lime plastered brick wall through a floor. **The core of the wall of the disputed structure was filled with brickbats.** The pillar bases comprise some courses of brick bats in squarish or circular formations*

over which two to five calcrete stone blocks are kept, possibly below sand stone blocks as found in the northern area, though only one decorated sand stone block was found in this area. Further below the above mentioned brick wall another brick wall was noticed on the top of which decorated stone blocks were found used. **In the levels further down brick structures were noticed in trenches E8 and F8, though their full plan could not be exposed. At two points, below the pillar bases, traces of earlier pillar bases were also found in trenches F8 and F9 which were connected with the second floor below the floor with which most of the other pillar bases were connected. The brick wall mentioned above was found badly damaged on the southern side, possibly for taking out its bricks. This wall was found extending in the northern side of the raised platform. A brick shrine, circular on its outer and squarish on its inner plan with a rectangular projection for entrance in the east and a chute on its northern side was found below the levels of above mentioned walls. Due to steep slope in the area further south of the trenches, it was not possible to excavate there. The natural soil was reached in G7 at the depth of 10.84 m, which was confirmed by digging further upto the depth of 13.20 m (Pl.5).**

The Western Area

Trenches laid out towards west of the raised platform on the slope represented by B and C series of trenches fall under the western area. During 1976-77 excavation in a trench gave the chronological sequence of

*the site. The area was covered with fallen masonry blocks and stones of the disputed structure. In order to have a thorough probing to locate and study the anomalies indicated in the GPR Survey, the area was first of all cleared of the accumulated fallen material, the huge chunks of which weighing several tones were lifted with the help of a crane and stalked in the closeby area with out breaking them as emotions of many people are attached with them (Pl. 6). After cleaning the area (Pl.7), **excavations in parts of nineteen trenches were conducted mainly to verify the anomalies mentioned in the GPR Survey.** At some places remains of a brick wall having nearly fifty courses were seen, particularly in the northern side. **In the rest of the trenches mostly accumulated debris was found resting over earlier levels or structures (Pl.8).***

The Northern Area

*The area towards norths of the raised platform has the barricade with gate and is more often used by the priests and the security forces (Pl.9) **Twenty-one trenches were fully or partly excavated in this area.** The massive brick wall located in the southern area was noticed running in north-south direction in this area and **below its level another wall was also found as seen earlier in the southern area. The top three floors and pillar bases attached with the top floor were exposed (Pl.10).** The interesting feature of the pillar bases in this area was that over the calcrete stone blocks these bases were given proper finishing by providing squarish stone blocks of sand stone encased with four upright stone pieces placed on the*

four sides for giving support to the pillar at the base in order to avoid any movement. The stone blocks project a little above the floor.

The squarish brick pavement noticed in a number of trenches in the eastern area was found extended in the northern area in northeastern part in trenches K1, ZK1 and ZL1 below the lime floor connected with the disputed structure. The eastern enclosure wall was traced in this area in K1 and was found turning towards west in ZK1. A drain of recent origin was noticed alongwith flight of steps leading to the site from the northern road, which is no longer in use at present.

The Raised Platform

After the demolition of the disputed structure, nearly 1.5 m to 2.0 m of structural debris has accumulated over central and northern part of the erstwhile structure. The makeshift structure is also located on it. The High Court allowed excavations by order dated 05 March 2003 on this raised platform with the condition that archaeologists shall not disturb any area where the idol of Shir Ram Lala is existing and approximately 10 feet around it and they shall not affect the worship of Shri Ram Lala and thus, status quo as regards His Puja and worshippers' right of Darshan shall be maintained.

Excavation partly in ten trenches on the raised platform was taken up besides part of the four trenches of southern area, which fall under the raised platform. It was feared that if the excavation in the trenches on raised platform was done, the modern brick walls enclosing the

*makeshift structure already having cracks may collapse (Pl.11) and the mound on which Shri Ram Lal is existing may also be damaged. In view of taking all the required precautions the High Court on 22 May 2003 directed the Chief Engineer, P.W.D. to remain present at the time of excavation and to ensure and make necessary arrangements so that no structure is affected. While excavations the P.W.D. provided G.I. sheets and wooden planks against the exposed sections to avoid erosion of debris and stones and packed the cavities with sand bags. **Brick structures, floors and pillar bases were found below the floors and the walls of the disputed structure on the raised platform as well.***

Confirmation of G.P.R. Survey

As ordered by the Hon'ble Allahabad High Court, Lucknow Bench, Lucknow, the Archaeological Survey of India invited the Tojo-Vikas International (Pvt.) Limited, New Delhi to undertake the G.P.R. Survey at the disputed site at Ayodhya. The final report on GPR Survey submitted on 17 Feb 2003 concluded that the 'GPR Survey reflects in general a variety of anomalies ranging from 0.5 to 5.5 meters in depth that could be associated with ancient and contemporaneous structures such as pillars, foundations walls slab flooring, extending over a large portion of the site. However, the exact nature of those anomalies has to be confirmed by systematic ground truthing, such as provided by archaeological trenching.

The report further mentions that the accuracy of depth is normally within # 5%, 10% for homogeneous

strata while X-Y accuracy could be and the measurements of Georadar are based on the returning signals by a dielectric constant change in addition to other limitations of the GPR Survey. The report also mentions that the anomalies are of different types like discrete anomaly such as pillar or wall foundation ; ringy signal indicating some kind of floor or platform structure made of concrete, bricks or stone slabs; rubbles of heterogeneous material or reworked materials from its original stratigraphy; the mounds containing the buried collapsed dwellings etc.

A word of caution was also included in the report that not all hyperbolas shaped radar anomalies correspond to pillars and wall foundation.

*Keeping in view these parameters, the Archaeological Survey of India **conducted the excavation at the disputed site at Ayodhya between 12th March 2003 to 07th August 2003 to verify the anomalies.** Spread over the disputed site, 184 anomalies indicated by the GPR Survey fell in 82 trenches. For the sake of convenience, these anomalies were numbered in the ascending order depending on their depth in each trench where they were indicated and the anomalies shown in between the baulks were also included to the nearest excavation trenches.*

*Among 184 anomalies, 39 of them were confirmed during excavation at the specified depth and location where they were shown and 74 were not found in spite of digging up to the required depth. In view of the importance of the structures found at the upper levels than the depths indicated in GPR Survey, **another 27 anomalies***

could not be located. It was not possible to verify the remaining 44 anomalies as their location restricted the probing due to either non availability of sufficient space like raised platform or the presence of gangways, barricades, pathways and trees etc. for conducting the excavation.

3817. In the trenches no. B1 to B9, C1 to C9, L1 and L2 no anomaly was found though indicated in GPR survey. Trenches no. D3, D10, E3, E5, F5, G3, G4, H3, H8, J10, K9, K11 and L11 were not excavated due to area restriction on account of various reasons namely, gangway, pathway, fencing, barricading stone post and raised platform (make shift structure). In several other trenches excavation to some extent was made, but not proceeded further due to area restriction or for the safety of make shift structures etc. despite finding one or more anomalies as indicated by GPR survey.

3818. The details of the trenches where the anomalies were found (completely or partly) as as under:

Sl No 20. Trench No. D6: The GPR Survey indicated the anomaly at a depth of 3.20 m. The trench was excavated upto a depth of 1.80 m. However, the excavation was not conducted in the area where the anomaly was shown due to the presence of barricade.

Sl No 21. Trench No. D7: The GPR Survey indicated the anomaly at a depth of 4.0 m. The trench was excavated upto a depth of 1.70 m. However, the excavation was not conducted in the area where the anomaly was shown due to

the presence of barricade.

SI No. 23. Trench No. ZE1: The GPR Survey indicated the anomalies at the depths of 0.6 and 2.0 m. The trench was excavated upto a depth of 2.55 m. The first anomaly was not found at the specified depth and location. A step like structure of stone and brick at 0.45 m that goes down to 1.90 m. was found where the second anomaly was shown.

SI No 24. Trench No.E1: The GPR Survey indicated the anomalies at the depths of 0.5 m. and 1.0 m. The first anomaly was not found at the specified depth and location. However, a wall oriented north south was found at a depth 0.95 m. where the first anomaly was shown. The second anomaly was also not found at the specified depth and location. However, a brickbat pavement was found at a depth of 1.32 m. where the second anomaly was shown.

SI No. 25. Trench No. E2: The GPR Survey indicated the anomalies at the depths of 1.50 and at 2.50 m and another anomaly in the form of an alignment at the depth of 2.50 m. The trench was excavated upto a depth of 2.70 m. The first anomaly was not found at the specified depth and location. However, a rectangular stone pillar base was found at a depth of 1.80 m where the first anomaly was shown. The second anomaly and the other anomaly of an

alignment were not found at the specified depth and location. However, a stone pavement was found at a depth of 1.60 m where the alignment was shown. In view of the importance of the exposed structure, further excavation was not conducted to the required depth where the alignment was shown.

Sl No 28. Trench No. E8: The GPR Survey indicated anomalies at the depths of 0.7 and 5.2 m. The trench was excavated upto a depth of 3.54 m. The first anomaly was not found at the specified depth and location. However, a lime surkhi floor and a wall oriented east west were found respectively at the depths at 0.80 and 2.15 m where the first anomaly was shown. An important structure was found where the second anomaly was shown. In view of the importance of the exposed structure, further excavation was not conducted to the required depth where the anomaly was shown.

Sl No 29. Trench No. E9: The GPR Survey indicated the anomaly at a depth of 1.0 m. The trench was excavated upto a depth of 1.44 m. A floor with a pillar base was found at a depth of 0.60 m where the anomaly was shown. In view of the importance of the exposed structure, further excavation was not conducted up to the required depth where the anomaly was shown.

Sl No 30. Trench No. ZF1: The GPR Survey indicated

the anomaly at a depth of 3.0 m. The trench was excavated upto a depth of 1.14 m. A lime surkhi floor was found at a depth of 0.60 m where the anomaly was shown. In view of the importance of the exposed structure, further excavation was not conducted up to the required depth where the anomaly was shown.

Sl No 31. Trench No. F2: The GPR Survey indicated the anomalies in the form of alignments at the depths of 2.3-2.5 m. A wall oriented east west was found at the depth of 1.50 m where the alignment was shown. In view of the importance of the exposed structure, further excavation was not conducted up to the required depth where the anomaly was shown.

Sl No 32. Trench No. F3: The GPR Survey indicated anomalies at the depths of 1.50, 1.80, 2.0, 2.80 and 4.30 and 4.50 m and one more anomaly in the form of an alignment at the depths of 2.7-3.9-4.1 m. The trench was excavated up to a depth of 4.60 m. An 'L' shaped wall from 0.18 m down to a depth of 2.85 m and another structure at 3.95 m were found where second and third anomalies were shown. The excavation was not conducted in the area where the remaining anomalies and alignment were shown due to area restriction on raised platform.

Sl No 33. Trench No. F4: The GPR Survey indicated

anomalies at the depths of 1.0, 1.2, 2.4 and 4.5 m. The trench was excavated up to a depth of 4.70 m. The architectural members were found from the debris where the first and second anomalies were shown. A calccrete stoner structure was found at the depth of 2.37 m where the third anomaly was shown. The fourth anomaly was not found at the specified depth and location.

Sl No 35. Trench No. F6: The GPR Survey indicated anomalies at the depths of 0.70, 1.0 and 2.70 m. The trench was excavated up to a depth of 1.70 m. A pillar base was found at the depth of 0.70 m where the first anomaly was shown. Another pillar base and a floor were found respectively at the depths of 0.55 m and 1.06 m where the second anomaly was shown. The third anomaly was not found at the specified depth and location. However, a pillar base was found at the depth of 1.60 m where the third anomaly was shown. In view of the importance of the exposed structures, further excavation was not conducted up to the required depth where the third anomaly was shown.

Sl No 36. Trench No. F8: The GPR Survey indicated anomalies at the depths of 1.5 and 2.0 m. The trench was excavated upto a depth of 2.65 m. A pillar base was found at a depth of 0.70 m where the first anomaly was shown. In view of

the importance of the exposed structure, further excavation was not conducted up to the required depth where the first anomaly was shown. The second anomaly was not found at the specified depth and location. However, a wall running east west was found at the depth of 2.65 m where the second anomaly was shown.

Sl No 37. Trench No. F9: The GPR Survey indicated anomaly at the depth of 0.5 m. The trench was excavated upto a depth of 2.18 m. A pillar base was found on a floor at a depth of 0.50 m where the anomaly was shown.

Sl No 38. Trench No. ZG1: The GPR Survey indicated three anomalies at the depths of 1.0, 1.6 and 3.0 m. The trench was excavated upto a depth of 1.75 m. A lime floor and a pillar base were found respectively at the depths of 0.48 and 0.50 m where the first and second anomalies were shown. A brickbat structure was found at a depth of 1.75 m where the third anomaly was shown. In view of the importance of the exposed structures, further excavation was not conducted up to the required depth where the anomalies were shown.

Sl No 39. Trench No. G2: The GPR Survey indicated the anomaly in the form of an alignment at the depths of 2.0-2.01 m. The trench was excavated up to a depth of 2.62 m. No such alignment was

found at the specified depth and location. However, two pillar bases on a floor were found at a depth of 2.20 m where the anomaly was shown.

Sl No 42. Trench No. G5: The GPR Survey indicated the anomalies at the depths of 2.5 and 3.5 m and another in the form of an alignment at the depths of 2-2-2.5 m. The trench was excavated up to a depth of 3.56 m. No such alignment was found at the specified depth and location. However, a pillar base and a calcrete stone block structure were found respectively at the depths of 2.05 and 2.70 m. The excavation was not conducted in the area where the remaining anomalies were shown due to area restrictions on raised platform.

Sl No 43. Trench No. G6: The GPR Survey indicated the anomaly at the depth of 0.5 m. The trench was excavated up to a depth of 1.60 m. No anomaly was found at the specified depth and location. However, successive floors were found at the depths of 0.38, .082, 1.09 and 1.60 m where the anomaly was shown.

Sl No 44. Trench No. G7: The GPR Survey indicated the anomaly at a depth of 1.5 and another anomaly in the form of alignment at a depth of 2.5 m. The trench was excavated upto a depth of 13.45 m. Neither the anomalies nor the alignment were found at the specified depths

and locations. However, a brick structure and a wall running east west were found respectively at the depths of 1.75 and 2.85 m where the anomalies were shown.

Sl No 45. Trench no. G8: The GPR Survey indicated the anomalies at the depths of 1.0, 2.0 and another anomaly in the form of an alignment at 2.2 m. The trench was excavated upto the depth of 2.37 m. A retaining wall of Ram Chabutra from surface and a pillar base underneath were found at a depth of 0.90 m where the first anomaly was shown. In view of the importance of the exposed structure, further excavation was not conducted up to the required depth where the anomaly was shown. The second anomaly was not found at the specified depth and location. The area where the third anomaly ringing signal was shown was not excavated upto the required depth because of the existing Ram Chabutara.

Sl No 46. Trench No. G9: The GPR Survey indicated three anomalies at the depth of 0.50 m each. The trench was excavated upto a depth of 1.55 m. A pillar base, and a floor were found respectively at the depths of 0.20 and 0.57 m where the first and second anomalies were shown. The third anomaly was not found at the specified depth and location. However, a brick structure was found at a depth of 1.15 m

where the third anomaly was shown.

Sl No 47. Trench No. ZH1: The GPR Survey indicated the anomalies at the depths of 1.0 and 3.0 m. the trench was excavated up to a depth of 0.80 m. A floor and a pillar base were found respectively at the depths 0.70 and 0.55 m where the anomalies were shown. In view of the importance of the exposed structure, further excavation was not conducted up to the required depth where the anomalies were shown.

Sl No 48. Trench No. H1: The GPR Survey indicated three anomalies at the depths of 0.4, 0.5 and 1.6 m. The trench was excavated upto a depth of 1.20 m. The first and second anomalies were not found at the specified locations and depths. However, two pillar bases were found respectively at the depths of 1.50 and 0.70 m where the first and the second anomalies were shown. A brickbat floor was found at a depth of 1.15 m where the third shown. A brickbat floor was found at a depth of 1.15 m where the third anomaly was shown. In view of the importance of the exposed structure, further excavation was not conducted up to the required depth, where the anomaly was shown.

Sl No 49. Trench No. H2: The GPR Survey indicated the anomaly at the depth of 2.8 m. The trench was excavated upto a depth of 0.95 m. The area

where the anomaly was shown was not excavated due to area restriction of barricade and pathway.

Sl No. 51. Trench No. H4: The GPR Survey indicated the anomaly at a depth of 2.2 m and another anomaly in the form of an alignment at 2.0 m. The trench was excavated upto a depth of 1.18 m. A lime floor was found at the depth of 1.15 m where the first anomaly was shown. In view of the importance of the exposed structure, further excavation was not conducted up to the required depth where the anomaly was shown. The excavation was not conducted in the area where the alignment was shown due to area restrictions of gangway and pathway.

Sl No 52. Trench No. H5: The GPR Survey indicated three anomalies at the depths of 1.0, 1.7, and 3.0 m and another anomaly in the form of alignment at 1.18 m. The trench was excavated upto a depth of 1.15 m. A wall oriented north south was found at a depth of 0.60 m where the first anomaly was shown. A lime surkhi floor was found at the depth of 0.85 m where the second anomaly was shown. Another lime floor was found at the depth of 1.15 m where the third anomaly was shown. A pillar base was found at a depth of 0.82 m where the alignment was shown. In view of the importance of the exposed structure, further excavation was not

conducted up to the required depth where the anomaly was shown.

Sl No 53. Trench No. H6: The GPR Survey indicated the anomalies at the depths of 0.7 and 2.0 m. The trench was excavated upto a depth of 0.80 m. No anomalies were found at the specified location and depth. However, a floor and a wall were found respectively at the depths of 0.80 and 0.58 m where the first anomaly was shown. The excavation was not conducted in the area where the second anomaly was shown due to existing Ram Chabutra.

Sl No 54. Trench No. H7: The GPR Survey indicated at the depth of 2.0 m. The trench was excavated up to a depth of 0.75 m. The excavation was not conducted in the area where the anomaly was shown due to existing Ram Chabutra.

Sl No 56. Trench No. H9: The GPR Survey indicated three anomalies at the depths of 0.5 m each. The trench was excavated upto a depth of 0.76 m. No anomalies were found at the specified locations and depths. However, a lime surkhi floor was found at a depth of 0.76 m respectively where the first two anomalies were shown. The third anomaly was not found at the specified and location.

Sl No 57. Trench No. H10: The GPR Survey indicated the anomaly at a depth of 0.5 m. The trench was excavated upto a depth of 0.66 m. No

anomaly was found at the specified location and depth. However, a floor was found at a depth of 0.60 m where the first anomaly was shown.

SI No 58. Trench No. ZJ1: The GPR Survey indicated the anomaly at a depth of 0.6 m. The trench was excavated up to a depth of 1.63 m. A brick wall oriented north south was found at a depth of 0.30 m. In view of the importance of the exposed structure, further excavation was not conducted up to the required depth where the anomaly was shown.

SI No 59. Trench No. J1: The GPR Survey indicated the anomalies at the depths of 0.50 and 1.0 m. The trench was excavated upto a depth of 1.54 m. No anomaly was found at the specified depth and location where the first anomaly was shown. A lime floor and a large brick floor were found respectively at the depths of 0.90 and 0.95 m where the second anomaly was shown.

SI No 60. Trench No. J2: The GPR Survey indicated four anomalies, two at a depth of 0.50 m each, the third at 0.70 and the last at 2.0 m. The trench was excavated up to a depth of 0.95 m. A wall was found at a depth of 0.50 to 0.95 m where the third anomaly was shown. The excavation was not conducted in the area where the remaining three anomalies were

shown due to area restrictions of gangway and pathway.

Sl No 61. Trench No. J3: The GPR Survey indicated seven anomalies, two at a depth of 0.5 m each, one at 0.6 and the remaining four at 1.0 m each. The trench was excavated up to a depth of 108.5 m. The first five anomalies were not found at the specified depth and location. However, a lime floor was found at a depth of 0.70 m where these three anomalies were shown. The fourth anomaly was not found at the specified depth and location. The excavation was not conducted in the area where the fifth anomaly was shown due to area restrictions of the presence of tree.

Sl No 62. Trench No. J4: The GPR Survey indicated six anomalies, two at the depths of 1.0 m each, 1.5, 1.8, 2.5 and 3.2 m. The trench was excavated up to a depth of 2.55 m. A brick floor was found at a depth of 0.95 m where the first and second anomalies were shown. The third anomaly was not found at the specified depth and location. However, a brickbat paving was found at a depth of 1.70 m where this anomaly was shown. A brick floor was found at a depth of 0.95 m where the fourth anomaly was shown. In view of the importance of the structure found further excavation was not conducted. The remaining two anomalies were

not found at the specified depth and location.

Sl No 63. Trench No. J5: The GPR Survey indicated the anomalies at the depths of 1.0 m and an arrow shaped alignment at the depths of 1.5-2.0-2.01 m. The trench was excavated up to a depth of 5.45 m. a large sized brick floor was found at a depth of 0.95 m where the first anomaly was shown. No such alignment was found at the specified depth and location.

Sl No 64. Trench No. J6: The GPR Survey indicated four anomalies, three at the depths of 1.5 m each the fourth at 2.0 m. The trench was excavated up to a depth of 5.45 m. The successive levels alternating with calcrete stone blocks run from surface down to a depth of.

Sl No 65. Trench No. J7: The GPR Survey indicated the anomaly at a depth of 2.0 m. The trench was excavated at a depth of 5.12 m. The successive levels alternating with calcrete stone blocks run from surface down to a depth of 7.45 m.

Sl No 66. Trench No. J8: The GPR Survey indicated six anomalies, one at a depth of 1.0, two at 1.5 m each, one more at 2.0 and the remaining two respectively at 2.2 and 2.8 m. The trench was excavated upto a depth of 5.12 m. The area where the first, second, and sixth anomalies were shown was not excavated due to the

presence of the Ram Chabutra. The successive levels alternating with calcrete stone blocks run from surface down to a depth of 7.45 m where third, fourth and fifth anomalies were shown.

Sl No 68. Trench No. K1: The GPR Survey indicated the anomalies at the depths of 0.7 and 2.2 m. The trench was excavated up to a depth of 2.45 m. A lime floor and large sized brick floor were found respectively at the depths of 0.95 and 1.0 m where the first anomaly was shown. The second anomaly was not found at the specified depth and location.

Sl No 69. Trench No. K3: The GPR Survey indicated the anomaly in the form of an alignment at the depth of 0.5 m. The trench was excavated up to a depth of 0.93 m. No such alignment was found at the specified depth, and location. A lime surkhi floor was found at a depth of 0.73 m where the anomaly was shown.

Sl No 70. Trench No. K4: The GPR Survey indicated five anomalies, at the depths of 0.7, and two at 2.0 m. each and another anomaly in the form of an alignment at the depths of 1-1.5 m. The trench was excavated up to a depth of 2.30 m. A lime surkhi floor and a large size brick floor were found respectively at the depths of 0.73 and 0.95 m where the first and third anomalies were shown. No such alignment was found at

the specified depth and location. However, a large size brick floor was found at these depths. In view of the importance of the structure found further excavation was not conducted. The remaining two anomalies were not found at the specified depth and location.

Sl No 71. Trench No. K5: The GPR Survey indicated the anomaly in the form of alignment at the depths of 1.3-1.5-1.7-2.0 m. The trench was excavated up to a depth of 1.70 m. No such alignment was found at the specified depths and locations. However, a large brick wall oriented north-south runs from surface to a depth of 0.95 m where the alignment was shown. In view of the importance of the structure found further excavation was not conducted. The second and third anomalies were not found at the specified depth and location.

Sl No 72. Trench No. K6: The GPR Survey indicated three anomalies, two at the depths of 2.0 and the third at 2.3 m and one more anomaly in the form of an alignment at the depths of 1-1.5 m. The trench was excavated up to a depth of 5.40 m. No such alignment was found at the specified depths and locations. However, a large sized brick floor was found at a depth of .95 m where this alignment was shown. In view of the importance of the structure found further

excavation was not conducted. The area where first and second anomalies were shown was not excavated due to the presence of Ram Chabutra, which runs to a depth of more than 2.0 m. The third anomaly was found at the specified depth and location. However, a wall running east-west at a depth of 3.5 m was found where this anomaly was shown.

SI No 73. Trench No. K7: The GPR Survey indicated the anomaly in the form of a floor in the western part of the trench. The trench was excavated up to a depth of 7.45 m. Successive levels alternating with calcrete stone blocks run from surface to a depth of 7.40 m where the anomaly was shown.

SI No 74. Trench No. K8: The GPR Survey indicated the anomaly in the form of a floor in the western part of a floor in the western part of the trench. The trench was excavated up to a depth of 7.45 m. Successive floors alternating with calcrete stone blocks run from surface to a depth of 7.45 m where the anomaly was shown.

SI No 79. Trench No. L3: The GPR Survey indicated four anomalies at the depths of 1.80, 2.20, 2.40 and 3.20 m in the northern portion of the trench. The trench was excavated up to a depth of 2.70 m. A pavement of brickbats was found at the depth of 2.40 m where the third anomaly was shown. The second anomaly was not found

at the specified depth and location. The excavation was not conducted in the area where the remaining two anomalies were shown due to area restrictions of gangway and barricade.

SI No 80. Trench No. L4: The GPR Survey indicated two anomalies at the depths of 1.9 and 2.4 m. The trench was excavated up to a depth of 2.65 m. A single coursed L shaped structure of the brickbats was found at the depth of 1.98 m where the first anomaly was shown. The second anomaly was not found at the specified depth and location.

SI No 81. Trench No. L7: The GPR Survey indicated two anomalies at the depths of 1.4 and 4.0 m. The trench was excavated up to a depth of 4.40 m. The first anomaly was not found at the specified depth and location. The stone platform was found at the depth of 4.40 m where the second anomaly was shown.

3819. Next comes the stratigraphy and chronology for periodization of site/trenches with respect to layers, finds, artefacts etc. ASI has divided the deposits into nine cultural periods based on the strength of combined and corroborative evidence of pottery sequence, structural remains and other datable finds etc. **Chapter III Vol.I**, of the Report deals with it, and says:

Stratigraphy and Chronology

Excavation at the disputed site of Ayodhya has

yielded a continuous cultural sequence contained in the total deposition of about 10.80 m. Although the 10.80 m thick deposit can be divided into 9 cultural periods on the strength of combined and corroborated evidences of pottery sequences, structural remains and other datable finds, several disturbances cannot be discounted. It, therefore, becomes pertinent to refer to the nature and behaviour of the mound and the processes of accumulation of deposits, before venturing into the details of the stratigraphy of the site.

Excavations have made it amply clear that the site had seen successive structural activities which began from the middle of the Kushan level at the site. The brick and stone structures that were raised in Kushan and the succeeding periods of Gupta and post-Gupta times have added heights to the mound. To build further structures upon the earlier debris the later people added a deposit of earth excavated from the periphery of the mound, which belonged to the much earlier cultural periods. This is true for the rest of the structural phases also.

Existence of different structures at the site at different levels, in different orientation and in different formations, which has been evidenced from the excavation, has resulted in the differences of layers in different pockets of the site.

The C¹⁴ determination of the charcoal samples from the early levels (Periods I to III) provide dates which start from the last centuries of the second millennium B.C., which do not conform to the evidence gleaned from stratigraphy and ceramic tradition. However, they indicate

early settlement of the site, which was not found in the two trenches sunk down to the natural soil (see Appendix-I)

Based on the act of correlating and synthesizing of various layers identified at different depths of all the excavated trenches, an account of the stratigraphy and chronology, as ascertained, is detailed below (Figs. 19, 20 and 22).

Period – I (Northern Black Polished Ware Level)

The earliest people to settle at the site used Northern Black Polished Ware (NBP ware) and other associated ware (Grey ware, Black slipped ware and Red ware) which are diagnostic ceramics of a period from sixth to third century B.C. In the limited operation areas in this level no structural activity of the period was noticed except reed impressions on burnt clay. The total accumulation of deposit of this period is about 1.00 m in trench G7 represented by layer 17 and 18 and a pit sealed by layer 18 (however, the material from this pit has been registered as those from layers 19, 20 and 21) and about 1.70 m in trench J3 represented by layers 12, 13 and 14. Besides the pottery, this level yielded broken weights, fragments of votive tanks, ear-studs, discs, hopscotches, a wheel made on disc, a broken animal figurine (all in terracotta), an iron knife (broken), glass beads, bone point etc. However, the most significant find from the level is a round bezel in greenish glass with legend 'sidhe' in high relief in Asokan Brahmi on the obverse while the reverse is plain (Rg. No. 778).

Period – II (Sunga Level)

Frequency of NBP sherds, however, decreases considerably in the upper levels of the period and finally it almost disappears from the horizon in layer 16 of G7 and layer 11 of J3, which marks the beginning of the Sunga level (circa second-first century B.C.) at the site. This level attests its presence with a deposit averaging in thickness to 1.60 m represented by layers 13, 14, 15 and 16 in trench G7 and by layers 9, 10 and 11 in trench J3. It is in this period that the site witnessed first structural activity in stone and brick, as noticed in J3. The level is represented by terracotta objects comprising human and animal figurines, bangle fragment, ball, wheel and a broken sealing with only 'sa' letter in Brahmi extant (Rg. No. 701), a saddle quern and part of a lid in stone, a glass bead, a hairpin and an engraver on bone and an ivory dice, besides the period pottery of the level.

Period – III (Kushan Level)

Pottery of the previous period continues in the deposit of Kushan level (circa first-third century A.D.) which accounts for an average total thickness of 1.50 m recorded in layers 9, 10, 11 and 12, and in layers 7 and 8 in trenches G7 and J3 respectively. Period-III is rich in pottery, typical of the period, however, in the number of antiquities the period is deficient. In trench J3 a huge kiln was noticed in the lower levels which accounted for much of Kushan deposit in this particular trench as well as for the deficiency of other artifacts. In trench G7, however, the limited area yielded animal and human figurines, bangle fragment and a portion of votive tank all

in terracotta, a hairpin in bone, a bead in glass and an antimony rod in copper. In trench J5, though the regular stratified deposit was not encountered in the operation area, the eastern section yielded a record of regular deposition and almost all the structural activity at the site. A massive brick construction, running into 22 courses above excavated surface, is noticed at the bottom of J5-J6 which belongs to this period. The Kushan period certainly gave a spurt to construction of structures of large dimensions which attest to their public status. Besides, the same trench provided evidence for a stone structure, nature of which is not very clear.

From this period onward, tradition of stone and brick constructions is very much in vogue at the site and each successive period added some structures to the site increasing the height of the mound.

Period – IV (Gupta Level)

Almost 2 m thick deposit, represented by layer 7 and 8 in G7, by layers 9 and 10 in J5-J6 and layers 7 and 8 in trenches E8 and F8, above the remains of the preceding period belong to Gupta times (circa fourth-sixth century A.D.), the presence of which is attested mostly by terracotta figurines typical of the period and of course by a copper coin (3.75 m, layer 8, G7, Rg. No. 1030) bearing image of king on the obverse and garuda standard in upper register and legend 'sri chandra(gupta)' in lower register on the reverse. The structures which appear above those of Kushan, some times using the Kushan wall itself, as in J5-J6, belong to this period. Structures of this period

have been exposed in trenches E8, F8, G7, J5, J6 and K6. It is interesting to note that the deposits that go with these structures contain earlier material as well. It appears that to raise the level plain, earth excavated from the nearby area of the mound is utilized at this level. Among the pottery too majority of wares and shapes belong to earlier periods, only a few sherds are of the period concerned.

Period – V (Post Gupta – Rajput Level)

The period is marked by the appearance of the knife-edge bowls and other types which belong to the period from seventh to tenth century A.D. In this period also structural activities were witnessed in numerous phases in trench E8 and F8. A circular subsidiary shrine belonging to the late level of this period was exposed in trench E8-F8 (Fig 24 and 24A). Among the pottery assemblage Kushan type is more frequent than the period pottery. Other finds also include earlier material like Kushan pestles and terracotta figurines of Sunga-Kushan type. The total deposit assignable to this period is about 90 cm represented by layers 5 and 6 in trench G7, by layers 7 and 8 in trenches J5-J6 and by layers 5, 5A and 6 in trenches E8-F8.

Period – VI (Medieval-Sultanete Level)

A thick floor made of brick-crush floor appears, on the circumstantial evidence, to have been attached to a wide and massive looking north-south oriented brick wall (No.17) markedly inclined to east (noticed in trenches D7 and E2-E1, F1 and ZF1) which was the major

*structural activity of the period (circa eleventh-twelfth century A.D.). Another wall in same orientation has been noticed in G2 and ZG1 at a depth of 180 cm which is sealed by layer 6A in G2. The red brick-crush floor is noticed extending in a large area of the mound covering trenches E8, F8, G7, J5 & J6 with varying thickness. At the same level, in trench G5, calcrete stone blocks have been noticed in formation which may be of large dimension. Since not many trenches have been excavated to that depth, it would be premature to speak about the nature and behaviour of the structure, however; **the structural activity appears to have lived a short life. In trench G2 from the same level (layer 6) were collected several knife-edge lipped lamps in red ware with soot/burnt marks at the lips.** Total deposit of this period, as ascertained in trench G7, is 70-74 cm belonging to layers 3, 3A and 4, layers 5 and 6 in J5-J6, layers 3 and 4 in E8-F8 and layers 5, 6 and 7 in tr. G2.*

Period – VII (Medieval Level)

Period VII is marked by structural activities in three sub-periods A, B & C which together lasted from the end of the twelfth to the beginning of the sixteenth century A.D. In sub-period-A, a massive wall (no. 16) in north-south orientation was constructed, the foundation trench of which cuts the red brick-crush floor of the previous period. A new style of construction is noticed in this period, however, in a limited area. Level of the mound was raised considerably by the material excavated from the vicinity to lay a floor of lime mixed with fine clay and brick-crush,

over which a column-based structure was built (evidence of pillar bases are available in trenches F9, F8 and G7). This floor is traced within a thin wall enclosed area with N/S wall forming the back and covering trenches ZE1 to ZH1 in the northern area to E6 and to H5-H6, which in the second phase, was extended southwards up to G10 at a slightly elevated level outside the wall.

In the sub-period B, the area enclosed by the thin wall is found earth filled and is over-laid with a brick-bat paving on top of which is laid a layer of rammed brick jelly as bedding to the 4-5 cm. thick floor of lime mixed with grit and fine brick nodules which runs over the broken/leveled wall. The finished surface is leveled at par with the southward extension of the earlier floor. Another thin wall which is erected resting over the earlier floor makes an enclosure which is slightly smaller. This floor also extended in the eastern area in trenches J4-J5-J6 and in the northern area it is found to the limits of the mound itself is found cut attached to this floor must have been some brick structure within the raised platform area as the deposit above it contains a lot of brick debris in the central part which can be witnessed in the northern section of E6 and in the western section of H4-H5. In the same period, to the east of J4-J5-J6 where the floor was bound by a flat row of bricks-on-edge, pavement of large square bricks was provided as an open court-yard to the floored complex, which extended upto the junction of trenches of K-series and L-series in the east and in the north upto ZK1 beyond which it is stopped by a lime floor. There is a circular depression specially

made by cutting the large brick pavement (Pl.67), having the diameter of 1.05 m with a rectangular projection of 0.46 x 0.32 m towards west. It is interesting to note that the circular depression comes in the centre of the pavement if the central part is calculated on the basis of extant length of wall 16 or wall 17 and longitudinal length of the alignment of pillar bases from north to south. Thus, suggesting it as a place of importance. Besides, the circular depression faces the central part of the disputed structure over which 'Ram Lalla' is enshrined. Bricks measuring 50x50x8 to 10 cm, 50x47x8 cm and 40x40x6 cm were used in the pavement as specially made floor tiles.

In sub-Period C, when the surface of the earlier floor (Floor No.) is weathered enough (as witnessed in the combined trenches H4-H5) to be replaced, debris of the brick (and stone) structures was leveled to attain height. In this deposit foundations to support pillars or columns were sunk which were overlaid with a 4-5 cm thick floor which had a grid of square sandstone bases for pillars projecting out, only a few still survive. Floor around most of the pillar bases is found broken with pillar base foundations in much disturbed condition. This floor is the most extensive on the mound, which is found spreading from the north-south wall of the sub-Period A in the west and is found broken with the mound towards north as well as south, while in the eastern part it has been damaged by the later structural activities. (Fig. 23 and 23A).

Total deposit of the period is approximately 50 to 60

cm thick which includes layers 1 and 2 in almost all the trenches except those in the eastern area where the deposit was disturbed by the construction in the later periods and in the northern area where the floor of the period VII-C remained exposed and under use till late. In the northern area layers 2 and 3 belong to this period. The three floors of this period were not found in all the trenches uniformly. At some places due to differential coverage area of the floor itself while at some other places due to destruction or decadence one of these was found missing. During excavation in different trenches they were named according to their occurrence from 1 onwards. The relative levels can be seen in the cross sections of the mound and in the schematic cross section of the mound.

Period – VIII (Mughal Level)

Structural activities of this period are limited only to the raised platform and the area immediately adjacent to it particularly in the south and the eastern area covering trenches E2 – G2 in the north to E7 – G7 in the south. This period through two successive floors, which account for total thickness of about 23 to 25 cm, not only registers the two continuous phases of the structure but also document at least two horizontal expansion of the fore-court from the simple apron flooring to terraced platform towards the eastern side.

The floor of the previous (Period VII-C) is found cut by the stone block (mostly calcrete) foundations of the disputed structure (mosque). However, the north-south wall of the Period VII-A is retained as foundation for the back

wall. Inside the foundation and in the immediate from part a layer of rammed earth is laid which is then overlaid with rammed deposit of grey coloured kankars and a thin layer of ashy deposit which contains riverine shells burnt white. The total deposit accounts for a thickness of about 20-25 cm, which acts as soling for the first floor of the Mughal period inside as well as out side of the structure to a short distance to the east forming an apron floor. The apron floor which extends out to the east for 4.45 cm is provided with an edge-wall of brick to withstand the stress of stepping. The edge wall rests on the floor of the Period VII-C.

In the next phase another floor of lime mixed with brick nodules and some grit is laid over the earlier floor after it was duly chiseled for grip. This floor extends from inside the structure out to the east. In this phase the apron wall is converted into an extended platform, which exceeds the apron by almost 4.00 m. An edge-wall is provided on north, east and south which uses chiseled calcrete stone blocks and some carved sandstone blocks as well.

An interesting feature of the layer sandwiched between the floors of this period and the last floor of the preceding period is that it contained least amount of pottery and other material, **apparently much care and effort was taken for leveling the deposits before laying the floor and sinking the foundation of the structure. No deposit, definitely contemporary to this period, exists on the mound presently.**

Period – IX (Late and Post Mughal Level)

In this period two successive floors were laid,

another platform was added to the east forming a terrace and subsequently two successive enclosure walls were erected, one around the first platform of the structure and the other encompassing the second terrace and adjoining areas to the north and south of the structure covering an area under trenches ZE1-ZK1 in the north to E8/E9-K8/K9 in the south.

*In this period to attach a terraced platform to the east of the existing one, deposits of the earlier periods were excavated and removed, in which the floor of the period VII-C was cut and destroyed from the eastern area. Slightly later, **a partition wall was added attached to the first terrace platform along with a small step in the centre.** And then was added another floor inside the structure which ran out on the now enclosed platform and abutted to the partition wall. **Some times later an enclosure wall was added to the entire complex without any foundation which rested over the existing floor, which was provided with two gates, larger one to the north and a smaller one to the east.** Sometimes around this period dead bodies were buried in the north and south of the disputed structure which have cut the top floors and which are sealed by layer 1.*

This period has not been very fortunate in preserving the representative deposits of the period in primary context, as immediately after or even during this period the site was subjected to various damaging digging activities. Whatever contemporary material is shown in the plates has been gleaned from the deposits dumped in the various large pits.

The accumulation above the floor of the period VII-C in the northern area is a very recent one and so is the deposit in the eastern area below the modern brick paving.

Finally a floor of cement was laid inside the structure which was painted over with arch-patterned blocks in bichrome. A brick paving was laid in the eastern part over which were laid inscribed (in Devanagiri script) memorial marble slabs.

After the construction of the disputed structure at the site, practically no deposition, except that of floors, was allowed to settle. Most of the deposit in the northern area is post 1992. The site, thus, has stratified cultural material only from the first seven periods, while the last two periods are only represented by structural activities.”

3820. For determining stratigraphy/periodization, ASI has given due credit to the disturbances in strata and has also explained its recording method :

“Disturbances in Strata

After the construction of the structures of Mughal period directly above the Floor of the Period VII-C, much disturbances have taken place at the site, some of which were for accommodating fresh construction while others were apparently aimless destruction to either retrieve bricks and other material or for no reason at all, which not only have disturbed the deposits but also have raised problems in understanding the site.

Huge pits have been excavated at different locations of the site, the purpose of some could be discerned while some others still remain a mystery.

Multiple pits in J5-J6 are understood as dug for the construction of the enigmatic structure at the place remembered in tradition as 'Ram Chabutra', but the successive digging of pits in the same spot has obliterated the earliest pit line that could have dated the construction of the first phase of this structure. Similarly, another huge pit was excavated in J3-J4, the purpose of which could not be discerned by the data available at hands. During excavation in trench J3, however, the same could not be identified, as the pit was larger than the operation area and the pit line was not available, which was later confirmed in trench J4, and the material, therefore, from the trench has been marked as those from layers 1 to 6 but in effect it belongs to the pit and the layers are superficial.

It becomes important to note that both the pits in trenches J3-J4 and J5-J6 respectively are excavated down to some what equal depth and filled I with similar material. It may not be surprising at all if some of the potsherd and other finds from the two pits match to the broken ends.

Another huge pit was excavated damaging lower strata down to the depth of 1.70 m in trenches G6, G7, G8, G9 and H6 (confirmed and many more) for constructing the last and extended phase of the 'Ram Chabutra'. Several smaller pits were dug into the floor of the Period VII-C, where it remained open to the surface or was covered with a superficially thin accumulated deposit. These, pits are filled back by simple earth and the purpose of them becomes difficult to explore. In the northern area the

deposition above this floor was used as a burial ground. Several graves, of course without any grave stones to indicate, were encountered during excavation. Similarly in the south, the same floor which is found repaired by overlaying it with a new one in Period IX, probably during the construction of the second terrace in the eastern area, is found to have been used for burying the dead, apparently in this period only. Pits for all these graves have been cut into the top soil and are found seal by only humus. In the northern area these graves have disturbed the floor of the Pd. VII-C.

Trench E8 and E8 have been badly damaged by pits dug in the last period and also by burrowing creatures. In trench E8 some amount of wall robbing has also been noticed in the south-western corner. There has been some digging activity in and along the baulk between trenches E8 and F8.

Another huge digging exercise is witnessed in area falling in trenches K6-L6 to K8-L8 and beyond to south, which was taken up some times in the Late/Post Mughal period with certain vengeance and resolution that propelled the diggers to cut and remove the layered structure built of lime concrete and calcrete stone blocks. In trenches K7 and K8, which fell in the centre of the pit, the material from the deposit were labeled as those of layers from 1 to 8, which fell in the centre of the pit, the material from the deposit were labeled as those of layers from 1 to 8. The pit later was confirmed, on the basis of the combined evidences gathered from tenches J5-J6, K6, K7

and K8, to have been sealed by layer 3. The material already registered as those from layers 4 to 8 is actually from the pit and has been treated in the same way. Similar is the case with the material from layers 2 to 6 in trench J3.

During the excavation several objects were encountered with though of recent origin were documented and recorded among antiquities with equal details and definitions like the camera lens from trench ZE1 and the pendants in whitish metal from D6 and D7.

Recording Method

Northern area, eastern area and the southern area being more or less in the same level plain showing marginal difference of about 10 to 15 cm, all the recordings in the excavation were made taking the surface as the zero level in the areas where the floor of the disputed structure were not found. While in the raised platform area all depths were recorded from the floor of the disputed area.”

3821. Criticising this periodisation, Plaintiffs (Suit-4) in its objection dated 08.10.2003 in para 8, has said:

"8. INADEQUACIES OF THE STRATIGRAPHY :-

8.1. *That an essential requirement in an excavation report is a chapter that describes, one after the other, the main strata or levels found in the excavation, their nature (soil texture, colour, etc.) and contents. For example in H.D. Sankalia and S.B. Deo, Report on the Excavations at Nasik and Jorwe, Poona: Deccan College, 1951, Chapter Two, entitled "Strata and Structures" contains on pp. 9-19 a description of all the strata in the different excavated areas*

of the site. Earth colours, textures, the presence of charcoal or ash, the slope of the strata, their depth, etc. are described. So also, in M.K. Dhavalikar et al., Excavations at Inamgagaon, Pune: Deccan College, 1988, Chapter 7 on "Cuttings and Stratigraphy" describes the 16 layers of the site (pp. 121-125). Even though Inamgaon was occupied only in the chalcolithic period and is not a multi-period site like Ayodhya, there is information on each of the 16 layers of the mound in this chapter. Veerapuram is a site on the Krishna river in Andhra Pradesh, with neolithic, megalithic (iron age), early historic, and early medieval (AD 300-400) levels. For this site too, the excavators have given a description of each of the 15 strata. See T.V.G. Sastri, M. Kasturi Bai, and J.V. Prasada Rao, Veerapuram: A type Site for Cultural Study in the Krishna Valley, Hyderabad: Birla Archaeological and Cultural Research Institute, 1984, pp. 15-19. But there is no such section, leave alone a chapter, in the Ayodya report. There are serious consequences of this lacuna in basic excavation and recording procedure. Moreover, the descriptions in Chapters II (Cuttings), III (Stratigraphy and Cuttings) and IV (Structures) very rarely allude to the drawn sections presented in the report while Sections present, in a sense, an "X-ray" of the history of a mound. It is on the basis of sections that the sequence and history of a mound is constructed.

8.2. *That it may also be pointed out that, the descriptions given in the report are not always matched by the sections. The reverse is also true. The text does not state the periods*

to which the following layers belong:

(i) Trench J3: layer 6 with the inscribed stone (Figure 22):

(ii) Trenches ZE1-ZF1: Layers 4 to 6 (Section Facing South, West- East (K-L); and

(iii) Trench E7: Layers 3 to 6 (Section Facing South, West- East (E-F).

8.3. That the text mentions (p.40, pp. 68-69) a red brick crush floor of Period VI, attached to Wall 17, and states (p.40) that this floor can be traced in Trenches E8 and F8, G7, J5 and J6 and ZF 1. It is seen in the east section of G1. As regards trench G7, we see this red floor in Photograph No. V, and we find a floor marked "Floor 4" in the Section Facing South, West-East (E-F). But as regards E8, the Section Facing South, West-East (C-D) marks (or numbers) Floors "1" and "2" only: which, the text indicates, belong to later periods, layers 3 and 4, below "Floor 2", are assigned to Period VI on p. 41. As for J5 and J6, the Section Facing South, West East (E-F) indicates, "Floor 2" below layer 4, at a lower level, a very thick layer or flooring of brickbats.

The same problem is faced as regards ZF1: the Section Facing South, West-East (K-L), does not mark or number or floors in the layers 1 to 6. Layers 4 to 6, are not assigned to any of the periods of the sequence. ZF 1, was found to have been dug down 1 m against the north section, in which some broken bricks can be seen, but these are not the same as the red brick-crush floor. Thus the numbering of floors and other details are not according to the

stratigraphy and the report is full of confusion.

8.4. *That chapters, II, III, and IV mention the actual layer numbers, in specific trenches, assigned to Periods I to VI. For instance, to Period VI, which lies below the "massive structure", belong the following (pp. 40-41).*

layers 5, 6, 7 in Trench G2;

layers 3, 3A, 4 in Trench G7;

layers 5, 6 in Trench J5 and J6; and

layers 3, 4 in Trench E8 and F8.

However, the text fails to mention which particular layers, in these and other trenches, pertain to Period VII (pp. 41-43), which very stratum is claimed to represent the alleged massive pillared hall. We could assume that in the published sections either one or two layers above those listed for Period VI would pertain to the so called "massive structure". Also, on page 42 is given the confusing information that the period is represented by

"... layers 1 and 2 in almost all the trenches except those in the eastern area where the deposit was disturbed ... and in the northern area where the floor of the period VII-C remained exposed and under use till late. In the northern areas layers 2 and 3 belong to this period. The three floors of this period were not found in all the trenches uniformly."

We can only assume that in the southern area it is layers 1 and 2 (with Floors "2" and "3" as marked on the Section Facing South, West-East (E-F) that represent this allegedly significant period, and, by default, that noting but the mosque floor lies over it. Significantly, and as stated

above, we are not told the periods to which layers 3, 4, 5 and 6 of Trench E7 are assigned.

If G2 whose layers 5, 6 and 7 belong to Period VI, is counted as one of the "northern" trenches and layers 2 and 3 belong to Period VII as the paragraph quoted above indicates, to which period can we assign its layer 4? If it is counted as one of the "southern" trenches (where, the para quoted above says, layers 1 and 2 belong to Period VII, to which period do layers 4 and 3 belong? With no section drawing of G2 available, we are none the wiser. In the Schematic Cross Section of the Disputed Mound and the Tentative Periodization of the Disputed Site, in fact, no layer below layer 3 is mentioned in the relevant column.

Thus we see the consequences of the serious inadequacy of the report, mentioned above. Nowhere does the report tell us the content / colour / texture of the northern layers 2 and 3, or the southern layers 1 and 2. No evidence is cited to show that layers 1 and 2 in the south of the mound are contemporary with layers 2 and 3 in the north of the mound. The paragraph on P. 42 of the report, quoted above, remains without substance.

8.5. That below "Floor 1", obviously belonging to the mosque, we expect to see, in the sections and plans of the various trenches, a sequence of 3 floors, presumably from "Floor 2" downwards to a "Floor 4" of Period VII with a Floor 5 belonging to Period VI. But nowhere is there any section showing Floors numbered "4" (which we expect, from the text, to be the lowest floor of the alleged "massive structure" of Period VII) or "5" (which we would expect to

be of the Period VI below), and no section shown a sequence of floors numbered "1" to "5".

On p. 42 the text mentions the most extensive floor of the mound, assigned to Phase C of Period VII, but fails to state what number has been assigned to it in the relevant trenches.

In Photograph 24 of Trench E7, we see a floor marked "Floor 3" at the bottom of the trench, uniformly touching the remnant plaster on the east face of the western wall, within the South Chamber of the mosque. The acceptable inference would be that this "Floor 3", about 1 m below surface, belonging to the so called "massive structure", is actually in functional relationship with the brick-course levels of the north-south wall on the west.

Below Floor 3, which is very approximately 1 m below surface in various trenches (as seen in several sections), a floor is marked "4" in the Section Facing South, West-East (E-F), as also in Trench G7 (see also Photograph 5). This floor 4, however, is shown as lying between layers 4 and 3A in the section (between layers 3 and 4 in the photograph). These layers 3 and 4, the text tells us (p.41), belong to the earlier Period VI. Thus "Floor 4" in this section cannot belong to Period VII or the "massive structure". Moreover, this floor is quite different from the floors that lay above it in the west section of G7, as evident in Photograph # 5. Thus it would be "Floor 3" that belonged to Period VII, which means that in this trench only two floors, 3 and 2, may possibly be assigned to that Period.

In Photograph # 53, "Floor 4" is mentioned in the caption as the "first" floor associated with the north-south wall. It is shown at the base of the excavation. The trench is without number in both photograph and caption. The floor at the base of the trench lies several (30-40?) centimeters below what is marked "Floor 1" on the section. Moreover, the section labels above this floor mark only layers 3 and 2, with "Floor 1" between these layers.

The only other mention of "Floor 4" is in the hypothetical isometric reconstruction of the mosque and 'temple' in Figure 23A. This is only a suggested reconstruction.

True, it is said (pp. 42-43) that the numbering of the floors of Period VII differs from trench to trench. Yet the question still remains as to which section in the report shows phases A to C of Period VII and their three floors, whatever the numbers assigned to them. As pointed out earlier, the report nowhere states the nature and content of the layers distinguished as VIIA, VIIB and VIIC.

In stratigraphic terms, then, the characteristics and content of the 3 phases of "Period" VII as given in the text of the report, are thrown in doubt by lacunae and inconsistencies. Lacunae include not only an absence of 3 sequential floors in the sections of the relevant layers, but also the absence of information as to the content of the strata below those assigned to Period VII in Trench E7, one of the more important on the mound as it contains an undisputed part of the mosque, the South Chamber.

8.6. *That a simple stratigraphic principle is that no*

wall can be accurately dated vis-a-vis floors, unless we can see from which level the foundation trench for the western wall was cut, and which floor seals (or runs over) that vertical foundation cut (running close along the wall). A wall can be used, even raised higher, in periods after it was originally built. If a floor runs right up to a wall, with no gap or interruption between them, we assume that the wall and floor are functionally related, i.e. that they belong to the same building; it may be that the floor was laid after the wall was built, but not vice versa. The stratum to which the first construction of the wall dates, is indicated by the level from which the cut was made for its foundation. That cut, in its turn, will be dated by the floor or surface that lies immediately above the cut, or, in the jargon, the floor/surface that seals the cut. The report does not state which layer or floor seals the so-called foundation trench mentioned on p. 41 and p. 69.

Photograph no. 52 (Trench E8) purports to show a cut, indicating the date of the massive west wall, in the north face of the trench, but (a) this face or section (technically, the "Section Facing South") shows an animal burrow sloping away from the west wall towards the east. The burrow cuts the second floor from the top, and also the red crush floor below it. From the level of the latter, the red stratum, a cut goes down vertically, but is too far (about 75 cm) from the west wall to be appreciated as its foundation trench cut.

Besides, (b) there is no "proof" because in the photograph the cut in the floor at the bottom of the trench

(this floor lies several centimeters below what is marked "Floor 2" on the section in the photograph) is neither close to, nor parallel to, the line of the wall, and does not therefore indicate the edge of a trench dug to make a wall.

In Photograph 55 of Trench ZE1 we see labels marking "Floor 1" and Floor 2" in the section, and a floor (without number) at the base of the excavated area below, but there is no cut visible in the trench section close to the east face of the north-south running wall. The upper and lower floors run right up to the east face of the wall. Thus we cannot say that either of these floors was earlier than, and cut to make room for, the upper courses of the north-south wall. The same observation follows from the Section Facing South, West-East (K-L), pertaining to Trench ZE1, east of Wall # 5A.

So too no cut is visible in the Section E-F, Facing South, in E7 inside the South Chamber of the mosque. All that we have in this is a sequence of surfaces or strata below "Floor 3" coming straight up to the western wall in E7. There is no cut line, vertical or sloping, near the vertical edge of the wall."

3822. The periodization/stratification made by ASI has also been criticized by some of the witnesses of plaintiffs (Suit 4). Real criticism has come from PW 16 Prof. Surajbhan, PW 24 Prof. D.Mandal, PW 29 Dr. Jaya Menon, PW 30 Dr. R.C. Thakran, PW 31 Dr. Ashok Dutta and PW 32 Dr. Supriya Verma. Some others who have supported the stratification/periodization by ASI are OPW 18 Sri Arun Kumar Sharma; OPW 19 Rakesh Dutt Dwivedi and DW 20/5 Sri

Jayanti Prasad Srivastava.

3823. P.W. 16, Prof. Surajbhan, in his third appearance, has deposed in the matter of ASI report and the said statement is contained in Parts 3 and 4 (paras no. 135 to 556) of his oral deposition. He claimed to have actually visited the site of excavation for a period of three days in June, 2003 when the excavation was continuing:

“जिस समय अयोध्या में विवादित स्थल पर उत्खनन का कार्य चल रहा था, उस समय मैं तीन दिनों के लिए उत्खनन स्थल पर उसका निरीक्षण करने गया था।” (पेज 135-136)

“ *When excavation was going on at the disputed site in Ayodhya. I went to the site of excavation for three days.*”
(E.T.C.)

“जब मैं जून 2003 में विवादित स्थल पर गया था तब मेरे साथ डा० मंडल, डा० शिरीन रत्नागर, एवं पटना से आये हुए पुरातत्व के एक अवकाश प्राप्त डायरेक्टर डा० सीताराम राय गये थे।” (पेज 145-146)

“*When I went to the disputed site in June 2003, I was accompanied by Dr.Mandal, Dr.Shireen Ratnagar and Dr. Sita Ram Rai, a retired director of archaeology, who had come from Patna.*” (E.T.C.)

“ट्रेंच जे-3 में मैं किस तारीख को उतरा था, यह याद नहीं है, परन्तु जून माह के मध्य भाग के आस-पास मैं उत्खनन स्थल पर गया होऊँगा, परन्तु इसके बारे में मैं निश्चित तिथि नहीं बता पाऊँगा।”
(पेज 239)

“ *I do not remember on which date I had descended into Trench J-3. However, I may have gone to the excavation site nearly in the middle of June but I cannot tell any definite date in this respect.*” (E.T.C.)

“मैं यहाँ पर आम व्यक्ति की हैसियत से गवाही न देकर पुरातत्व के विशेषज्ञ की हैसियत से गवाही दे रहा हूँ।” (पेज 315)

“I am giving testimony here as a specialist in archaeology, not as a layman.” (E.T.C.)

“यह भी सच है कि मैं अपनी गवाही में ए0एस0आई0 की रिपोर्ट व उसके विभाग को तिरस्कृत करने अथवा उसे खण्डित करने के लिए उपस्थित हुआ हूँ।” (पेज 336)

“It is also true that I have appeared to discard or reject the report of ASI and its department, through my evidence.” (E.T.C.)

“इस नतीजे पर पहुँचा हूँ कि ए0एस0आई0 का कनक्लूजन गलत है।” (पेज 337)

“I have drawn the conclusion that the conclusion of ASI is wrong.” (E.T.C.)

“मैं अयोध्या के इस उत्खनन रिपोर्ट के बारे में अपना आंकलन देने आया हूँ और यह बताने आया हूँ कि इस रिपोर्ट के निष्कर्ष बाबरी मस्जिद के नीचे किसी मंदिर के होने के बारे में निराधार हैं।” (पेज 343)

“I have come to give my estimate about this excavation report of Ayodhya and also to tell that the conclusion of this report regarding existence of any temple beneath the Babri mosque, is baseless.” (E.T.C.)

“प्रश्न— पहली बार जब आप इस न्यायालय के समक्ष गवाही देने उपस्थित हुए थे जब आप एक पुरातत्ववेत्ता की हैसियत से आये थे या एक इतिहासकार की हैसियत से आये थे?

उत्तर— मैं पुरातत्ववेत्ता होते हुए इतिहासकार भी हूँ क्योंकि पुरातत्व एक ऐतिहासिक विज्ञान है इसलिए मैं जब कोर्ट के सामने पेश हुआ, इस विषय पर समग्रता से अपनी गवाही देने के लिए पेश हुआ था।” (पेज 352)

“Question- Your first appearance in this court to give evidence was as a archaeologist or historian?

Answer- Besides being an Archaeologist, I am also a historian because archaeology is a historical science and as such when I appeared before this court, I appeared to

give my evidence on this topic in entirety.” (E.T.C.)

“हर वर्थव्हाइल आर्कियोलॉजिस्ट (पुरातत्ववेत्ता) इतिहासकार भी होता है और इतिहास एक व्यापक विज्ञान है पुरातत्व जिसका अंग है, मैं जब इतिहासकार के रूप में गवाही देने आया उसका यह तात्पर्य नहीं है कि मैं पुरातत्व के ज्ञान व विधि से वंचित होकर आया था।” (पेज 353)

“Every worthwhile archaeologist is also a historian. History is a detailed science with archaeology being its branch. When I came to give evidence as a historian, it did not mean that I had come without the knowledge and method of archaeology.” (E.T.C.)

“साइट पर मैं जब गया, उस समय प्रो० शीरीन रत्नागर, प्रो० मण्डल तथा कुछ आब्जर्वर्स, जिनके नाम मुझे इस समय याद नहीं हैं, मौजूद थे और उत्खनन के बारे में वहां से उपलब्ध सामग्री के बारे में उनके साथ चर्चा होती रहती थी। यह दोनों व्यक्ति अयोध्या में उस समय मौजूद थे, जब मैं वहां गया था।” (पेज 391)

“When I visited the site, Prof. Shirin Ratnagar, Prof. Mandal and few Observers, whose names I do not remember, were present and I had discussions with them about the excavation and the materials available there. Both these persons were present in Ayodhya, when I had gone there.” (E.T.C.)

“ये दोनों व्यक्ति वक्फ बोर्ड की तरफ से उत्खनन स्थल पर गये थे।” (पेज 391)

“Both these persons had been to the excavation site on behalf of Waqf Board.” (E.T.C.)

“जिस समय काफी उत्खनन हो चुका था उस समय मैं वहाँ गया था परन्तु उस समय कुछ उत्खनन नये टेंचेज में किया भी जा रहा था। जिस समय मैं वहां पर गया, टेंच नं० जी-7 में उत्खनन चल रहा था। ई और एफ सीरीज की टेंचेज में भी कहीं-कहीं उत्खनन चल रहा था। पूर्व में भी जे, के, सीरीज में जहाँ तहाँ उत्खनन चल रहा था।” (पेज 443)

“I went there, when much excavation had taken place. However, at that time excavation was being carried out in few new trenches. When I went there, excavation was being carried out in trench no. G-7. Excavation in E & F series trenches was also being carried out at places. Earlier also the excavation was being carried out at places in J, K series.” (E.T.C.)

“मैंने एक्सपर्ट के रूप में तीन दिन तक हुए उत्खनन के सैम्पल को देखा, उनके पाटफरीयार्ड को देखा,” (पेज 446)

“As an expert, I examined the sample of three days excavation, their pottery yard,” (E.T.C.)

“मैं कोर्ट की इजाजत से विवादित स्थल पर उत्खनन कार्य देखने के लिए गया था। इस हेतु न्यायालय में प्रार्थना पत्र वकील साहब ने दिया होगा। प्रार्थना पत्र इस संबंध में अवश्य दिया गया होगा। . . . इस संबंध में मेरी वार्ता श्री जीलानी साहब वकील साहब से हुई थी, जिन्होंने मुझसे यह बताया था कि मेरे उत्खनन स्थल पर जाने संबंधी इजाजत प्राप्त हो गयी है।” (पेज 501)

“I had gone to the disputed site to inspect the excavation, under court permission. The advocate must have moved an application before the court in this behalf. Application must have been moved in this behalf. . . . I had a discussion in this behalf with Mr. Jilani, the advocate, who told that permission had been accorded for my visit to the excavation site.” (E.T.C.)

“मेरे साथ कई और विद्वान लोग भी थे, जिनके साथ मैं पुरावशेषों को देखने गया था।” (पेज 502)

“Many other scholars had accompanied me, when I had gone to inspect the archaeological remains.” (E.T.C.)

“पुस्तिका “अगेन्स्ट कम्युनलाइजेशन आफ आर्कियोलोजी – ए-क्रेटिक आफ दि ए0एस0आई0 रिपोर्ट में जो” सहमत” नामक संस्था से

प्रकाशित है, मेरा भी लेख है। इसका शीर्षक "बैड मैथड, पुअर रिज़ल्ट – ए- क्रिटिक आफ़ ए0एस0आई0 रिपोर्ट है।" (पेज 504)

"My article is also included in the magazine 'Against Communalisation of Archaeology- A Critic of the ASI Report', published by institution named Sahmat. Its title is 'Bad Method, Poor Result-A Critic of ASI Report'."

(E.T.C.)

'सफ़दर हाशमी मेमोरियल ट्रस्ट है, जिसे इन शार्ट "सहमत" कहते हैं। मैं "सहमत" का सदस्य तो नहीं हूँ, पर उनके अनेक कार्यों में हिस्सा लेता रहा हूँ।" (पेज 520)

"Safdar Hashmi Memorial is a trust, which is called Sahmat in brief. I am not a member of Sahmat, but I do take part in many of its activities." (E.T.C.)

"सहमत" मैगजीन भी प्रकाशित करता है, पर उस मैगजीन का नाम इस समय याद नहीं आ रहा है। इस मैगजीन में मेरे भी कुछ आर्टिकल्स छपे हैं।" (पेज 520)

"Sahmat also publishes a magazine, whose name I am not able to recollect at present. Few articles of mine have been published in this magazine as well." (E.T.C.)

"संभवतः मैं विवादित स्थल पर 11, 12, तथा 13 जून 2003 को गया था।" (पेज 534)

"I had been to the disputed site possibly on 11th, 12th and 13th June, 2003." (E.T.C.)

3824. In respect to certain fields he also clearly admitted his lack of expertise and experience as under:

"आर्किटेक्चरल साइन्स पर मेरी कोई एकेडेमिक क्वालीफिकेशन नहीं है, बल्कि यह मेरे अनुभव और जनरल स्टडी पर आधारित है।" (पेज 518)

"I have no academic qualification in architectural science and instead it is based on my experience and general study." (E.T.C.)

“मैं न्यूमिसमैटिक्स (मुद्रा शास्त्र) का एक्सपर्ट नहीं हूँ” (पेज 522)

“*I am not an expert in numismatics.*” (E.T.C.)

“इसी प्रकार मैं एपिग्राफी का भी एक्सपर्ट नहीं हूँ”

“*Similarly I am not an expert in epigraphy,*” (E.T.C.)

“मैंने उत्खनन स्थल से प्राप्त हुई ग्लेज्ड टाइल्स व ग्लेज्ड वेयर साक्षात् नहीं देखे हैं,” (पेज 526)

“I have not actually seen the glazed tiles & glazed ware found from the excavation site,” (E.T.C.)

3825. PW 16, Prof. Suraj Bhan filed his affidavit dated 20.03.2006 in support of the objections filed on behalf of plaintiff 1 (Suit-4) against ASI report. He says that the ASI has misrepresented the true nature of the structure, floors and pillar bases underlying the Babri-Masjid ruins. With respect to stratification, PW 16 in para 5 says that though the stratigraphy of each trench is claimed to be finally co-related with the general sequence of culture at the site, the ASI having failed to give a list of layers and periods trench-wise for facilitating the testing of the conclusions of the excavators has distorted the facts and gave wrong findings with regard to structure 3 and 2. PW 16 asserted that a concordance ought to have been provided in the report. The conclusions drawn by ASI were alleged to be bound and it says that they have adopted a defective methodology and biased assumption (vide para 4 of the affidavit). Then general allegations in para 14 has been made that the report, on the whole, lacks scientific rigour, objectivity and professional integrity and such trend and tendency in Indian Archaeology may pose a serious challenge not only to the world of historians but also to those citizens who are interested in truth and nothing but the truth. In his cross-examination PW 16, however, said:

“विवादित स्थल पर ए०एस०आई० द्वारा जो उत्खनन कार्य किया गया था, उसकी रिकार्डिंग और स्तरीकरण ठीक ढंग से नहीं किया गया था। इसलिए ए०एस०आई०की रिपोर्ट में जो गैप्स हैं, उनको डेटा या रिकार्ड से बिना सत्यापित किया कोई अंतिम मत नहीं व्यक्त किया जा सकता।”

(पेज 145)

“ *In case of the excavation done by A.S.I. at the disputed site, its recording as well as stratification was not properly done. That is why a final opinion cannot be given without verifying the gaps(wide divergences) of the A.S.I. report from the data or record.*” (E.T.C.)

“आमतौर पर विद्वान कुछ एक टर्म से सहमत हैं, जैसे एन०बी०पी०डब्लू०, शुंग, कुषाण, गुप्त। परन्तु “पोस्ट गुप्त— राजपूत काल” प्रचलित नहीं है। “अर्ली मिडिवियल—सुल्जानेट” भी प्रचलित नहीं है। मिडिवियल काल से मुगल काल को उपरोक्त चार्ट में अलग किया गया है। यह भी प्रचलित नहीं है, क्योंकि मुगल काल भी मीडिवियल काल का ही हिस्सा है।”

(पेज 149)

“*Generally, scholars are in agreement on the use of some terms such as N.B.P.W., Shunga, Kushan, Gupta. But the term like 'post-Gupta-Rajpoot era' is not in vogue. The term 'Early Medieval – Sultanate' is also not in use. In the afore-said chart, the Mughal period is shown separately from the medieval period. It is also not in vogue because the Mughal period is only a part of the Medieval Period.*”

(E.T.C.)

“कुछ तिथियों के लिए कार्बन-14, सिक्कों और पाटरीज़ का भी इस्तेमाल किया है।” (पेज 155)

“ *In determination of some dates, Carbon-14, coins and potteries have been used.*” (E.T.C.)

“परन्तु जो इस रिपोर्ट में त्रुटि नजर आ रही है, वह यह है कि उन्होंने कुछ कूशियल साक्ष्य को प्राप्त करने अथवा उसका विश्लेषण करने में कमजोरी दिखाई है तथा गलत निष्कर्ष निकालने के लिए कुछ साक्ष्यों को जरूरत से

ज्यादा महत्व दिया है और उनका क्रिटिकल एनालिसिस नहीं किया है। दूसरी तरफ़ कुछ अन्य महत्वपूर्ण सामग्री को, जो इस समस्या पर विशेष महत्व रखती है, इग्नोर किया गया है व सप्रेस किया गया है, ताकि अपने पूर्वकल्पित निष्कर्ष को सिद्ध किया जा सके। इन्हीं तरीकों को मैं गलत मानता हूँ और इन प्रिजम्पशस को मैं बायस्ड कहता हूँ।” (199–200)

“But an error perceptible in this report is that they have shown weakness in obtaining some crucial evidences or in analysing them and have given too much stress on some evidences so as to infer wrong findings and have not made any critical analysis of them. On the other hand, some other vital materials, which hold special significance to this problem, have been either ignored or suppressed, so that they may be able to establish their preconceived findings. I take these very methods to be faulty and term these presumptions as biased.” (E.T.C.)

“स्तर को मार्क करने के लिए कई साक्ष्यों का आधार लेना पड़ता है, क्योंकि कई बार स्थिति बहुत काम्पलेक्स होती है।” (पेज 236)

“Several pieces of evidence have to be relied upon so as to mark the level because the situation gets very complex many times.” (E.T.C.)

“यह कहना सही है कि कई बार एक ही काल में कई स्तर हो सकते हैं और अन्य समय में अलग-अलग स्तर अलग-अलग कालों के ही सूचक हो सकते हैं। सांस्कृतिक काल गणना के लिए भौतिक अवशेषों का ही आधार होता है।” (पेज 236)

“It is correct to say that many a time a single period may have various strata and at other times different periods may be indicative of different strata. Only the physical remains provide a base for the reckoning of a cultural period.” (E.T.C.)

यह कहना सही है कि रोशनी की मौजूदगी में ही प्रायः स्तरों की पहचान

बेहतर हो पाती है। इसके अलावा नज़दीक से स्तरों को देखने से और स्वयं उसके पहचानने के लिए अपने पुरातात्विक चाकू (आर्कियोलोजिकल नाइफ़) का प्रयोग करके बेहतर किया जा सकता है, परन्तु दूर से देखकर भी और फ़ोटोग्राफ़ तथा सेक्शनल ड्राइंग को देखकर भी स्तरों की भिन्नता का आभास हो सकता है। फ़ोटोग्राफ़ को देखकर यह अनेक बार पहचान लिया जाता है कि अमुक उत्खनन में स्तरीकरण में कितना औचित्य और कितनी गलतियाँ हैं। प्रायः फ़ोटोग्राफ़ में स्तरों की मिट्टी के टैक्सचर, उसके रंग की छाया भी पड़ती है। स्वयं कहा कि पिट आदि को बहुत सरलता से पहचाना जा सकता है।” (पेज 237)

“ It is correct to say that stratum is often better identified only in the presence of light. Besides, it can be better done by looking at the strata from a close range and by using one's archaeological knife for their identification. But one may have an impression as to difference in strata even by looking from a distance and also by looking at photograph and sectional drawing. From the sight of a photograph, many times it is known how much propriety and how many lacuna are there in the stratification done in a particular excavation. The soil texture of strata and their colour often gets reflected in the photograph too. (Himself stated) A pit etc. can be identified very easily.” (E.T.C.)

“उ०—अयोध्या के उत्खनन में सेक्शन का तराशना बहुत सफ़ाई से किया गया है, चाहे स्तरीकरण में कई जगह दोष हों।” (पेज 237)

“Answer:- The section cutting has been done in a very fine manner in the excavation of Ayodhya, though there may be lacuna at several places in stratification.” (E.T.C.)

“अध्ययन करने के बाद ही यह पता चलेगा कि वे निष्कर्ष सही हैं अथवा नहीं।” (पेज 238)

“Only after study it will be known whether those findings are correct or not.” (E.T.C.)

“बेहतर यही रहता है कि संख्यात्मक ढंग से और राजनैतिक, आर्थिक आधार पर काल-निर्णय किया जाये। विभिन्न डायनेस्टीज़ विभिन्न राजवंश इस काल-क्रम में आ जायेंगे, परन्तु विभिन्न राजवंशों के आधार पर किये गये काल-क्रम की कई सीमाएं होती हैं। ए 0एस0आई0 ने अपनी रिपोर्ट से केवल राजवंश के आधार पर ही काल-गणना नहीं की है। उसमें पुरातात्विक सामग्री के आधार पर, जैसे एन0बी0पी0 डब्लू0 पीरियड तथा ऐतिहासिक आधार पर, जैसे- मध्य काल, उत्तर व पोस्ट मुगल काल आदि भी नाम दिये हैं। इस रिपोर्ट में ए0एस0आई0 ने कुषाण काल, शुंगकाल, गुप्तकाल, और राजपूत काल तथा मुगलकाल अवश्य दिये हैं, जो डायनेस्टीज़ या राजवंशों से सम्बन्धित हैं या उनको समेटते हैं, परन्तु कुछ ऐसे कन्क्लूजन भी रिपोर्ट में दिखाई दे रहे हैं, जिनमें पूर्व मध्यकाल और सल्तनत पीरियड की विभाजन रेखा नहीं पहचानी गई है। सांस्कृतिक कालक्रम में टेंड एण्ड कामर्स, जनरल सामाजिक संरचना का बंग ही अपने आप में किसी अलग काल का अथवा राजनैतिक, आर्थिक व्यवस्था का सूचक नहीं है।” (पेज 244)

“It is better that periodization is done numerically and on political and economic grounds. Several dynasties and several royal lineages will be covered in this chronological order. But periodization based on several royal lineages has many limitations. The ASI in its report has not proceeded with the reckoning of time merely on the basis of royal lineages. It has given the name of NBPW period on the basis of archaeological materials and those of medieval period, later or post Mughal periods etc., on historical basis. The ASI, in this report, have certainly given the names of Kushan period, Shunga period, Gupta period, later Gupta period, Rajpoot period and Mughal period, which are related to dynasties/royal lineages or cover such dynasties/royal lineages. But the report contains certain conclusions in which no line of separation is seen

between the early medieval period and the Sultanate period. In cultural chronology, trade & commerce and general social structure by themselves are not indicative of any separate period or of any political and economic system.” (E.T.C.)

“पूरे उत्खनन अवधि में मैं तीन दिन तक वहाँ पर रहा। १०१५०-१०२० ने उत्खनन के दौरान रिकार्डिंग टेन्चेज में की गयी होगी परन्तु मेरी जो जानकारी है उसके अनुसार उत्खनन शुरू होने के लगभग एक महीने तक और कोर्ट के आदेश तक ग्लेज्ड वेयर, ग्लेज्ड टाईलस तथा हड्डियों की ठीक से रिकार्डिंग नहीं की गयी थी। मैंने केवल टेन्चेज में स्टेटीग्राफी तथा आर्कीटेक्चरल रिमेन्स का अध्ययन किया था, वहाँ बनायी जा रही ड्राईंग को आंशिक रूप से देखा था, टेन्चेज नोट बुक और डेली रजिस्टर नहीं देखा था। मुझे कोई उत्खननकर्ता स्थल पर साईट नोटबुक लिखता भी दिखाई नहीं दिया। मुझे यह पता है कि सुपरवाइजर की नोटबुक तथा एन्टीक्विटी के रजिस्टर आदि बनाये गये हैं परन्तु क्या सुपरवाइजर ने साईट पर उत्खनन करते समय डायरी लिखी है, इस बारे में मुझे शक है। एन्टीक्विटी रजिस्टर पर भी मुझे शक है कि वह उस ढंग से नहीं लिखा है जिस ढंग से लिखा जाना चाहिए, बाद में कोई कोर्ट की जरूरत के अनुसार तैयार कर दिया लगता है। मेरा यह शक मेरे स्वयं का भी है तथा इस बारे में मैंने जानकारी भी प्राप्त की है। यह जानकारी मुझे डा० मण्डल साहब ने, ठाकरान साहब ने षिरीन रत्नागर तथा और भी कई लोग जो वहाँ पर थे, ने दिया था। जब मैंने इसको देखा तो यह पाया कि यह उस ढंग से रिकार्डिंग ही नहीं है, जैसे सामान्य उत्खनन में की जाती है। जहाँ तक मुझे मालूम है कि उपरोक्त तीनों व्यक्तियों जिनसे मुझे जानकारी प्राप्त हुई उनमें ठाकरान साहब काफी समय तक विवादित स्थल पर रहे होंगे। जितने दिनों तक मैं उत्खनन स्थल पर रहा, मुझे यह पता चला कि उत्खनन के बाद षाम को एन्टीक्विटीज डेली रजिस्टर में चढ़ाई जाती थी और शायद लोगों के दस्तखत भी लिये जाते थे। सुपरवाइजर की नोट बुक जो टेन्च पर सुपरवाइजर लिखता है, वह मैंने लिखते हुए नहीं देखा बल्कि मैंने कुछ सुपरवाइजर को जब मैं टेन्च देखने जाता था, तब वह वहाँ से अलग

जाकर बैठ जाने को भी देखा था। इससे मुझे लगता था कि सभी सुपरवाइजर्स एक जैसे सीरियस उत्खननकर्ता नहीं थे।” (पेज 443–444)

“In the total excavation period, I stayed there for three days. . . . ASI may have carried out recording in the trenches during the excavation. However, to the best of my knowledge recording of glazed ware, glazed tiles & bones was not carried out properly for about one month from the beginning of excavation till the order of court. I had only studied the stratigraphy of trenches and archaeological remains and had partially seen the drawing being made there but had not seen the trenches note book & daily register. I did not see any excavator writing the site note book at the site. I know that Supervisor’s note book & antiquity register etc. have been prepared but I have doubt that the Supervisor has written the dairy at time of excavation. I also have doubts about the antiquity register that it has not been written in the manner it should have been written and appears to have been prepared subsequently according to requirement of court. This doubt is my own and I have also gathered information in this behalf. This information was given to me by Dr. Mandal, Mr. Thakran, Shirin Ratnagar and many other persons who were present there. When I looked at it, I found that the recording was not in the manner, as is done in usual excavation. To the best of my knowledge, out of the said three persons from whom I received the information, Mr. Thakran must have stayed at the disputed site for a long duration. In the period of my stay at the excavation site, I came to know that after the excavation,

the antiquities were entered in the evening in the daily register and probably signatures were also obtained. I did not see the Supervisor's note book being written, which is written by the Supervisor at the trench and instead at time of my visit to the trench I used to find some of the Supervisors sitting a side the trench. From this, it appeared to me that all the Supervisors were not equally serious excavators.” (E.T.C.)

“रिपोर्ट से ऐसा ही पता चलता है परन्तु मेरी व्यक्तिगत जानकारी के अनुसार टेन्चेज में सरफेस से डेप्थ ली जाती थी न कि किसी न स्टैण्डर्ड डेटम लाइन से, ऐसा मुझे अशोक दत्ता जी से भी पता चला।” (पेज 445)

“It appears so from the report but as per my personal knowledge the depth of trenches is measured from the surface and not from any standard datum line. I came to know the same from Mr. Ashok Dutta as well.” (E.T.C.)

“मुझे यह जानकारी है कि ए0एस0आई0 ने अपनी रिपोर्ट के साथ वीडियों कैसेट्स तथा फोटोग्राफ्स दाखिल किये हैं। ...ए0एस0आई0 ने अपनी रिपोर्ट के साथ जो फोटोग्राफ्स दाखिल किये गये हैं, उसके अतिरिक्त जो अन्य फोटोग्राफ्स जो ए0एस0आई0 ने दाखिल किये हैं, उनको शायद मैंने नहीं देखा है। मैंने 10-20 सी0डी0 देखी होगी। मैंने शायद ए0एस0आई0 द्वारा दाखिल टेन्च नोट बुक नहीं देखी है। मुझे यह पता चला था कि टेन्च नोट बुक ए0एस0आई0 द्वारा दाखिल की गयी है।” “मैं अपने इस मत पर पहुँचा हूँ कि रिपोर्ट की कमजोरियों स्टॉक में रखे फोटोग्राफ्स, सी0डी0, डायरियों अथवा ऐन्टीक्वीटीज़ रजिस्टर आदि से पूरी नहीं की जा सकती है।”

(पेज 445-446)

“I have the knowledge that along with its report, ASI has also filed video cassettes and photographs.The photographs filed by ASI in addition to the photographs filed along with its report, have probably not been seen by me. I may have seen 10-12 CD. I have probably not seen

the trench note book filed by ASI. I had come to know that ASI had filed trench note book.

I have arrived at the conclusion that the shortcomings of report can not be made good by photographs kept in stock, CD, diaries or antiquities register.” (E.T.C.)

“यह सही है कि स्थल पर उत्खनन वर्टिकल और हेरीजन्टल दोनों विधि से किया गया। न्यायालय के आदेश का पालन करने के लिए जितना हेरीजन्टल और वर्टिकल उत्खनन आवश्यक था उससे कहीं ज्यादा उत्खनन किया गया है। परन्तु टेन्च जे 3 और जी 7 में नेचुरल स्वायल तक पहुँचना और कार्बन 14 विधि सर्वे अर्लियर पीरीयड 1000 बी0सी0 से भी पुराना मनगढंत रूप से बना देना यह कोर्ट की अपेक्षा नहीं थी। दूसरी तरफ 100 टेन्चेज को खोदकर पुरास्थल की सारी उस सामग्री को नष्ट कर देना जिसको भविष्य में बेहतर तकनीक के आने पर और बेहतर समझा जा सकता था, इसकी भी आवश्यकता नहीं थी।” (पेज 446-447)

“It is correct that the excavation at the site has been carried out by both vertical and horizontal methods. The horizontal and vertical excavation was carried out in excess of the required excavation, in order to comply with the court order. However, it was not the intention of the court to go deep to natural soil in trench J-3 & G-7 and arbitrarily making the survey older than the earlier period 1000 BC by Carbon-14 method. Further, there was no necessity to dig up 100 trenches and destroy all its archaeological materials, which could have been better appreciated on advent of improved technology.” (E.T.C.)

“उत्खनन ऊपर से नीचे को होता है। आज कल काल निर्धारण नीचे से ऊपर की ओर किया जाता है। ... कार्बनडेटिंग को एब्सोलूट डेटिंग की एक वैज्ञानिक तकनीक माना जाता है, परन्तु इसकी सीमाएं होती

हैं।” (पेज 450)

“The excavation takes place from top to bottom. These days the period determination takes place from bottom to top. ...The carbon dating is considered a scientific technique of absolute dating, but it has its limitation.” (E.T.C.)

“प्र०— मैंने आपसे स्पष्ट रूप से यह पूछा था कि पुरातत्व में सेंचुरीवाइज कालगणना को प्रामाणिक माना गया है या नहीं, जिसका आपने स्पष्ट जवाब नहीं दिया?

उत्तर— सेंचुरीवाइज कालगणना यदि सांस्कृतिक कालगणना अथवा सोषियोइकोनामिक एवं सांस्कृतिक संरचना की गणना से मेल नहीं खाता, तो हम इसका उपयोग नहीं करेंगे।

ऐसी कोई पुरातत्व में फासिस्टिक कालगणना की यार्डस्टिक नहीं होती।” (पेज 453)

“Question- I had specifically asked whether in archeology, the century wise period calculation has been considered to be reliable or not, which has not been clearly replied by you?

Answer- If the century wise period calculation does not match with cultural period calculation or the calculation of socio-economic & cultural structure, then we do not use it.

In archaeology, there is no yardstick for fossistic period calculation.” (E.T.C.)

“मैंने ए०एस०आई० की रिपोर्ट को शुरू से अन्त तक पढ़ा है। ए०एस०आई० ने इन तीनों अर्थात् डायनेस्टी, शताब्दी तथा लेयर के अनुसार कालगणना बतायी है, परन्तु कालगणना का कुछ कालों में मूल-आधार ही नेगलेक्ट कर दिया है, जैसे काल सं० -6 व 7 एकदम तथ्यों से अलग जाकर प्रीकंसीव्ड आइडियाज के तहत तय किये गये हैं और उनकी तिथि पीछे ढकेली गई है, जो पुरातत्व के विषय में अनसमझी (अज्ञान) को दिखाता है या उनके मोटिव की तरफ इशारा करता है।

ए0एस0आई0 ने कालगणना के लिए सी-14 विधि का इस्तेमाल किया है, परन्तु कई जगह यह गलत है और कई जगह ए0एस0आई0 ने अपनी रिपोर्ट में कार्बनडेटिंग सैम्पुल्स तथा उनके निष्कर्षों के बारे में एक चार्ट दिया है।

ए0एस0आई0 वाल्यूम-1 के पेज-273 के अपेंडिक्स-1 . . . तथा सैम्पुल नं0-2,3 4 बी तथा 5 बी के बारे में यह पूछा कि इनके अन्तर्गत जो कार्बनडेटिंग हुई तथा जो निष्कर्ष दिये गये हैं, उससे साक्षी सहमत है या नहीं। साक्षी ने बताया कि यह प्रश्न ए0एस0आई0 से पूछा जाना चाहिए, क्योंकि यहां पर न किसी सांस्कृतिक काल का जिक्र है और न किसी विशेष टेंच के विशेष स्तर का जिक्र है, जिससे यह सैम्पुल लिए गये थे, इसलिए उत्खननकर्ता के अतिरिक्त कोई भी इस अधूरे एपेंडिक्स से क्या अर्थ लगायेगा।

प्र0- उपरोक्त चारों सैम्पुल्स, जिनका उल्लेख किया गया है, के बारे में ए0एस0आई0 ने अपनी रिपोर्ट में कोई उल्लेख नहीं किया है अथवा नहीं?

उ0- इसका उल्लेख तो किया होगा, परन्तु इस एपेंडिक्स में यह अवष्य लिखा जाना चाहिए था।

प्र0- इस एपेंडिक्स में दिये गये सैम्पुल्स ए0एस0आई0 की रिपोर्ट में कहां-कहां किस टेंच व किस लेयर से सम्बन्धित हैं, इसका आपने रिपोर्ट में कोई अध्ययन नहीं किया, इसी कारण आप सी-14 के रिजल्ट के सम्बन्ध में कोई स्पष्ट उत्तर न देकर केवल एपेंडिक्स अपूर्ण होने का बयान दे रहे हैं। इस सम्बन्ध में आपको क्या कहना है?

उ0- ऐसा कहना पुरातत्व के उत्खनन की रिपोर्ट्स को कैसे सुगम व स्पष्ट बनाया जाये, इससे मुँह मोड़ना है। वास्तव में जब भी कोई पुरातत्ववेत्ता अपने उत्खनन पर कोई रिपोर्ट लिखता है, वह इसे पब्लिश करने के लिए होती है, ताकि लोगों को नई जानकारी अथवा नये ज्ञान का पता लग सके, परन्तु इस रिपोर्ट में केवल इसी एपेंडिक्स में नहीं, और भी कई जगहों पर, जहां एंटीक्युटीज की लिस्ट दी गई है, वहां पर भी यह इन्फार्मेशन नहीं दी गई है कि अमुक एंटीक्युटी किस काल से है और किस स्तर से है। फोटोग्राफ्स व ड्राइंग में भी यह कमी साफ देखी जा सकती है। मैं नहीं जानता कि मैं इस रिपोर्ट को प्रमाणिक कैसे मानूँ। यह कहना गलत है कि मैंने रिपोर्ट का अध्ययन

नहीं किया है।

प्र०— ए०एस०आई० की रिपोर्ट में इस बात का उल्लेख किया है कि ये सैम्पल कहाँ-कहाँ और किस लेयर से सम्बन्धित हैं। इस सम्बन्ध में आपको क्या कहना है?

उ०— इन तिथियों का उल्लेख तो जहाँ तहाँ ए०एस०आई० ने जितना ठीक समझा होगा, किया होगा।

ए०एस०आई० ने सिक्स पीरियड को 11वीं व 12वीं सदी में रखा। मुझे ए०एस०आई० द्वारा I से V की काल कम की गणना के निर्धारण के संबंध में कोई आपत्ति नहीं है, क्योंकि इसका इस समस्या से कोई संबंध नहीं है।” (पेज 454-455)

“I have read the complete ASI report. The ASI has made the period calculation on basis of these three viz. dynasty, century and layer. However, the main basis of period calculation has been neglected in few periods such as the period nos. 6 & 7 have been decided contrary to facts on basis of pre-conceived ideas and have been ante-dated, which only reflects on lack of knowledge in archaeology or the motive.

The ASI has used the C-14 technique for period calculation. However, it is incorrect at many places. In its report, the ASI has given a chart at many places regarding the carbon dating samples and its conclusion thereon.

The witness was asked whether he agreed or not with the carbon dating and conclusions contained in Appendix 1 page 273 ASI Vol. 1. ... and sample no. 2, 3, 4B and 5B. The witness stated that this question should be put to ASI because there is no mention of any cultural period or any particular layer of any particular trench, from where these samples had been taken and as such none other than the excavator would be able to decipher this incomplete

appendix.

Question- Has the ASI made any mention about the said four samples in its report or not?

Answer- It must have been mentioned, but it should have been written in appendix.

Question- You have not studied the trench and layer, with which the samples given in this appendix are related to, due to which you are unable to give a specific reply regarding the result of C-14 and are only stating about the appendix being incomplete. What you have to say in this behalf?

Answer- The suggestion on making the archaeological excavation reports clear and comprehend-able, amounts to avoiding the issue. Actually whenever any archaeologists prepares report on his excavation, it is meant for publication so that people may get new information or knowledge. However, not only in the appendix of this report but at many other places as well, where the list of antiquities has been given, the information about the period and level of any particular antiquity has not been given. This deficiency is clearly visible in photographs and drawing. I do not know how to accept this report as authentic. It is wrong to say that I have not studied the report.

Question- It has been mentioned in the ASI report as to from where the samples were taken and to which layer were they related to. What you have to say in this behalf?

Answer- These dates must have been mentioned at

appropriate places by ASI, according to its wisdom.

The ASI has marked the sixth period in 11th & 12th century. I have no objection in determination of period calculation of I to V by the ASI, because it is not related to the present dispute.” (E.T.C.)

“मेरे हिसाब से VII पीरियड सल्तनत काल में पीरियड VI के बाद निश्चित होना चाहिए। हालांकि सल्तनत के इन दोनों कालों की कोई निश्चित तिथि अभी तक उपलब्ध नहीं है। मेरे अध्ययन के अनुसार उत्तर भारत में सल्तनत काल 13वीं सदी से माना जाता है। मेरे अनुसार VI पीरियड सल्तनत काल में पहले आया और पीरियड VII उसके बाद। यह सम्भव है कि पीरियड VI 13वीं सदी से शुरू हुआ हो और पीरियड VII 16वीं सदी से शुरू तक रहा हो। ... वास्तव में इनको दो काल कहना भी गलत होगा। यह केवल दो भवनों के ढाँचे हैं, जो सल्तनत काल में बनाये गये और समाप्त भी हो गये। इनमें वाल नं0 17 वाला ढाँचा अर्थात् काल VI से संबंधित कहा जाने वाला ढाँचा पहले का है और केवल काल VII का ढाँचा बाद का है, सल्तनत काल का। इनके साथ पाये गये डायग्नोस्टिक अवशेषों तथा इनकी दीवार व फर्ष तथा प्लान आदि की समानता से देखा जा सकता है जो पीरियड V के पुरातात्विक अवशेषों और भवन निर्माण शैली से एकदम भिन्न हैं।” (पेज 456–457)

“I feel that the VII period should be fixed during the Sultanate period after period VI. However, no fixed date of both these Sultanate periods, is not available so far. According to my studies, the Sultanate period in north India is considered from the 13th century. According to me, the VI period came first in the Sultanate period and the period VII followed. It is possible that the period VI started in the 13th century and the period VII in the 16th century. ...Actually it be wrong to term them as two periods.

They are only the remains of two buildings, which were built and saw their end during the Sultanate period. The structure of wall no. 17, said to be related to period VI, is a prior structure and only the structure of period VII is of subsequent period, Sultanate period. It can be seen in the similarity of diagnostic remains, their walls, floor, plan etc., which is entirely different from archaeological remains and house construction pattern of period V.”

(E.T.C.)

“सल्तनत काल का समय इतिहासकारों ने पहले ही तय कर रखा है, जिसे सन् 1206 ईस्वी से 1526 ईस्वी के बीच में रखा जाता है। यह मेरे शोध का विषय नहीं है।” (पेज 457)

“The period of Sultanate period has already been determined by the historians, as falling between 1206 AD to 1526 AD. It is not a topic of my research” (E.T.C.)

“जो आर्किटेक्चर की हिस्ट्री का विषय है। वास्तव में यह प्रश्न आर्किटेक्चर की कम्परेटिव स्टडी का सवाल है उस युग विशेष के आर्किटेक्चर की यदि जानकारी है, तो यह बताया जा सकता है कि उत्खनन से प्राप्त ढांचे पिलर बेसेज हो सकते थे या नहीं मेरे इस उत्तर से उपरोक्त पूछे गए तीनों प्रश्नों का उत्तर पूर्ण हो जाता है।” (पेज 463)

“Which is the subject matter of history of architecture... Actually it is a matter of comparative study of architecture. If information is available regarding the architecture of that particular period, then it can be told whether the structures found in excavation were pillar bases or not. This reply of mine is good enough for the aforesaid three questions.” (E.T.C.)

3826. About periodization PW 16 has made a very vague statement and failed to provide any proper reason to challenge

the same. On page 244, PW-16 has simply said that there are some conclusions in the report which do not give any clear cut line of separation between the early Mughal period and Sultenat period. Regarding the allegations of lack of professional integrity, objectivity, scientific rigor, pursuing defective methodology and biased assumption, we find on the contrary, predetermined attitude of the witness against ASI which he has admitted. Even before submission of ASI report and its having been seen by the witness, he formed opinion and expressed his views against ASI. He said:

“यह सही है कि कुछ इष्यूज पर मैंने अपने विचार ए 0एस0आई0 की रिपोर्ट के न्यायालय में प्रस्तुत होने के पहले अपनी जानकारी के आधार पर अपने निष्कर्ष निकाले और विचार व्यक्त किये।” (पेज 446)

“It is true that my conclusions and views on certain issues are based on my knowledge existing prior to the submission of ASI’s report in court.” (E.T.C.)

“ए0एस0आई0 की इस मामले में रिपोर्ट आने के पश्चात् मैंने तथा प्रो0 इरफ़ान हबीब ने यह बात आने पर कि विवादित स्थल पर मन्दिर के अवशेष मिले हैं, यह वक्तव्य दिया था कि विवादित स्थल पर नीचे पुरानी मस्जिद या ईदगाह के अवशेष मिले हैं न कि मन्दिर के। अगर यह प्रोपोगैण्डा न होता कि विवातिद स्थल पर मन्दिर के अवशेष मिले हैं, तो मुझे व प्रो0 इरफ़ान हबीब को उपरोक्त वक्तव्य देने की आवश्यकता नहीं थी।” (पेज 521)

“Consequent to submission of ASI’s report in the matter and the claim that remains of temple were found at the disputed site, I and Prof. Irfan Habib had given this statement that remains of old mosque or Eidgah had been found beneath the disputed site and not of any temple. If this propaganda that remains of temple were found at the

disputed site, had not taken place, there would have been no occasion for me and Prof. Irfan Habib to give the above statement.” (E.T.C.)

“यह कहना सही है कि मैं बाबरी मस्जिद पर हुए उत्खनन तथा उस पर लिखे गए लेखों आदि पर अपनी टिप्पणी करता रहा हूँ तथा मत जाहिर करता रहा हूँ। यह सही है कि “सहमत” संस्था ने मुझे रिकग्नाइज किया तथा कई बार मुझे इस सम्बन्ध में टिप्पणी करने के लिए आमंत्रित किया।” (पेज 525)

“It is true that I have been making comments and expressing my opinion over excavation of Babri mosque and the articles etc. written over it. It is true that the institution Sahmat had recognized me and had invited me on number of occasions to comment in this behalf.”(E.T.C.)

“मेरे ख्याल में अगस्त के अन्त या सितम्बर सन् 2003 शुरू में यह रिपोर्ट पार्टीज़ को दी गई थी। मुझे एक – डेढ़ हफ़्ते बाद यह रिपोर्ट पढ़ने को मिली।

मैंने ए0एस0आई0 द्वारा प्रस्तुत रिपोर्ट सितम्बर 2003 में पढ़ी थी। विवादित स्थल से संबंधित कुछ मसलों पर पूछे जाने पर मैंने ए0एस0आई की रिपोर्ट आने के पहले भी अपना मत दिया है। ...यह सही है कि ए0एस0आई0 की रिपोर्ट आने के पहले मैं अपना मत बना चुका था। मैं वर्ष 1990 से विवादित स्थल के संबंध में अपना मत व्यक्त करता रहा हूँ। मैंने अपना यह मत खुदाई से पहले व्यक्त किया था कि खुदाई करने की आवश्यकता विवाद को सुलझाने के लिए आवश्यक नहीं है।” (पेज 547)

“In my view, this report had been given to the parties in last of August or beginning of September, 2003. I got to read the report after about 1-1½ weeks.

I had read ASI’s report in September, 2003. Prior to submission of ASI’s report I had given my opinion on few issues related to the disputed site. ...It is true that I had formed my opinion prior to submission of ASI’s

report. I have been expressing my opinion regarding the disputed site, since the year 1990. This opinion of mine that there was no requirement of excavation to resolve the dispute, had been expressed by me earlier.” (E.T.C.)

3827. He also admitted to have made statement on the request of a party, i.e., plaintiff-1 (Suit-4) as under:

“मैंने पहले जिस पार्टी के पक्ष में बयान दिया है, उन्हीं की तरफ से मैं विवादित स्थल पर गया था।” (पेज 138)

“ I went to the disputed site on behalf of the party in favour of which I have earlier given statement.” (E.T.C.)

“मैं जीलानी साहब की मार्फत से वहाँ गया था।” (पेज 139)

“ I went there through Gilani Sahib.” (E.T.C.)

“यह आंशिक रूप से सही है कि मैं सुन्नी वक्फ बोर्ड की प्रार्थना पर पुरातत्व के विषय पर साईट पर गया हूँ और अपने विचार दिये हैं।”

(पेज 547)

“It is partially correct that I had been to the site in connection with archaeology on the prayer of Sunni Waqf Board and had given my views.” (E.T.C.)

3828. He visited excavation site during the course of excavation only for three days but even during that period did not make any proper study of the finds, but has tried to blame ASI. It is evident from his own statement:

“विवादित स्थल पर उत्खनन के दौरान मैं जून 2003 में गया था।” पेज 138)

“I went to the disputed site in June 2003 in course of the excavation.” (E.T.C.)

“जो डेटा थैलियों में पैक था, तथा जिसके लिए कोर्ट की भी अनुमति थी, वह मैं नहीं देख पाया क्योंकि इस संबंध में सुविधा नहीं मिल पाई। सुविधा न मिलने से मेरा तात्पर्य यह है कि कुछ ट्रेंचों का मैटीरियल हम लोग देखना चाहते थे, परन्तु ए0एस0आई0 व दूसरे पक्ष के लोगों का यह कहना

था कि वह एक सिरे से ही इन मैटीरियल को दिखा सकते हैं जिसके लिए मेरे पास समय नहीं था। इस संदर्भ में मैंने अपना आब्जेक्शन लिखित रूप से नहीं दिया परन्तु इस संबंध में वहां चर्चा हुई थी।” (पेज 146)

“I could not see the data which was packed in packets and access to which was permitted even by the court, inasmuch as I could not get the facility in this respect. By the expression 'not getting the facility', I mean that we wanted to see the materials of some trenches but the A.S.I. and people of other side insisted that they can show the materials only from an end; for which I did not have time. In this respect I did not give my objection in writing but held discussion there.” (E.T.C.)

“स्वयं कहा कि पाटरी यार्ड में मैं मैटीरियल को इसलिए नहीं देख पाया क्योंकि उसमें पुराना व बाद के काल का मैटीरियल बहुत सी टेंचेज का मिक्सड रूप से पड़ा था उनको अलग-अलग क्लासीफाईड नहीं किया गया था और न ही इस बारे में कोई बताने वाला था। इस संदर्भ में भी मैंने अपनी कोई लिखित आपत्ति प्रस्तुत नहीं की।” (पेज 146)

“ (Himself stated) I could not see the materials in the pottery yard because old materials and those of a subsequent period were lying in mixed forms in several trenches. They were not distinctly classified, nor was there anybody to tell us in this regard. I did not make any objection of mine in writing in this respect also.” (E.T.C.)

“चूंकि मैं केवल तीन दिन के लिए उत्खनन स्थल पर गया था इसलिए मैंने स्वयं कोई आपत्ति प्रस्तुत नहीं की।” (पेज 147)

“Since I was at the disputed site for only three days, I myself did not move any objection.” (E.T.C.)

“ए0एस0आई0 द्वारा विवादित स्थल पर उत्खनन के पश्चात रिपोर्ट को

न्यायालय में प्रस्तुत कर दिये जाने के बाद, मैंने कभी विवादित स्थल का पुनः निरीक्षण नहीं किया। मेरे लिए इस स्थल पर रिपोर्ट के प्रस्तुत होने के बाद निरीक्षण करना संभव नहीं हो सका और **पुरातत्व की टीम ने मुझे आमंत्रित भी नहीं किया।**” (पेज 193)

*“On a report being submitted to the court after excavation had been carried out by the ASI at the disputed site, I never went to the disputed site for re-inspection. After the production of the report on this site, it could not be possible for me to make inspection of this site, **nor did the archaeological team invite me for this.**” (E.T.C.)*

“मैंने बाद में भी ट्रेंच जी-7 तथा ट्रेंच जे-3 के उत्खनन से प्राप्त पुरावशेषों को नहीं देखा। मैं इनको देखना चाहता था, परन्तु यह मुझे दिखाये नहीं गये। इसके बारे में मैं पहले भी अपने बयान में बता चुका हूँ। ट्रेंच जी-7 तथा ट्रेंच जे-3 के उत्खनन से किस स्तर से कौन से पुरावशेष मिले, यह ए0एस0आई0 की रिपोर्ट में भी वर्णित नहीं है।” (पेज 221)

“I did not see the antiquities discovered from Trench G-7 and Trench J-3 even later. I wanted to see them but they were not shown to me. In my statement, I have already stated in this regard. It is also not noted in the ASI report as to which antiquities were discovered from Trench G-7 and Trench J-3 and from which strata.” (E.T.C.)

“मैंने डे-टू डे रजिस्टर, जो वर्तमान उत्खनन से संबंधित है, नहीं देखा। मेरी सूचना ए0एस0आई0 की रिपोर्ट पर . . . है तथा मैंने वहां पर जो अपने तीन दिन के रुकने के दौरान अध्ययन किया था, उस पर आधारित है।” (पेज 222)

“I did not see the day- to-day register, which pertains to the present excavation. My knowledge is based on the ASI report and on the study which I had done during my three-day-stay there.” (E.T.C.)

“अयोध्या के इस की-प्लान में पूरे साइट की विभिन्न कालों के स्ट्रक्चर्स के प्लान इक्वटी कर दी गई है, जिसकी न तो उत्खनन के लक्ष्य की पूर्ति के

लिए आवश्यकता थी और न ही उसे उस लक्ष्य को इस प्लान में अधिक स्पष्ट करने की कोशिश है। उत्खनन करने वाले और प्लान बनाने वाले विशेषज्ञ, हो सकता है कि इसे ठीक समझते हों और उन्हें इसकी सत्यता में भी विश्वास हो। मौके पर मुआइना करना उतना महत्वपूर्ण नहीं होता है, जितना उत्खनन करना और उसकी रिपोर्ट लिखना और उस रिपोर्ट के निष्कर्षों को स्पष्ट रूप से तर्कसंगत दिखाने के लिए इलस्ट्रेशन देना।

प्र० मेरा यह साधारण सवाल है कि अयोध्या के उत्खनन स्थल को मौके पर मुआइना करने के बाद अगर आप उपरोक्त फीगर 3ए (पेज 48) को देखने के बाद क्या यह समझा जा सकता है कि यह की-प्लान अच्छी तरह से बना है और इसको समझा जा सकता है?

उ०—मौके पर उत्खनन में विस्तृत अध्ययन के बाद इस प्लान को समझा जा सकता है और यदि इसमें कोई त्रुटियां हैं, वे भी पकड़ी जा सकती हैं।”

(पेज 295)

“In this key plan of Ayodhya, plan of structures of different periods has been collected from the whole of the site which was not needed for the fulfilment of objective of the excavation, nor does this plan make any attempt to make this objective clearer. The excavators and the plan makers may be considering it to be correct and they may be having belief in its veracity. To make inspection of the site is not so important as to make excavation, to write its report and to give illustrations to clearly show the findings of such report to be logical.

Question:- Supposing that you have an on-the-spot inspection of the excavation site of Ayodhya and you are shown the afore-said figure-3A (page 48), a plain question I would like to ask you is whether you can say that this key plan is properly prepared and can be understood?

Answer:- After making an on-the-spot extensive study in regard to the excavation this plan can be understood and

its mistakes, if there be any, may also be detected.” (E.T.C.)
 “मैं पाटरी यार्ड में जब पाटरीज़ का अध्ययन करने गया तो वहाँ क्लासीफाईड ढंग से पाटरी नहीं रखी हुई थी मिक्स पाटरीज़ वहाँ पर थी इसलिए सीमित समय में उसका अध्ययन संभव नहीं था। पाटरी यार्ड में पाटरी को देखने से किसी ने मुझे रोका नहीं था परन्तु वहाँ कोई पुरातत्ववेत्ता भी नहीं आया था जो इस अध्ययन में मेरी मदद कर सकता।वहाँ एन्टीक्वीटीज के साथ देखने की कोशिश की थी परन्तु वहाँ अवशेषों को हमें नहीं दिखाया गया। यह मैं पहले भी बता चुका हूँ।” (पेज 306–307)

“When I went to the pottery yard to make study on potteries, I did not find potteries arranged in a classified manner. Potteries were lying there in a mixed form, hence it was not possible to make their study in a limited period. Nobody forbade me from observing the potteries in the pottery yard but no archaeologist was also there to help me in my study. I had tried to see them along with antiquities but remains were not shown to us. I have already stated about it.” (E.T.C.)

“अयोध्या के उत्खनन में प्राप्त ग्लेज्ड वेयरर्स को मुझे दिखाया ही नहीं गया, इसलिए उसके परीक्षण या आब्ज़र्वेशन का अवसर ही मुझे प्राप्त नहीं हुआ। उत्खनन स्थल पर जब मैं तीन दिनों तक रहा, तब मुझे कोई ग्लेज्ड वेयर न तो साइट पर दिखाया गया और न ही एंटीक्युटी सेक्शन में ही मुझे दिखाया गया, जबकि इसको मैं देखना चाहता था। मुझे इस बारे में किसी सुपरवाइज़र ने कोई जानकारी नहीं दी कि मेरे तीन दिनों तक उत्खनन स्थल पर रहने की अवधि में कोई ग्लेज्ड वेयर उत्खनन स्थल से प्राप्त हुआ या नहीं। मेरे साथ उत्खनन स्थल पर जो मेरे तीन और सहयोगी थे, वह भी विद्वान थे, उनसे शायद इस विषय में मेरी चर्चा नहीं हुई थी कि मेरे उत्खनन स्थल पर रहने के दौरान ग्लेज्ड वेयर प्राप्त हुए या नहीं, परन्तु हम सब कुछ टेंचेज ग्लेज्ड वेयर व एंटीक्युटीज़ देखना चाहते थे और उसे देखने के लिए वहाँ गये भी, परन्तु हम लोगों को इसे दिखाया नहीं गया।” (पेज 512)

“The glazed wares found in the excavation at Ayodhya, were not shown to me and as such I did not get the opportunity to examine or observe them. When I remained at the excavation site for three days, no glazed ware was shown to me either at the site or in the antiquity section despite the fact that I wanted to see them. No Supervisor informed me whether during the period of my three days stay at the excavation site, any glazed ware was found at the excavation site or not. My three other associates at the excavation site, were also learned. I possibly did not have any discussion with them as to whether glazed wares were found or not during my stay at the excavation site. However, we all wanted to see some trenches, glazed ware and antiquities and we even went there to see them, but they were not shown to us.” (E.T.C.)

“मुझे इस बात की जानकारी नहीं है कि 13 जून, 2003 को जब मैं वहाँ मौजूद था, ग्लेज्डवेयर खुदाई में निकला था या नहीं, बल्कि मेरी जिज्ञासा थी कि यदि कोई ग्लेज्ड वेयर निकला हो, तो मैं उसको देख लें। . . . हम लोगों ने ग्लेज्ड वेयर देखने की मांग की थी। उत्खनन स्थल पर चूंकि मैं ट्रेंचेज़ का मुआयना करने में लगा था इसलिए उस जगह पर ग्लेज्ड वेयर की मांग मैंने नहीं की थी। मुझे उस स्थान पर किसी ने ग्लेज्ड वेयर उस दिन पाये जाने की सूचना भी नहीं दी। 13 जून, 2003 को न तो मेरी मौजूदगी में डे-टू-डे रजिस्टर तैयार किया गया।” (पेज 514)

“I have no knowledge whether glazed ware was found or not in the excavation on 13th June, 2003, when I was present there, and on the contrary it was my curiosity to see the glazed ware found there, if any. We had demanded to see the glazed ware. Since I was involved in inspection of trenches at the excavation site, I did not

demand the glazed ware over there. Nobody intimidated me on that day about discovery of any glazed ware at that place. The day-to-day register was not prepared in my presence on 13th June, 2003.” (E.T.C.)

“यह सही है कि डे-टू-डे रजिस्टर (पेज 255) तारीख 13.6.2003 में ग्लेज्ड वेयर की डिटेल् लिखी हुई है और पेज 256 पर श्री जफ़रयाब जीलानी के दस्तखत है।” (पेज 514)

“It is true that the details of glazed ware are mentioned in the day-to-day register dated 13.06.2003 (page 255) and page 256 bears the signature of Mr. Zafaryab Jilani.” (E.T.C.)

3829. He repeatedly said that he has come to assail the conclusion given by ASI in its report:

“मैं ए0एस0आई0 द्वारा अयोध्या में किए गए उत्खनन तथा उस पर तैयार की गई रिपोर्ट के निष्कर्षों के सम्बन्ध में जांच कर यह बयान देने आया हूँ कि इस रिपोर्ट में यह निष्कर्ष तथ्यों के आधार पर सही नहीं है, बल्कि मस्जिद के नीचे सल्तनत काल के इस्लामिक ढाँचे ही रहे थे।” (पेज 267)

“ With regard to the excavation carried out by the ASI in Ayodhya and the findings contained in the report prepared thereon, I, after examining facts, I have come here to state that this finding in the report is not factually correct. Rather, only the Islamic structures of the Sultanate period were beneath the mosque.” (E.T.C.)

“यह भी सच है कि मैं अपनी गवाही में ए0एस0आई0 की रिपोर्ट व उसके विभाग को तिरस्कृत करने अथवा उसे खण्डित करने के लिए उपस्थित हुआ हूँ। वास्तव में मैंने इस रिपोर्ट का अध्ययन किया है और इसीलिए मैंने जो उपयुक्त तथ्य देखे हैं, उनका निष्कर्ष निकाला है कि ए0एस0आई0 की उत्खनन विधि तथा उनके एक्ज़ामिनेशन का भी असेसमेंट किया है और तब इस नतीजे पर पहुँचा हूँ कि ए0एस0आई0 का कनक्लूजन गलत है।” (पेज 336-337)

“It is also true that I have appeared to discard or reject the report of ASI and its department, through my evidence. Actually I have studied the said report and after seeing the aforesaid facts as well as carrying out the assessment of excavation method & its examination by ASI, I have drawn the conclusion that the conclusion of ASI is wrong.” (E.T.C.)

“मैं अयोध्या के इस उत्खनन रिपोर्ट के बारे में अपना आंकलन देने आया हूँ और यह बताने आया हूँ कि इस रिपोर्ट के निष्कर्ष बाबरी मस्जिद के नीचे किसी मंदिर के होने के बारे में निराधार है।” (पेज 343)

“I have come to give my estimate about this excavation report of Ayodhya and also to tell that the conclusion of this report regarding existence of any temple beneath the Babri mosque, is baseless.” (E.T.C.)

3830. Prof. D. Mandal, P.W. 24, while commenting upon the ASI report, has said that the form in which ASI has excavated the site at Ayodhya does not appear to be justified for the reason that only vertical excavation in some of the trenches was sufficient for achieving the object and horizontal excavation at such a large scale was not only unrequired but misuse of the available resources. He has made comments based upon the information, which he received from the personal visit at the site of excavation firstly from 10.6.2003 to 15.6.2003 and thereafter from 27.9.2003 to 29.9.2003; the ASI report containing two volumes and day to day register maintained by the ASI officials during the course of excavation.

3831. Sri Mandal's comments in his affidavit pertaining to stratigraphy/periodisation are:

“6. यह कि ए० एस० आई० रिपोर्ट में प्रतिपादित स्तरीकरण एवं कालक्रम

से मैं सहमत नहीं हूँ। इस सम्बन्ध में अभिसाक्षी निम्न तथ्य प्रस्तुत करता है :-

A- इस विषय के दो पहलू हैं। दोनों महत्वपूर्ण हैं।

(i) पहला स्तरीकरण, दूसरा कालक्रम। दोनों में पहले का महत्व अधिक है। क्योंकि कालक्रम का निर्धारण प्रधानतः स्तरीकरण पर निर्भर करता है, न कि इसके विपरीत। ए० एस० आई० रिपोर्ट में “Stratigraphy and chronology” नामक अध्याय में स्तरीकरण से सम्बन्धित तथ्यों का नितान्त अभाव है। पूरा का पूरा अध्याय कालक्रम के ब्योरे से भरा है। वह भी प्रमाणित तथ्यों पर आधारित नहीं। उल्लेखनीय है कि उत्खनन से प्रकाश में आये स्तरों की संख्या तथा उनके नामकरण मात्र से ही स्तरीकरण का वास्तविक अर्थ में निर्धारण नहीं हो जाता।

(ii) सारगर्भित स्तरीकरण के लिए सम्बद्ध स्तरों के प्राकृतिक विशेषताओं (physical features) तथा अन्तर्वस्तुओं (contents) का विधिवत वर्णन एवं व्याख्या अत्यन्त आवश्यक है। इसमें प्रत्येक स्तर का रंग (Colour) गठन (texture), संरचना (composition) तथा अन्तर्वस्तुओं का विस्तृत विवरण नितान्त अपेक्षित है। इन्हीं तथ्यों की व्याख्या के आधार पर किसी पुरास्थल के जमाव के इतिहास (depositional history) की रचना की जाती है। इससे कई गूढ़ तथ्यों पर प्रकाश पड़ता है। जैसे क्या अमुक पुरास्थल के सभी जमाव पुरातात्विक हैं? अथवा क्या उनमें से कुछ प्राकृतिक जमाव (natural deposit) भी हैं? यदि उनमें से कुछ प्राकृतिक हैं तो उनका प्रकार क्या है? जैसे, क्या वे जल निर्मित है (water borne) या वायु निर्मित (air borne) आदि आदि। रिपोर्ट में इन तथ्यों का पूर्ण अभाव है। स्तरीकरण के सन्दर्भ में उनके किसी भी स्तर के रंग, गठन, संरचना आदि के विषय में कोई सूचना नहीं है। जमाव के इतिहास की तो कोई चर्चा ही नहीं।

B- (i) मुझे अपनी निरीक्षण अवधि के दरमियान उत्खनन से प्रकाश में आये सेक्शन (Section) का, जमाव के इतिहास की दृष्टि से, अध्ययन करने का अवसर मिला। पुरातत्व का विद्यार्थी होने

के नाते G7 ट्रेंच को श्रद्धा पूर्वक नमन करता हूँ। इस ट्रेंच का सेक्शन इस पुरास्थल की पूरी कहानी कहता है। यह एक खुली किताब है। इसका हर परत किताब के पन्नों की तरह है। जो पढ़ सके पढ़ ले। सीमित समय में हमने अपनी साधारण क्षमतानुसार जो कुछ पढ़ा उसे प्रस्तुत करता हूँ।

(ii) स्तरीकरण रिपोर्ट के अनुसार यहाँ कुल मिलाकर 18 परतों का जमाव प्रकाश में आया है। साथ में कुछ परतों से जुड़े हुए पिट (Pit) भी हैं। 18 परतों का यह जमाव प्राकृतिक मिट्टी (natural soil) पर स्थित है। ए0एस0आई0 के विद्वानों ने पूरे जमाव को पुरातात्विक जमाव (archaeological deposit) माना है। यह तथ्य रिपोर्ट के इस कथन से स्पष्ट “Excavation at the disputed site of Ayodhya has yielded a continuous cultural sequence contained in the total deposition of about 10.80 m.” (ASI Report, Vol.I p.37) इस निष्कर्ष से हमारा मतभेद है। हम इस जमाव को मुख्यतः दो कोटि में विभाजित करते हैं:— पुरातात्विक (archaeological) एवं प्राकृतिक (natural)। सुविधा के लिए पुरातात्विक पुनः दो भागों में विभाजित किया जा सकता है— (a) बसावटी (habitational) तथा (b) गैर बसावटी (non-habitational)। यहाँ गैर बसावटी का तात्पर्य भरती-जमाव (filling deposit) से है।

(iii) रंग, गठन तथा संरचना (colour, texture and composition) के आधार पर 18 परतों में दो प्राकृतिक जमाव (natural deposit) की कोटि में आते हैं। G7 नामक ट्रेंच (जिसे सुविधा के लिए Index trench कहा जा सकता है) में इन परतों का प्रतिनिधित्व Layer No. 4 का उपरी हिस्सा तथा Layer No. 6 करते हैं। यहाँ इस बात का उल्लेख कर देना आवश्यक है कि रिपोर्ट में Layer 4 की सही पहचान नहीं की गयी है। वस्तुतः इस परत में दो विभिन्न प्रकार के जमाव मिले हुए हैं। इसका उपरी भाग प्राकृतिक (natural) तथा निचला भाग पुरातात्विक

(archaeological) जमाव है।

- (iv) *Layer 4* का उपरी भाग तथा *Layer 6*, दोनों मुख्यतः जल निर्मित (water borne) जमाव हैं। रंग, गठन तथा संरचना के आधार पर वे सिल्ट (silt) कोटि के जमाव प्रतीत होते हैं। सिल्ट का निर्माण जल प्रक्रिया पर आश्रित है। *Layer 6* का रंग हल्का धूसर गठन चिकना किन्तु सख्त तथा संरचना में बालू तथा कीचड़ (sand and mud) का समिश्रण प्रतीत होता है, इसमें यदा कदा सीप (shell) तथा सम्भवतःघोघा (snail) आदि के अवशेष भी दिखाई देते हैं। (उल्लेखनीय है कि riverine shell मिलने का उल्लेख रिपोर्ट के पृष्ठ संख्या 43 पर भी है। यह *Period VIII* के भरती जमाव (filling deposit) के सन्दर्भ में है। भरती जमाव में पूर्व कालीन मिट्टी का उपयोग हुआ है। उल्लेखनीय है कि इस जमाव में बसावटी सामग्रियों का नितान्त अभाव है। यह साक्ष्य भी इस तथ्य का द्योतक है कि यह पुरातात्विक जमाव नहीं है।
- (v) *Layer 4* का उपरी भाग वाला जमाव, रंग, गठन एवं संरचना की दृष्टि से पुनः दो भागों में विभाजित प्रतीत होता है— उपरी तथा निचला भाग। निचला भाग रंग, गठन, एवं संरचना में *Layer 6* के लगभग समान है। किन्तु उपरी भाग में कुछ महत्वपूर्ण अन्तर दिखाई देता है। यह गहरे धूसर रंग का है। इसकी गठन अपेक्षाकृत ढीली (loose) है। इसका गहरे धूसर रंग का होना सम्भवतः इस तथ्य का द्योतक है कि इसके निर्माण में वनस्पति (vegetation) की विशेष भूमिका रही है। इस बंजर-सतह (sterile level) को प्राचीन ह्यूमस (ancient humus) नाम से सम्बोधित किया जा सकता है। किसी सतह पर इस प्रकार का जमाव उस सतह का लम्बे अर्से तक वीरान रहने के पश्चात ही होता है। उल्लेखनीय है कि इन दो परतों का जमाव इस पुरास्थल के उन सभी ट्रेंच में मिले हैं जिनमें इन स्तरों तक उत्खनन किया गया है।
- (vi) उपलब्ध तथ्यों के आधार पर इसमें दो राय नहीं कि सिल्ट जमाव वाले दोनों परतों का निर्माण बाढ़ के फलस्वरूप हुआ। *Layer 6* वाले बाढ़ के तत्काल पश्चात यहाँ आबादी का प्रमाण उपलब्ध है

किन्तु *Layer 4* वाले बाढ़ के पश्चात इस इस स्थल पर एक लम्बे अर्से तक आबादी नहीं होने का स्पष्ट प्रमाण मिलता है।

- (vii) 18 परतों वाले इस जमाव में इन दो परतों को छोड़कर (*Layer 4* का ऊपरी हिस्सा तथा *Layer 6*) शेष अन्य सभी परतें पुरातात्विक कोटि में आती हैं। प्राचीन ह्यूमस (*ancient humus*) जमाव के उपर स्थित सभी परतें तथा ह्यूमस के नीचे की परत संख्या 7 तथा 8 भरती-जमाव (*filling deposit*) कोटि के हैं। इसके नीचे की शेष सभी परतें (परत संख्या 9 से 18) नियमित आवासीय (*regular habitation*) जमाव की श्रेणी में आती हैं।
- (viii) प्रासंगिक पुरास्थल को भरती जमाव (*filling deposit*) द्वारा ऊंचा करने का स्पष्ट प्रमाण मिला है। यह प्रमाण इस तथ्य में निहित है कि सम्बद्ध स्तरों से विभिन्न कालों की मिली जुली सामग्रियाँ प्राप्त हुई हैं। पुरातत्व में इस स्थिति को स्तर ऊंचा करने के साक्ष्य के रूप में माना जाता है। उपलब्ध साक्ष्यों के अनुसार इस स्थल को ऊंचा करने की प्रक्रिया *Layer 8* से ही प्रारम्भ हो जाती है। यह प्रक्रिया दो परतों को छोड़कर (*Layer 6* तथा *Layer 4* का उपरी भाग) *Layer 1* तक चलती रहती है। रिपोर्ट में भी सतह को कई बार ऊंचा करने की बात कही गई है। किन्तु उसके कारण पर कोई प्रकाश नहीं डाला गया है। इस पुरास्थल को बार बार ऊंचा करने की आवश्यकता क्यों पड़ी? यह एक महत्वपूर्ण प्रश्न है।
- (ix) मेरे अध्ययन के अनुसार इसका मुख्य कारण पुरास्थल को बाढ़ से सुरक्षा प्रदान करना प्रतीत होता है। प्राप्त साक्ष्यों से यह विदित होता है कि पुरास्थल प्रारम्भ से ही बाढ़ प्रवृत्त (*flood prone*) रहा है। इस सम्बन्ध में उल्लेखनीय है कि इस स्थल के पश्चिम में श्री *B.B.Lal* महोदय द्वारा की गई खुदाई में प्रारम्भिक ऐतिहासिक काल से “नदीकृत बालू जमाव “ (*fluvial sand bed*) का अवशेष प्राप्त हुआ है (*Indian Archaeology-A Review, 1976-77, p. 52*)। स्थलाकृति सम्बन्धी साक्ष्य (*topographical evidence*) से भी इस समस्या पर प्रकाश पड़ता है। उल्लेखनीय है कि इस दृष्टि से प्रासंगिक क्षेत्र फ्लड प्लेन (*flood plain*) के

अन्तर्गत आता है। रिपोर्ट के अनुसार “...the region around Ayodhya along the river comes under its flood plain” (ASI Report, Vol.I, p.1)। लाल महोदय की खुदाई में यहाँ से प्रारम्भिक ऐतहासिक काल में निर्मित रैम्पर्ट (Rampart) तथा फ़ोर्टीफ़िकेशन वाल (fortification wall) का भी अवशेष मिला है। यह साक्ष्य भी बाढ़ सुरक्षा की दृष्टि से अत्यन्त महत्वपूर्ण है। ये सभी साक्ष्य बाढ़ सुरक्षा (flood protection) की ओर स्पष्ट संकेत करते हैं। इन सबों में सर्वाधिक महत्वपूर्ण साक्ष्य तो यहाँ से जलोढ़ जमाव का प्रमाण प्राप्त होना है। यहाँ से दो बार भीषण बाढ़ आने का स्पष्ट प्रमाण मिलता है। उपलब्ध तथ्यों के आलोक में इस बात की पूरी सम्भावना है कि बाढ़ प्रकोप से सुरक्षा प्रदान करने हेतु ही इस स्थल को बार-बार ऊँचा करने की आवश्यकता पड़ी। इस घटनाक्रम में एक समय ऐसा भी आया कि बाढ़ के कारण यहाँ के लोगों को बाध्य होकर एक लम्बे समय के लिए यह स्थान ही त्याग देना पड़ा। यह तथ्य बाढ़ के पश्चात हयूमस जमाव के साक्ष्य से प्रमाणित होता है।

C-

- (i) कालक्रम / प्रासंगिक विषय का यह दूसरा पहलू है। रिपोर्ट में 18 परतों के जमाव को निम्न नौ कालों में विभाजित किया गया है:— NBPW, Sunga, Kushana, Gupta, Post Gupta-Rajput, Early Medieval-Sultanate, Medieval, Mughal तथा Late and Post Mughal.
- (ii) कालक्रम में सन्दर्भ में रिपोर्ट के अनुसार सभी कालों में सांस्कृतिक निरन्तरता (cultural continuity) है (ASI Report Vol.I, p.37)। पुरातत्व की दृष्टि से यह एक अत्यन्त ही महत्वपूर्ण निष्कर्ष है। रिपोर्ट के इस निष्कर्ष से हम सहमत नहीं हैं।
- (iii) हमारे अध्ययन के अनुसार प्रथम चार कालों के पश्चात यह पुरास्थल एक लम्बे समय के लिए वीरान हो गया।

कालों की निरन्तरता भंग हुई। इस सम्बन्ध में सांस्कृतिक अन्तराल का स्पष्ट प्रमाण उपलब्ध है। कालक्रम का चौथा काल गुप्त काल है। रिपोर्ट के अनुसार इस काल की तिथि 4th-6th Century AD निर्धारित की गई है। मेरे अध्ययन के अनुसार इस काल में दो बार बाढ़ आने का प्रमाण मिलता है। दूसरी बार के बाढ़ के पश्चात् लोगों ने इस स्थान को एक लम्बे समय के लिए त्याग दिया। यह तथ्य इस साक्ष्य से प्रमाणित होता है कि इस बाढ़ जमाव के उपर ह्यूमस जमाव का प्रमाण उपस्थित है। उल्लेखनीय है कि ह्यूमस जमाव के बाद जिस संस्कृति के अवशेष मिलते हैं वे *Islamic* काल के हैं। ह्यूमस जमाव के उपर के परतों से ग्लेज़्ड वेयर (*glazed ware*), ग्लेज़्ड टाइल्स (*glazed tiles*), जानवरों की हड्डियां तथा चूना एवं सूरखी (*lime and surkhi*) से निर्मित फ़र्शों के अवशेष का मिलना इस तथ्य के अकाट्य प्रमाण है। *Day to Day Register* से प्राप्त सूचनाओं के विश्लेषण से यह प्रमाणित होता है कि ह्यूमस के ऊपर के सभी परतों से ग्लेज़्ड वेयर तथा जानवरों की हड्डियों के अवशेष मिले हैं जिनका उल्लेख *Appendix I* व *II* में दिया जा रहा है। इसी प्रकार रिपोर्ट के *Chaper VI* (pp. 164-172) में उपलब्ध ग्लेज़्ड टाइल्स के टुकड़ों की सूची से प्राप्त सूचनाओं के विश्लेषण से यह प्रमाणित होता है कि ह्यूमस जमाव के उपर स्थित सभी प्रासंगिक परतों से ग्लेज़्ड टाइल्स के अवशेष मिले हैं जिसका उल्लेख *Appendix III* में दिया जा रहा है।

- (iv) यहां मुस्लिम संस्कृति से सम्बद्ध ग्लेज़्ड वेयर का अवशेष सल्तनत काल से मिलना प्रारम्भ हो जाता है। इस काल का प्रारम्भ लगभग तेरहवीं सदी के प्रारम्भ से माना गया है। यहाँ चौथे काल (गुप्त काल) का अन्त छठी शताब्दी इसवी निर्धारित की गई है। इस काल के दूसरे बाढ़ जमाव के पश्चात् ही ह्यूमस जमाव का साक्ष्य मिला है। इसके फ़ौरन ऊपर की परत से ग्लेज़्ड वेयर का साक्ष्य उपलब्ध है जिसकी तिथि लगभग तेरहवीं सदी है। ये तथ्य समुचित रूप से सांस्कृतिक अन्तराल का अकाट्य प्रमाण उपस्थित करते हैं। इन साक्ष्यों के आलोक में रिपोर्ट की यह

अवधारणा कि यहाँ के सभी कालों में सांस्कृतिक निरन्तरता थी सत्य प्रतीत नहीं होता। वस्तुतः यहाँ के 18 परतों वाले जमाव को 9 की जगह 5 सांस्कृतिक कालों में ही विभक्त किया जाना चाहिए। गुप्त काल के पश्चात एक लम्बी अवधि का अन्तराल, इसके पश्चात इस्लामिक काल प्रारम्भ होता है। इस पाँचवें सांस्कृतिक काल (Cultural Period) को कई ढाँचा-आधारित कालों (Structural Period) में विभाजित किया जा सकता है।

- (v) ए0एस0आई0 द्वारा रिपोर्ट में प्रतिपादित पाँचवाँ, छठा एवं सातवाँ काल मनमानी (arbitrary) साक्ष्यों पर आधारित प्रतीत होता है। इस सम्बन्ध में निम्न तथ्य प्रस्तुत हैं:—

Period V-

- (a) पाँचवें काल को Post-Gupta-Rajput काल कहा गया है। रिपोर्ट के अनुसार G7 ट्रेंच में Layer 5 तथा Layer 6 इस काल का प्रतिनिधित्व करते हैं (ASI Report, Vol. I, Table after page 36; also page 40)
- (b) रिपोर्ट में इस काल की पहचान मुख्यतः Knife-edge bowl से की गई है। इसके आधार पर इसे सातवीं से दसवीं सदी के बीच रखा गया है। "The period is marked by the appearance of the knife-edge bowls and other types which belong to the period from seventh to tenth-century AD" (ASI Report, Vol I, p. 40)। उल्लेखनीय है कि Knife-edge bowl का उल्लेख Stratigraphy and Chronology के अध्याय में तो हुआ है, किन्तु Pottery के अध्याय में जहाँ इसका उल्लेख अपेक्षित था, कोई उल्लेख नहीं है। रिपोर्ट के figure 44 में अधिकांश bowls का रेखा चित्र प्रकाशित है किन्तु उनके वर्णन में किसी को भी Knife-edge bowl नहीं कहा गया है। ऐसे विशिष्ट प्रमाण का न केवल रेखा चित्र, बल्कि छायाचित्र भी प्रकाशित होना चाहिए था। इसके बिना रेखाचित्र की प्रामाणिकता का मूल्यांकन सम्भव नहीं। उपलब्ध तथ्यों की विवेचना

से ऐसा लगता है कि वस्तुतः इस तथा-कथित काल से इस प्रकार का **bowl** मिला ही नहीं।

- (c) तथा कथित *Post Gupta-Rajput* काल से ऐसी सामग्री का नितान्त अभाव है जिससे इस काल की निर्णायक पहचान बनती हो, जैसे सिक्का, सील, सीलिंग, स्कल्पचर आदि। इसके विपरीत इस काल से गुप्त काल के पाटरी (*pottery*) मिलते हैं। इनमें गुप्तकालीन *Lid-cum-bowl, knobbed lid, Inkpot type lid* आदि उल्लेखनीय है। (*ASI Report, Vol.I, Fig. 44*).
- (d) *Layer 5* तथा *6* से प्राप्त सामग्रियों के आधार पर इस काल को *Post Gupta-Rajput* काल निर्धारित करना बिल्कुल मनगढ़न्त प्रतीत होता है। इस सम्बन्ध में उल्लेखनीय है कि *Depositional History* के आलोक में तो *Layer 6* पुरातात्विक जमाव है ही नहीं। वस्तुतः तथा-कथित पाँचवां काल गुप्त काल का ही अंग प्रतीत होता है।

Period VI-

- (e) रिपोर्ट में इस काल को *Medieval Sultanate* काल कहा गया है। इसकी तिथि *11th- 12th Century AD* निर्धारित की गई है। उल्लेखनीय है कि रिपोर्ट में इस तिथि निर्धारण के आधार के सम्बन्ध में कोई साक्ष्य प्रस्तुत नहीं किया गया है। इस प्रश्न पर कि इस काल को *Medieval-Sultanate* क्यों कहा गया, रिपोर्ट पूरी तरह मौन है।
- (f) रिपोर्ट में *G7* ट्रेंच की परतों *3, 3 A* तथा *4* को इस काल का समकालिक जमाव कहा गया है। किन्तु *Depositional History* के अनुसार *Layer 4* का ऊपरी भाग तो पुरातात्विक जमाव है ही नहीं, इसका निर्माण तो बाढ़ तथा हयूमस जमाव के फलस्वरूप हुआ। फिर इसके पश्चात यह पुरास्थल लम्बे समय के लिए वीरान हो गया। उल्लेखनीय है कि इसके ऊपर स्थित सभी परतों से विभिन्न प्रकार के ग्लेज़्ड वेयर (*glazed ware*) तथा ग्लेज़्ड टाइल्स (*glazed tiles*) के अवशेष मिले हैं (*See Appendix I, III*) ऐसी स्थिति में *Layer 3, 3 A* तथा *4* की तिथि *11th-12th Century*

AD निर्धारण करना किसी भी प्रकार युक्ति संगत प्रतीत नहीं होता।

- (g) उपरोक्त तथ्यों के आलोक में *Post Gupta-Rajput* काल की तरह इस काल का भी कोई अस्तित्व नहीं लगता।

Period VII-

- (h) रिपोर्ट में इसे *Medieval* काल कहा गया है। इसकी तिथि 12th से 16th *Century AD* की शुरुआत के बीच निर्धारित की गई है (*ASI Report Vol I, p. 41*)। उल्लेखनीय है कि इस तिथि निर्धारण के आधार के सम्बन्ध में प्रासंगिक अध्याय (***Stratigraphy and Chronology***) बिल्कुल मौन है जबकि तिथि सम्बन्धी चर्चा इसी अध्याय में अपेक्षित है।
- (i) रिपोर्ट के *Structures* नामक अध्याय में इस काल की तिथि निर्धारण के आधार पर कुछ तथ्य उपलब्ध हैं। रिपोर्ट के अनुसार इस काल में निर्मित दीवार नं० 16 (*Wall No. 16*) तथा वनस्पतीय मोटीफ़ (*floral motif*) से सुसज्जित एक अष्टभुजाकार शिलाखण्ड (*Octagonal sand stone block*) को मुख्य आधार के साक्ष्य के रूप में प्रस्तुत किया गया है (*ASI Report, Vol I, pp. 52 and 56*)
- (j) रिपोर्ट में इस ईट निर्मित दीवार (*wall 16*) की समता सारनाथ के धर्मचक्रजिन विहार में स्थित एक विशेष ईट की दीवार से स्थापित की गई है। इस विहार का निर्माण गहड़वाल शासक गोविन्द चन्द्र की रानी कुमार देवी ने बारहवीं सदी में कराया था।
- (k) अयोध्या के अष्टभुजाकार शिलाखण्ड (*Octagonal sand stone block*) की तुलना सारनाथ विहार में स्थित वनस्पतीय मोटीफ़ (*floral motif*) से सुसज्जित एक विशेष शिलाखण्ड (*stone block*) से की गई है। इन दोनों में समानता स्थापित की गई है। इस समानता के आधार पर *wall No. 16* को बारहवीं सदी का घोषित किया गया है। रिपोर्ट में इसी साक्ष्य के आधार पर सातवें काल की प्रारम्भिक तिथि बारहवीं सदी निर्धारित की गई है। “

“6. That I do not agree with stratigraphy and chronology as laid down in the ASI report. In this behalf the witness

presents the following facts:-

A- There are two aspects of this subject. Both are important.

- (i) The first one is stratigraphy and the other one is chronology. Out of the two, the first one holds more importance, because chronological determination depends mainly on stratification but its contrary is not true. There is an utter absence of facts in relation to stratification, in the chapter "Stratigraphy and Chronology" in the ASI report. The whole chapter is replete with details about chronology, that too, not on the basis of verified facts. It is pertinent to mention that stratification cannot be done in a real sense, only on the basis of number of layers coming to light through excavation and their nomenclature.*
- (ii) For a meaningful stratification, it is very essential to make a proper description and explanation of physical features and contents of the concerned layers. In this process, an extensive description of colour, texture and composition of every layer as also their contents is absolutely necessary. The depositional history of an archaeological site is constructed on the basis of explanation of these very facts. It throws light on several abstruse facts, such as whether all the deposits on the said archaeological site are of archaeological nature or whether some of them are also natural deposits. If some of them are natural deposits then what is their type, such as, whether they are water borne, air*

borne etc.? The report suffers from utter absence of these facts. It contains no information about the colour, texture, composition etc. of any layer in the process of stratification. It has no discussion on the depositional history.

- B- (i) In course of my observation, I got an opportunity to study the sections which have come to light through excavation, from the view- point of depositional history. As a student of archaeology I pay obeisance to Trench G-7. The section of this trench tells the whole story of this archaeological site. It is an open book. Every layer of its is like pages of a book which can be read by anybody who is capable of doing so. I put forward whatsoever I have been able to gather in a limited time by virtue of my ordinary capacity.*
- (ii) As per stratification report, a deposit of total 18 layers has come to light here. Besides, there are also pits connected with some layers. This deposit of 18 layers is on natural soil. The ASI scholars have taken the whole deposit as an archaeological deposit. This fact is brought forth by a statement contained in the report which reads as “Excavation at the disputed site of Ayodhya has yielded a continuous cultural sequence contained in the total deposition of about 10.80 m.” (ASI Report, Vol.I p.37). I disagree with this finding. We classify this deposit mainly into two categories: archaeological and natural. For convenience, archaeological category can be further*

divided into two parts: (a) habitational and (b) non-habitational. Here non-habitational means “filling deposit”.

- (iii) *On the basis of colour, texture and composition, two of the eighteen layers come under the category of natural deposit. At the Trench G-7 (which can be called index trench for convenience), these layers are represented by the upper portion of Layer no.4 and the Layer no.6. Here it is necessary to mention that Layer no.4 is not correctly identified in the report. Actually, two different types of deposits have been discovered at this layer. Its upper portion is a natural deposit and its lower portion is an archaeological deposit.*
- (iv) *The upper portion of Layer 4 and the Layer 6 are both mainly water borne deposits. On the basis of colour, texture and composition they appear to be deposits categorized as silt. Formation of silt depends on water process. The colour of Layer 6 is light grey; its texture is smooth but hard and its composition appears to be a mixture of sand and mud. Remains of shells and possibly of snails, etc. are also seen in it. (It is pertinent to mention that the discovery of riverine shell finds mention also on page no. 43 of the report. It relates to the filling deposit of Period VIII. The filling deposit contains soil of the early period). It is worth mentioning that there is an utter absence of habitational materials in this deposit. This evidence also suggests that it is not an*

archaeological deposit.

- (v) *The upper portion deposit of Layer 4, from the angle of colour, texture and composition, appears to be further divided into two parts- upper and lower parts. The lower part is almost similar to Layer 6 in respect of colour, texture and composition. It is of dark grey colour. Its texture is comparatively loose. Its being of dark grey colour perhaps suggests that vegetation has had a special role in its formation. This sterile level can be termed as ancient humus. This type of deposit is seen at any level only after that level having remained desolate for a long period. It is pertinent to mention that deposit of these two layers have been discovered at this archaeological site from all those trenches which have been excavated down to these layers.*
- (vi) *On the basis of the facts available, it is beyond doubt that both the layers characterized as silt deposit came to be formed as a result of flood. Proof of habitation is available here after the flood-stemming deposit of Layer 6 but no clear proof of there being habitation for a long time is found at this place, after the flood-stemming deposit of Layer 4.*
- (vii) *In this deposit having 18 layers, all layers, except for these two layers (the upper part of Layer 4 and the Layer 6), come under archaeological category. All the layers above the ancient humus and Layers 7 and 8 below the humus are categorized as filling deposits. All the remaining layers (layers 9 to 18)*

below it come under the category of regular habitation.

(viii) A clear proof is found of having elevated the archaeological site in question through filling deposits. Its proof consists in the fact that mixed materials of different periods have been discovered from the concerned layers. In archaeology, this position is taken to be evidence of elevating the level. As per the evidences available, the process of heightening this sites starts right from Layer 8. This process continues upto Layer 1 with the exception of two layers (Layer 6 and the upper part of the Layer 4). The report also speaks of the level having been elevated many times but it has not thrown light on its reasons. It is an important question why there was necessity of repeated heightening of this archaeological site.

(ix) As per my study, providing protection to the archaeological site against floods appears to be the main reason for it. From the evidences discovered it transpires that the archaeological site has been flood-prone since the beginning. In this behalf it is pertinent to mention that remains of fluviatile sand bed belonging to the Early Historic Period have been discovered at the excavation carried out by Sri B.B. Lal in the west of this site (Indian Archaeology- A Review, 1976-77, p. 52). Topographical evidence also throws light on this problem. It is pertinent to mention that the region in question, from this point of

view, comes under flood plain. As per the report, ". the reason around the Ayodhya along the river comes under its flood plain." (ASI Report, Vol.I, p. 1). At the excavation carried out by Sri Lal, remains of ramparts and **fortification wall constructed in the Early Historic Period have also been found** from here. From the view point of protection against flood, this evidence is also very important. All these evidences clearly alludes to flood protection. Discovery of alluvial deposit from this place is the most important evidence out of these ones. A clear proof of fierce floods having occurred twice has been found from this place. The facts available give rise to **a full possibility that necessity was felt for repeated heightening of this place only with a view to provide protection against the fury of flood.** In course of this development, there was once a time when people had to abandon this place itself for a long period on account of flood. This fact is borne out by the evidence of humus deposit in the wake of flood.

C-

- (i) *Chronology-* This is the second aspect of the subject in question. In the report, deposit of 18 layers has been divided into the following nine periods: NBPW, Sunga, Kushana, Gupta, Post Gupta-Rajput, Early Medieval-Sultanate, Medieval, Mughal and Late and Post Mughal.
- (ii) In reference to chronology, the report says that there

*is cultural continuity in all the periods (ASI Report Vol.I, p.37). From archaeological point of view, it is a very important finding. **We do not agree with this finding of the report.***

- (iii) *As per our study, after the first four periods this archaeological sites became desolate for a long time. The continuity of periods came to be broken. In this behalf a clear proof of cultural intermission is available. The fourth period of chronology is the Gupta period. As per the report this period has been dated as 4th-6th century AD. **As per my study, proofs are found of floods having occurred twice in this period. After the second flood people abandoned this place for a long time. This fact is evidenced by the fact that proof is found of there being humus deposit above this flood-stemming deposit. It is pertinent to mention that the remains of whichever culture is found after the humus deposit, belongs to the Islamic period. Discovery of remains of glazed ware, glazed tiles, animal bones and the floors made of lime and surkhi from the layers above the humus deposit are unassailable proofs of this fact. On analysis of the information collected from Day-to-Day Register, it is proved that from all the layers above the humus, remains of glazed ware and animal bones have been discovered details whereof are being given in Appendices I and II. In this very manner, the analysis of the information collected from the list of pieces of glazed tiles given***

in Chapter VI (pp. 164-172) goes to prove that remains of glazed tiles have been discovered from all the concerned layers above the humus deposit, in which respect details are being given in Appendix III.

- (iv) Here we begin to find glazed ware associated with the Muslim culture from the Sultanate period. **The beginning of this period is attributed to the beginning of around 13th century.** Here the end of fourth period (the Gupta period) is attributed to the sixth century. Evidence of the humus deposit has been found only after the second flood-stemming deposit of this period. Evidence of there being glazed ware has been found from the layer immediately above it which is dated to around 13th century. These facts properly present unassailable proofs of cultural continuity. The conception of the report believing there to be cultural continuity here in all the periods does not appear to be true in light of these evidences. **Actually the 18-layer deposit of this place should be divided only into in five cultural periods instead of nine ones. After the Gupta period, the Islamic period begins after a long interval. This fifth cultural period can be divided into many structural periods.**
- (v) **Fifth, sixth and seventh periods as envisaged in the ASI report appear to be based on arbitrary evidences.** In this behalf the following facts are presented:

Period V

- (a) The fifth period has been termed as Post Gupta-

Rajput period. As per the report, this period is represented by Layer 5 and Layer 6 at Trench G-7 (ASI Report, Vol.I, Table after page 36; also page 40).

- (b) *In the report, this period has been identified mainly with knife-edge bowls. On this basis this period has been placed between 7th to 10th century. “The period is marked by the appearance of the knife-edge bowls and other types which belong to the period from seventh to tenth century AD” (ASI Report, Vol. I, p. 40). It is pertinent to mention that knife-edge bowl certainly finds mention in the chapter titled Stratigraphy and Chronology but it finds no mention in a chapter on pottery where it was required to be mentioned. Figure 44 of the report carries diagrams of most of the bowls but in their description none of them has been called knife-edge bowl. Not only diagrams but also photographs of so special proofs ought to have been published. But for them, it is not possible to assess authenticity of diagrams. From the analysis of the facts available, it appears that this type of bowls have actually not been discovered from this so-called period.*
- (c) *Among the materials discovered from the so-called Post Gupta-Rajput period, there is an utter want of such materials as coins, seals, ceiling, sculpture etc. which may be helpful in identifying this period in a conclusive manner. On the contrary, potteries from this period to the Gupta Period are found. Out of*

these, lid-cum-bowl, knobbed lid, inkpot type lid etc. are worth mentioning. (ASI Report, Vol.I, Fig. 44).

- (d) *On the basis of the materials discovered from layers 5 and 6, dating this period as Post Gupta Rajput Period appears to be utterly fabricated. In this behalf it is worth mentioning that Layer 6, in the light of depositional history, is certainly not an archaeological deposit. Actually, **the so-called fifth period appears to be a part of the Gupta period itself.***

Period VI

- (e) *In the report, this period has been termed as Medieval Sultanate. It has been dated 11th-12th century AD. It is worth mentioning that no evidence has been presented in the report in connection with the basis of this dating. The report is completely silent over the question as to **why this period has been termed as Medieval-Sultanate period.***
- (f) *In the report, layers 3, 3A and 4 of Trench G-7 have been termed as contemporary deposits of this period. But as per Depositional History, the upper portion of Layer 4 which is certainly not an archaeological deposit, was surely formed as a result of floods and humus deposit. After that this archaeological site got depopulated for a long time. It is worth mentioning that remains of several types of glazed ware and glazed tile has been discovered from all the layers above it (See Appendices I & III). In such a situation, it does not appear proper in any manner to date*

Layers 3, 3A and 4 as 11th-12th century AD.

- (g) *In the light of aforesaid facts, like Post Gupta-Rajput period this period too does not appear to have any existence.*

Period VII

- (h) *In the report, it has been termed as medieval period. It has been dated between 12th to the beginning of 16th century AD (ASI Report Vol. I, p. 41). It is pertinent to mention that **the concerned chapter (Stratigraphy and Chronology) is completely silent over the basis of this dating**, whereas dating-related discussion is required to be there in this very chapter.*
- (i) *In a chapter titled Structures in the report, some facts are available about the basis of dating of this period. Constructed in this period Wall No.16 and an octagonal sand stone block decorated with floral motif have been cited in the report as evidence of the main basis of dating (ASI Report, Vol, pp. 52 and 56).*
- (j) *The report has established similarity of this brick-built Wall 16 with a particular brick-wall standing in Dharmachakrajin Vihar of Sarnath. Kumar Devi, queen of Gahadwal ruler Govind Chandra, had got this monastery built in the 12th century.*
- (k) *The octagonal sand stone block of Ayodhya has been compared with a Sarnath Vihar-situated particular stone block decorated with floral motif. Similarity between these two has been established. On the basis of the similarity, Wall No. 16 has been attributed to the 12th century. On this very evidence, the beginning*

of the seventh period has been attributed to the 12th century, in the report." (E.T.C)

3832. The facts stated in affidavit, he (PW 24) admits to have based on Trench G-7, as is evident from page 287 and 293/294:

“मुख्य परीक्षा का जो शपथ पत्र प्रस्तुत किया है, वह प्रधान रूप से जी-7 टेंच के अध्ययन पर आधारित है, क्योंकि टेंच जी-7 में ही नेचुरल स्वायल तक जो स्तरीकरण के साक्ष्य उपलब्ध हुए हैं, वे किसी अन्य टेंच में उपलब्ध नहीं हैं। टेंच जी-7 को इस पुरास्थल पर हुए उत्खनन का इण्डेक्स टेंच भी कहा जा सकता है। मेरी दृष्टि में टेंच जी-7, इण्डेक्स टेंच हो सकती है। इसके अतिरिक्त जिन अन्य टेंचों में वर्जिन स्वायल तक उत्खनन हुआ है, वे टेंचों मेरी दृष्टि में उतने महत्वपूर्ण नहीं हैं।” (पेज 287)

“*The affidavit of the examination-in-chief, is mainly based on study of Trench G-7 because the evidences of stratification found up to natural soil in Trench G-7, are not available in any other trench. The Trench G-7 can also be called the index trench of the excavation carried out at this archaeological site. In my view, the Trench G-7 can be the index trench. Besides it, the other trenches excavated up to virgin soil, are not that important in my view.*”(E.T.C.)

“मैंने अपनी मुख्य परीक्षा के शपथ पत्र की धारा-6 (शपथ -पत्र के पेज-5 लगायत 17) में जो मत व्यक्त किया है, वह टेंच जी-7 के अध्ययन पर आधारित है। यह कहना गलत है कि मैंने स्तरीकरण तथा काल निर्धारण के लिए टेंच जी-7 के अतिरिक्त अन्य टेंचों के अध्ययन की आवश्यकता नहीं समझी। मैंने अपने शपथ पत्र की धारा-6 में मैटीरियल, रियूज करने की बात कही है। जिस भी मैटीरियल के रियूज किये जाने को मैंने बताया है, वह मैटीरियल नान-इस्लामिक बिल्डिंग्स के मैटीरियल्स हैं तथा वे हिन्दू मंदिरों या बौद्ध विहार से संबंधित हैं।” (पेज 293-294)

“*The opinion expressed by me in para-6(page 5 to 17*

of the affidavit) of the affidavit of my examination-in-chief, is based on study of Trench G-7. It is wrong to say that for stratification and periodization, I did not consider it necessary to study other trenches besides Trench G-7. In para 6 of my affidavit, I have stated about reuse of material. Whatever material I have stated to be reused, is material of non-Islamic building and related to Hindu temples or Buddha Vihar.”(E.T.C.)

3833. PW 24 D.Mandal treated trench G7 as the best trench, but PW-30 has a different view:

“अयोध्या में विवादित स्थल पर उत्खनन की शुरुआत उत्तर दिशा में जे-3 से हुई थी।

प्रश्न— टेंच जे-3 उत्खनन स्थल पर खोली गयी टेंचों में से एक अति महत्वपूर्ण टेंच मानी जाती है, इसकी जानकारी आपको है?

उत्तर— मेरी दृष्टि में उत्खनन के लिए जितने भी टेंच लगाये जाते हैं, सभी महत्वपूर्ण होते हैं, क्योंकि पुरातत्व में साक्ष्य की उपस्थिति व अनुपस्थिति दोनों ही सामान्य तौर पर महत्वपूर्ण होती है।” (पेज 53)

“The excavation at the disputed site in Ayodhya had commenced from J-3 in the north.

Question:- Do you have the information that trench J-3 is considered to be a very important trench out of the trenches dug out at the excavation site?

Answer:- In my opinion, all the trenches made for excavation are important because generally presence and absence of evidence are both important in archaeology.”(E.T.C.)

3834. The witness, therefore, while not disputing the stratification/ chronology upto the period IV, i.e., Gupta period, has challenged V, VI and VII periods alleging it arbitrary. For period V, he has given two reasons, firstly that Knife-edge bowl

though referred in the Chapter of stratigraphy and chronology but no reference is given in the Chapter of "Potteries". Figure 44 showing sketched diagram of bowl does not justify the inference leading to a knife-edge bowl. According to PW 24, it appears that no such bowl was actually found. Secondly, according to him, the conclusive identity proofs like coin, seal, sealing, sculpture for determining post Gupta-Rajput period were not found. Only potteries of Gupta period were found like, lid-cum-bowl, knobbed lid, inkpot type lid etc. Period VI has been assailed on the ground that no reason or evidence has been mentioned to treat 11th and 12th Century A.D. as medieval Sultanate period. Besides above, from layer 4 in Trench G-7 different types of glazed wares and glazed tiles were found in all the levels. Hence, on the basis of layers 3, 3A and 4, the 11th and 12th century A.D. period is not justified to be determined. VIIth period termed as medieval from 12th to 16th century is also said to be silent with regard to any contextual material etc. Some of the structural evidence like wall 16 has been taken but its similarity and the reasons thereof are not correct. Similarly, it has also said that period VIII termed as "Mughal" is also based on conjectures and surmises and, in fact, period IX ought to have been treated as 5th period by terming it as "Islamic" period. Here what we find is PW 16 sought to make his statement with respect to history also claiming himself to be an authority, but when confronted, he claimed himself an 'Archaeologist'

“मैं पुरातत्वविद हूँ। (पेज 188)

“I am an Archaeologist.” (ETC)

“मैं यहाँ पर आम व्यक्ति की हैसियत से गवाही न देकर पुरातत्व के विशेषज्ञ की हैसियत से गवाही दे रहा हूँ।” (पेज 315)

"I am giving testimony here as a specialist in archaeology, not as a layman." (E.T.C.)

"फील्ड आर्कियोलॉजी के सम्बन्ध में मैं विशेषज्ञ हूँ। (पेज 136)

"I am an expert in field archaeology." (ETC)

3835. However, when his opinion on history was challenged in the cross examination, he claimed that being an Archaeologist, he is Historian also:

"प्रश्न- पहली बार जब आप इस न्यायालय के समक्ष गवाही देने उपस्थित हुए थे जब आप एक पुरातत्ववेत्ता की हैसियत से आये थे या एक इतिहासकार की हैसियत से आये थे?

उत्तर- मैं पुरातत्ववेत्ता होते हुए इतिहासकार भी हूँ क्योंकि पुरातत्व एक ऐतिहासिक विज्ञान है इसलिए मैं जब कोर्ट के सामने पेश हुआ, इस विषय पर समग्रता से अपनी गवाही देने के लिए पेश हुआ था।" (पेज 352)

"Question- Your first appearance in this court to give evidence was as a archaeologist or historian?

Answer- Besides being an Archaeologist, I am also a historian because archaeology is a historical science and as such when I appeared before this court, I appeared to give my evidence on this topic in entirety." (E.T.C.)

"हर वर्थव्हाइल आर्कियोलॉजिस्ट (पुरातत्ववेत्ता) इतिहासकार भी होता है और इतिहास एक व्यापक विज्ञान है पुरातत्व जिसका अंग है, मैं जब इतिहासकार के रूप में गवाही देने आया उसका यह तात्पर्य नहीं है कि मैं पुरातत्व के ज्ञान व विधि से वंचित होकर आया था।" (पेज 353)

"Every worthwhile archaeologist is also a historian. History is a detailed science with archaeology being its branch. When I came to give evidence as a historian, it did not mean that I had come without the knowledge and method of archaeology." (E.T.C.)

3836. The PW 24 sought to discredit other like report of Prof. B.B. Lal by saying :

“प्रो बी०बी० लाल आर्कियोलॉजिस्ट हैं, इतिहासकार नहीं हैं।”

“*Prof. B.B. Lal is an Archaeologist, not a historian.*”(ETC)

3837. On periodization or stratification and chronology, PW 24 said in cross examination:

“शुंग काल सेकेण्ड सेंचुरी बी०सी० से प्रारंभ होता है और फर्स्ट सेन्चुरी बी०सी० पर खत्म होता है। राजपूत काल कोई स्टैब्लिश्ड काल नहीं है। इस काल का सामान्य रूप में इतिहास में प्रयोग हुआ है, जिसकी तिथि लगभग नौवीं शताब्दी से ग्यारहवीं-बारहवीं शताब्दी के बीच निर्धारित की जा सकती है।

गुप्त काल का अन्त छठी शताब्दी ए०डी० निर्धारित किया गया है,”(पेज 154)

"The Shunga period begins with the second century B.C. and ends with the first century B.C. The Rajput period is not an established period. This period has been generally used in history and can be dated between around ninth century and 11th-12th century.

The end of the Gupta period has been attributed to 6th century AD." (E.T.C)

“इस काल के बाद हर्ष काल का प्रारंभ होता है। हर्ष काल सातवीं शताब्दी में समाप्त हो जाता है। हर्ष काल के बाद कोई स्टैब्लिश्ड काल का उल्लेख नहीं मिलता है, किन्तु उसके बाद की अवधि में राजपूत शासकों ने हर्ष के बाद के विखण्डित क्षेत्रों में राज्य किया, इसके उपरान्त सल्तनत काल का प्रारम्भ होता है।

सल्तनत काल का पहला शासक कुतुबुद्दीन ऐबक 1206 में हुआ था,” (पेज 154)

"The Harsha period begins after this period. The Harsha period concludes in the 7th century. No established period is found after the Harsha period but in the subsequent

period the Rajput rulers reigned in the post-Harsha disintegrated regions. After that begins the Sultanate period.

Qutb-ud-din Aibak took over as the first ruler of the Sultanate period in 1206 AD." (E.T.C)

"मैं इस बात से सहमत हूँ कि 1200 ए0डी0 तक किसी एक वंश की हुकूमत नहीं रही, बल्कि विभिन्न राजवंशों ने राज्य किया। मैं इस बात से भी सहमत हूँ कि विभिन्न वंशों में मुख्यतः चार वंश चालुक्य, गूजर, चौहान, प्रतिहार के ही राज्य रहे। मैं यह नहीं बता पाऊँगा कि इन चारों वंशों को ही राजपूत कहा जाता है। मुझे इस बात की जानकारी नहीं है कि 600 ए0डी0 से 1200 ए0डी0 तक का काल भारत की साहित्यिक उपलब्धि के लिए बहुत महत्वपूर्ण है।" (पेज 155)

"I agree that period upto 1200 AD witnessed the reign of no single dynasty but of many royal dynasties. I also agree that out of many dynasties, mainly four dynasties- Chalukya, Gujar, Chauhan and Pratihar- had their reigns. I am not in a position to tell whether these four dynasties themselves are called Rajputas. I do not know whether the period from 600 AD to 1200 AD is very important for literary achievement in India." (E.T.C)

"600 ईस्वी से 1200 ईस्वी के बीच कोई विनाशकारी बाढ़ अयोध्या में आने का प्रमाण नहीं है, परन्तु ऐसे प्रमाण हैं, जिनसे पता लगता है कि ऐसे विनाशकारी बाढ़ के आने को रोकने का प्रयास किया गया हो।" (पेज 156)

"There is no proof of Ayodhya having witnessed any disastrous flood between 600 AD to 1200 AD but there are such proofs as go on to reveal that efforts have been made to prevent such devastating floods." (E.T.C)

(This is contrary to what he said in C(iii) chronology)

"मेरे मतानुसार चूंकि उपरोक्त सारी सामग्रियाँ जिन स्तर से निकली दिखाई

गई हैं उनसे मिली ही नहीं हैं, इसलिए इनसे ए०एस०आई० द्वारा काल निकालना मुमकिन नहीं था। मेरे अनुभव व ज्ञान के अनुसार उपरोक्त सभी एन्टीक्विटीज़ जो पृष्ठ 27 पर दर्ज हैं, वो लेयर 7 से ही मिल सकती थीं।” (पेज 170)

"In my view, since all the aforesaid materials have not been discovered from the levels from where they are shown to have been discovered, it was not possible for the ASI to date them. As per my experience and knowledge, all the aforesaid antiquities, mentioned on page 27, could be found only from Layer 7." (E.T.C)

“ए०एस०आई० की रिपोर्ट वॉल्यूम 1 के पृष्ठ 27-ए पर दिये गये चार्ट में दर्शायी गयी ट्रेंच जी-7 के लेयर नं० 3 व 4 का काल अरली मिडिवल सल्तनत सही दर्शाया गया है। मैं इससे सहमत हूँ।” (पेज 170)

"Layers 3 and 4 of Trench G-7, shown in the chart given on page 27A of the ASI report, Vol. I, have been correctly shown to be of Early Medieval Sultanate period. I agree with the same." (E.T.C)

“जी-5 ट्रेंच में लेयर 5 व 6 का काल भी अरली मिडिवल सल्तनत सही दिया गया है।” (पेज 170)

"Layers 5 and 6 at Trench G-5 have also been correctly shown to be belonging to Early Medieval Sultanate period." (E.T.C)

“मेरे शपथ-पत्र के पैरा 6 पीरियड (v) स्माल बी (पृष्ठ 12) में “नाइफ़ ऐज” के संदर्भ में मेरा यह कथन है कि ऐसी पाटीरीज़ का ऐज, नाइफ़ ऐज हो सकता है और नहीं भी। मेरे मतानुसार नाइफ़ ऐज बाऊल का मतलब है कि बाऊल का किनारा सीधा हो। शार्प होना ज़रूरी नहीं है और उसमें कैरीनेशन होने का प्रश्न ही नहीं उठता। मैंने पृष्ठ 12 पर जिस नाइफ़ ऐज बाऊल का संदर्भ दिया है, उस बाऊल को मौक़े पर देखने का अवसर मुझे प्राप्त नहीं हुआ।” (पेज 172-173)

"In reference to "Knife-edge" mentioned in para 6, period

(V) b (page 12) it is my statement that the edge of such potteries may or may not be knife-edge. In my opinion, knife-edge bowl means that the edge of bowl should be straight. Its being sharp is not necessary and there is no question of corrosion in it. I got no chance to have an on-the-spot look at that very knife-edge bowl which is referred to on page 12." (E.T.C)

“मैंने अपने शपथ पत्र के पृष्ठ-34 प्रस्तर 12सी पर यह बात कही है कि ए 0एस0आई0 की रिपोर्ट में स्तरीकरण के पारस्परिक सम्बन्धों को तोड़-मरोड़कर प्रस्तुत किया गया है। अगर उस स्तरीकरण और कालक्रम को बदल भी दिया जाए तो भी मेरे विचार में इस रिपोर्ट में और भी त्रुटियाँ हैं।” (पेज 178)

"On page 34, para 12C of my affidavit I have stated that co-relation of stratification has been distorted in the ASI report. Even if the said stratification as also chronology is changed, this report, in my opinion, still has discrepancies." (E.T.C)

“मैंने ए0एस0आई0 रिपोर्ट का अध्ययन स्ट्रेटीग्राफी की दृष्टि से गहन अध्ययन किया है और स्ट्रेटीग्राफी किसी भी उत्खनन का बैक बोन होता है,” (पेज 186)

"I have made an in-depth study of the ASI report from stratigraphical point of view, and stratigraphy is the back bone of any excavation." (E.T.C)

“मैंने ए0एस0आई0 रिपोर्ट में स्ट्रेटीग्राफी से सम्बन्धित सभी शब्दों और टर्मिनोलोजी का अध्ययन किया है।” (पेज 186)

"I have studied all the words and terminology related to stratigraphy used in the ASI report." (E.T.C)

“प्र0-खुदाई स्थल के किसी एक भाग के बारे में आप बताइये कि इसका पारस्परिक संबंध स्तरीकरण से ग़लत हुआ है?

उ0- वाल नं0-18ए तथा वाल नं0-16 दोनों का पारस्परिक संबंध ए

0एस0आई0 की रिपोर्ट में ग़लत रूप से पेश किया गया है।" (पेज 200)

"Question- Tell about any portion of the excavation site where its co-relation has been wrongly established with stratification.

Answer- Co-relation between both the Wall No. 18A and Wall No. 16 has been wrongly presented in the ASI report."

(E.T.C)

“रिपोर्ट में मैंने यह पढ़ा है कि वाल नं०-18ए और 16 दोनों समकालिक हैं, किन्तु उपलब्ध प्रमाण के अनुसार दोनों दीवारें समकालिक नहीं हैं। दोनों दीवारों के बीच में थिक (मोटा) प्लास्टर उपलब्ध है। दोनों दीवारें परस्पर बाण्डेड अर्थात् जुड़ी हुई नहीं हैं। यदि दोनों दीवारें समकालिक होतीं, तो दोनों को परस्पर जुड़ा हुआ होना चाहिए था, परन्तु ऐसा नहीं है, बल्कि दोनों के बीच में एक प्लास्टर है, जो इस बात को प्रमाणित करता है कि दोनों दीवारें समकालिक नहीं हैं।” (पेज 200-201)

"I have read in the report that Wall No. 18A and Wall No. 16 are both contemporaneous; but as per the proof available, both the walls are of the same time. There is a thick plaster between both the walls. Both the walls are not bonded or connected with each other. If both the wall were contemporaneous, both of them ought to have been connected together but such is not the position; rather, there is a plaster in between, which proves that both the walls are not contemporaneous." (E.T.C)

“मेरा निष्कर्ष यह है कि उपरोक्त दोनों दीवारें समकालिक नहीं हैं और जिसका पर्याप्त पुरातात्विक प्रमाण उपलब्ध है।

वाल 18-ए पीरियड-7 के दूसरे स्ट्रक्चरल पीरियड की है।

प्रश्न- क्या यह सही है कि वाल-16 तथा वाल 18-ए का काल एक ही है?

उत्तर- उपरोक्त दोनों दीवारों का साँस्कृतिक काल एक ही है, किन्तु स्ट्रक्चरल पीरियड अलग-अलग है।

इन दोनों दीवारों के स्ट्रक्चरल पीरियड (समयावधि अर्थात् टेम्पोरल

डयूरेशन) के अंतर को नहीं बताया जा सकता है। यह कहना सही है कि उपरोक्त दोनों दीवारों का काल एक ही है, परन्तु उसकी समयावधि अलग-अलग है, जिसे बताया नहीं जा सकता।" (पेज 203)

"My finding is that both the aforesaid walls are not contemporaneous and archaeological proof thereof is sufficiently available.

Wall 18A belongs to the other structural period of Period-7

Question- Is it true that Wall 16 and Wall 18A are of one and the same period?

Answer- The cultural period of both the aforesaid walls is the same but their structural periods are different.

It is not possible to tell the space of time between the structural period (temporal duration) of these two walls. It is true to say that both the walls are of the same period but their temporal duration is different which cannot be determined." (E.T.C)

“मैंने अपने मुख्य परीक्षा के शपथ पत्र के पेज 6 पर B-II में स्तरीकरण रिपोर्ट के अनुसार कुल मिलाकर 18 पर्तों के जमाव के प्रकाश में आने का उल्लेख किया है। उन 18 पर्तों का जमाव ट्रेंच संख्या जी-7 में मिला था। ए0एस0आई0 ने 18 पर्तों का जो जमाव ट्रेंच संख्या जी-7 में बताया है, वह ग़लत है। मेरे अनुसार ट्रेंच संख्या जी-7 में 17 पर्तों का उल्लेख होना चाहिए। ए0एस0आई0 ने इस ट्रेंच में परत संख्या 3 व 3-ए को ग़लत दिखाया है। इन पर्तों के निकल चुकने के बाद मैंने ट्रेंच संख्या जी-7 को देखा था, उस समय तक लगभग नौ पर्तों तक की खुदाई इस ट्रेंच में हुई थी। ट्रेंच संख्या जी-7 में पर्त संख्या 9 से नीचे वाली पर्तें सही हैं, ए0एस0आई0 की रिपोर्ट में इससे संबंधित तथ्य प्रकाशित होने पर उसको मैंने देखा था। मेरे व्यक्तिगत ज्ञान के आधार पर पर्त संख्या 9 के नीचे की पर्तें सही हैं। पर्त संख्या 9 के ऊपर की पर्तों की सही पहचान नहीं हुई। यदि इन पर्तों की सही पहचान होती तो इस पुरास्थल पर प्राप्त 18 पर्तों के जमाव को जो पुरात्विक जमाव कहा गया है, वैसा नहीं कहा जाता। इसके स्थान पर कुछ पुरातात्विक जमाव व

कुछ प्राकृतिक जमाव की बात भी कही जाती, जैसा कि नहीं कहा गया है। प्राकृतिक जमाव वह जमाव है, जिस जमाव में मानव निर्मित अवशेषों का पूर्ण अभाव हो, तथा गठन, संरचना, कन्टेन्ट्स पर वह जमाव प्रकृति निर्मित प्रमाणित होता है। मेरे अनुसार वहाँ पर प्राकृतिक जमाव के रूप में सिल्ट का जमाव था। सिल्ट के बाद वहाँ पर ऐसा जमाव था, जो मानव निर्मित था। जिसमें मानव निर्मित अवशेष प्राप्त हैं। सिल्ट का भाग नहीं होगा। इस सिल्ट का जमाव लगभग 8 से 10 इंच मोटा था। वहाँ पर दो सिल्ट का जमाव है, एक लेयर-6 व दूसरा लेयर-4 के ऊपरी हिस्से में सिल्ट जमाव था। ए0एस0आई0 ने अपनी रिपोर्ट में सिल्ट के जमाव का उल्लेख बिल्कुल ही नहीं किया है। **ए0एस0आई0 ने सिल्ट जमाव को पुरातात्विक जमाव के रूप में प्रस्तुत किया है।**

प्रश्न— क्या सिल्ट के जमाव को ए0एस0आई0 को अलग लेयर के रूप में दिखाना चाहिए था?

उत्तर— जी हाँ।

ऐसा ए0एस0आई0 द्वारा नहीं किया गया है। ए0एस0आई0 द्वारा सिल्ट को अलग पर्त के रूप में दिखाते तब भी यह पर्त 18 पर्तों के अन्तर्गत आती तथा इस दिखाने से पर्तों की संख्या में कोई वृद्धि नहीं होती। **ए0एस0आई0 ने 18 पर्तों का जो जमाव बताया है वह सही है परन्तु उसका इन्टरप्रिटेशन सही नहीं है।** (पेज 204-205)

*"At page 6 of the affidavit of my examination-in-chief, I have mentioned about discovery of deposit of in all 18 layers in B-II as per the stratification report. The deposit of those 18 layers was found in Trench No. G-7. The deposit of 18 layers given by ASI in Trench G-7, is wrong. **According to me 17 layers should have been mentioned in Trench G-7. In this trench, the ASI has wrongly shown Layer Nos. 3 & 3A. I had seen Trench G-7 after discovery of these layers, by that time excavation in this trench had been carried out up to about nine layers. The layers below Layer 9 in Trench G-7 are proper. I had seen it after publication of facts related to it in the ASI Report.***

*On basis of my personal knowledge, the layers below the Layer No. 9 are proper. The layers above Layer No.9 have not been properly identified. Had these layers been properly identified, then the deposit of 18 layers found at this archaeological site would not have been termed as such. Some archaeological deposit and some natural deposit is also claimed, which has not been given. Natural deposit is that deposit which totally lacks man-made remains and on its constitution, construction and contents it is established to be nature made. According to me, silt deposit was present here as natural deposit. After the silt, there was such deposit over there which was man made. The one in which man-made remains are found, will not be part of silt. This silt deposit was about 8-10 inches thick. Silt deposit was found there at two places, one in Layer-6 and the other in upper part of Layer-4. In its report, ASI has not all mentioned about the silt deposit. **The silt deposit has been presented by the ASI as archaeological deposit.***

Question: Should the ASI have shown the silt deposit as a separate layer ?

Answer: Yes.

*It has not been done so by the ASI. Had the ASI shown this silt as a separate layer, then also this layer would have fallen under the 18 layers and there would have been no increase in the number of layers. **The deposit of 18 layers given by ASI is correct, but its interpretation is not.**" (E.T.C.)*

“मैंने इतिहास थोड़ा बहुत पढ़ा है।” (पेज 211)

"I have studied a bit of history."(E.T.C.)

“स्तरीकरण पुरातत्व विज्ञान का बैकबोन है और यदि उस बैकबोन का अध्ययन सही नहीं हो पाया, तो शेष अध्ययन निरर्थक एवं अर्थहीन हो जाता है और ए०एस०आई० रिपोर्ट का स्ट्रेटीग्राफी और क्रोनोलाजी का निष्कर्ष ग़लत है। इसी आधार पर हमने ए०एस०आई० रिपोर्ट को ग़लत समझा है।”

(पेज 212)

"Stratification is back bone of archaeology and if this back bone has not been studied properly, then the remaining study becomes useless and meaningless. The stratigraphy and conclusion of chronology in the ASI Report is wrong and on this basis I have considered the ASI Report to be wrong."(E.T.C.)

“पहले मैंने उसकी स्ट्रेटीग्राफी जानने की चेष्टा की और यह पाया कि स्ट्रेटीग्राफी की दृष्टि से जिस आमलक का जिक्र इस रिपोर्ट में है, वह उत्खनन से प्राप्त ही नहीं हुआ है। अतः उसके सम्बन्ध में अधिक जानकारी प्राप्त करना व्यर्थ है। वह आमलक ए०एस०आई० की रिपोर्ट में वाल्यूम-1 की फ़ीगर -59 पर जहाँ तक मुझे स्मरण है, प्रकाशित है।” (पेज 214)

"I first attempted to find out its stratigraphy and found that the 'Amlak' (myrobalan) mentioned in this report from the angle of stratigraphy, had not been found in the excavation. Hence, it was useless to gather more knowledge in its behalf. As far as I remember, this 'Amlak' is published at Figure 59 of ASI Report Vol. I."(E.T.C.)

“आमलक की स्ट्रेटीग्राफी नहीं होती है। आमलक जिस चीज़ पर बना होता है, उसकी स्ट्रेटीग्राफी होती है। आमलक (आब्जेक्ट) के स्ट्रेटीफिकेशन का मैंने अध्ययन किया है और यह आमलक का पीस उत्खनन से प्राप्त न होकर सरफ़ेस से प्राप्त हुआ है।” (पेज 215)

"Stratigraphy is not done of 'Amlak'. Stratigraphy is done of the object on which the 'Amlak' is built. I have studied the stratification of the 'Amlak' (object) and this piece of

'Amlak' has been found at the surface and not from excavation."(E.T.C.)

“अध्ययन के बाद मैंने यह पाया कि यह आमलक उत्खनन से प्राप्त नहीं हुआ है, बल्कि सरफ़ेस के ऊपर डम्प से प्राप्त हुआ है और पुरातत्व की दृष्टि से वह पुरातात्विक सामग्री भले ही हो, किन्तु उसका उपयोग पुरातात्विक प्रमाण की दृष्टि से कभी नहीं किया जा सकता। वह डम्प पुरातात्विक उत्खनन से बाहर का था।”

“प्रश्न— क्या उपरोक्त डम्प खुदाई स्थल के बाहर से आया था?

उत्तर— इस डम्प के बाहर से आने की संभावना को नकारा (रुलआउट) नहीं जा सकता है।”

“मैंने किसी को बाहर से इस डम्प को लाते हुए नहीं देखा था। इस डम्प को बाहर से ले आना रुलआउट नहीं किया जा सकता है,” (पेज 215)

"After studies I have found that this 'Amlak' has not been found from excavation and instead has been found from dump over the surface. From archaeological point of view it may be an archaeological article but it can never be used from the point of archaeological evidence. This dump was besides the archaeological excavation.

Question: Had this dump come from outside the excavation site ?

Answer: The possibility of this dump coming from outside cannot be ruled out.

I had not seen anybody bringing this dump from outside. The bringing of this dump from outside cannot be ruled out."(E.T.C.)

“मैं इस न्यायालय में सुन्नी सेन्ट्रल बोर्ड आफ वक्फ की तरफ़ से गवाही दे रहा हूँ। मैंने डे टू डे रजिस्टर आज से लगभग 2-3 माह पूर्व देखा था। इसके पहले मैंने इस रजिस्टर को नहीं देखा था।” (पेज 229)

"I am giving evidence in this Court on behalf of Sunni

Central Board of Waqf. I had seen the day-to-day register about 2-3 months ago. I had not seen this register earlier."(E.T.C.)

“प्रश्न— ऐसे कौन से तथ्य थे जो ए०एस०आई० ने अपनी रिपोर्ट में नहीं लिखे हैं?”

उत्तर— पहला वहाँ के स्तरीकरण के संबंध में सिल्ट डिपोजिट का कोई उल्लेख न करना दूसरा ऐनीमल बोनस पर विस्तृत रिपोर्ट न देना तीसरा ग्लेज़्ड वेयर तथा ग्लेज़्ड टाइल्स के बारे में पर्याप्त जानकारी न देना। ये मुख्य तथ्य थे, जिनका उल्लेख ए०एस०आई० की रिपोर्ट में नहीं है। इसके अलावा अन्य बहुत से ऐसे तथ्य हैं जिनका उल्लेख रिपोर्ट में नहीं है। जैसे सरकुलर श्राइन की सही तिथि निर्धारण न करना, कालकम का सही निर्धारण न करना इत्यादि। इसका उल्लेख मैंने अपने मुख्य परीक्षा के शपथ-पत्र में अवश्य किया होगा।” (पेज 232)

"Question: What are the facts, which have not been mentioned by ASI in its report ?

Answer: Firstly, the non-mention of silt deposit in context of the stratification over there. Secondly, the non-furnishing of a detailed report on animal bones. Thirdly, the non-furnishing of sufficient information about glazed ware and glazed tiles. These were the main facts, which have not been mentioned in ASI report. Besides these, there are many other facts which have not been mentioned in the report, such as the non-determination of correct date of circular shrine, the non-correct determination of chronology etc. I must have mentioned these in the affidavit of my examination-in-chief."(E.T.C.)

“मैं ट्रेन्च सं० जी-7 में उतरा था और उस ट्रेन्च को देखा था, इस ट्रेन्च के

लेयर सं० 6 का निरीक्षण किया था। जब यह ट्रेंच बहुत गहरी खोद दी गई, तब मैंने इस ट्रेंच में नीचे उतर कर नहीं देखा। जब मैं पहली बार उत्खनन स्थल पर गया था, तब इस ट्रेंच जी-7 की पूरी खुदाई नहीं हुई थी। मैंने उपरोक्त प्रस्तर के दूसरी तथा तीसरी पंक्ति में यह लिखा है रंग, गठन तथा संरचना के आधार पर वे सिल्ट कोटि के जमाव प्रतीत होते हैं मेरे "प्रतीत" शब्द लिखने का तात्पर्य यह है कि वह सिल्ट कोटि का जमाव हो सकता है और नहीं भी हो सकता है। स्वयं कहा किन्तु जहाँ तक रीवर सेक्शन का मुझे अनुभव है उसके आधार पर इसकी संभावना अधिकतम है कि वह सिल्ट डिपोजिट ही है और इसका सही निष्कर्ष तब तक नहीं निकाला जा सकता जब तक कि उसका रसायनिक परीक्षण प्रयोगशाला में न किया गया हो। मैंने प्रयोगशाला में इसका रसायनिक परीक्षण नहीं किया था क्योंकि मैं इसका परीक्षण नहीं कर सकता था क्योंकि उसका नमूना उपलब्ध नहीं था। मैंने उसका नमूना नहीं माँगा था। मैंने इस प्रस्तर में पाँचवीं पंक्ति में जिस "प्रतीत" शब्द का प्रयोग किया है उससे भी मेरा तात्पर्य वही है जो मैंने इस प्रस्तर के तीसरी पंक्ति में प्रयुक्त शब्द "प्रतीत" का बताया है।" (पेज 233-234)

"I had got down inside Trench No. G-7 and had seen that trench, had inspected Layer No. 6 of this trench. After this trench had been dug very deep, I did not see it by getting inside this trench. When I first went to the excavation site, this Trench G-7 had not been excavated completely. In second and third line of the aforesaid paragraph I have stated that 'on basis of colour, constitution and construction, they appeared to be silt category deposits.' By the word 'appear' it means that it could be and could not be a deposit of silt category. Stated on his own that 'however as per my experience of river section, the probability is maximum that it is silt deposit and its correct conclusion cannot be derived till its chemical analysis has been carried out in laboratory. I have not carried out its

chemical examination in laboratory because I could not carry out its examination as its sample was not available. I had not asked for its sample. By the word 'appear' used by me in fifth line of this paragraph as well, I imply the same what I have given for the word 'appear' used in third line of this paragraph."(E.T.C.)

“मैंने अपने मुख्य परीक्षा के शपथ-पत्र की धारा-3 की दूसरी तथा तीसरी पंक्ति में यह लिखा है कि “वह युक्तिसंगत प्रतीत नहीं होता है” इस शब्द समूह में प्रयुक्त शब्द “प्रतीत” का वही तात्पर्य है जो मैंने अभी अपने ऊपर बयान में बताया है, इसका तात्पर्य हो सकने तथा न हो सकने दोनों से है।” (पेज -234)

"In the second and third line of para-3 of the affidavit of my examination-in-chief, I have stated that 'It does not appear reasonable'. The word 'appear' used in the said sentence, means the same as just stated above by me in my statement. It implies both 'possible' and 'not possible'."(E.T.C.)

“विद्वान् जिरहकर्ता अधिवक्ता ने साक्षी का ध्यान उनके मुख्य परीक्षा के शपथ-पत्र की धारा 6 (B)(iv) (शपथ पत्र का पृष्ठ 7 व 8) की ओर दिलाया जिसमें यह लिखा हुआ है कि लेयर 4 का ऊपरी भाग वाला जमाव ... रंग, गठन एवं संरचना की दृष्टि से पुनः दो भागों में होना प्रतीत होता है यहाँ पर “प्रतीत होता है”, का तात्पर्य “हो सकने तथा न हो सकने” दोनों से है किन्तु यहाँ पर मुझे यह कहना है कि वैज्ञानिक अनुसंधान में कभी भी किसी खोज के संबंध में यह नहीं कहा जा सकता है कि न हो सकने की स्थिति नहीं आ सकती है।” (पेज 241)

"The learned counsel for the cross examiner drew the attention of witness to para 6 (B)(iv)(page 7&8 of the affidavit) of the affidavit of his examination-in-chief wherein it has been stated that the upper deposit of Layer No. 4, again appears to be in two parts from the point of

colour, constitution and construction. Here 'appears' implies both 'possible and not possible', but I have to state at this stage that in scientific research it can never be said regarding any discovery that the stage of not possible cannot arrive." (E.T.C.)

“मेरे अनुसार गुप्तकाल तीसरी, चौथी शताब्दी ईसवी से छठी शताब्दी ईस्वी तक का काल है। छठी शताब्दी ईस्वी के बाद का काल पोस्ट गुप्ता पीरियड कहा जाता है। मध्य काल भारत के इतिहास के काल में 12वीं शताब्दी के अन्त से व 13वीं शताब्दी के शुरुआत से माना जाता है। सल्तनत पीरियड की शुरुआत 1206 ईस्वी से मानी जाती है। जहाँ तक मुझे स्मरण है यह कुतुबुद्दीन ऐबक का समय था।” (पेज 242)

"According to me the Gupta period extends from third, fourth century AD to 6th century AD. The period subsequent to 6th century AD, is called the post-Gupta period. The period of medieval Indian History is considered to be from last of 12th century to beginning of 13th century. The beginning of sultanate period is considered to be from 1206 AD. As far as I remember, it was the period of Qutub-uddin Aibak." (E.T.C.)

“एक पुरातत्वविद् के रूप में जी०पी०आर० की साइंटिफिक रिपोर्ट पर विश्वास करता हूँ।पुरातात्विक दृष्टि से जी०पी०आर० सर्वे के द्वारा जो एनामिली मिलती है उसकी पुष्टि पुरातात्विक उत्खनन एवं साक्ष्यों द्वारा होने पर उसे पुष्ट हुआ माना जायेगा।” (पेज 266)

"As an archaeologist, I believe in the scientific report of GPR. . . .The anomalies found in a GPR survey, from archaeological point of view, are treated confirmed upon confirmation by archaeological excavation and evidences." (E.T.C.)

“जी०पी०आर० के जिन पिलरबेसेज तथा स्ट्रक्चर की उत्खनन के द्वारा पुष्टि

की गई उसका विवरण इस रिपोर्ट में है किन्तु उससे मैं सहमत नहीं हूँ। विवादित स्थल पर उत्खनन के ग्रिड सिस्टम की विधि अपनाई गई थी। यह अन्तर्राष्ट्रीय स्तर पर मान्यता प्राप्त विधि है। उत्खनन में ए०एस०आई० द्वारा थ्री डाइमेंशनल विधि से रिकार्डिंग की गई है। ट्रेन्च वाइज़ तथा लेयरवाइज़ फोटोग्राफी की गई है। विवादित स्थल पर वर्टिकल तथा होरीज़ेन्टल दोनों विधियों से उत्खनन किया गया है। आर्कियोलोजिकल उत्खनन की जो मान्यता प्राप्त विधि है, उसके अनुसार ही विवादित स्थल पर ए०एस०आई० द्वारा उत्खनन किया गया है किन्तु कुछ अन्य पहलुओं की अनदेखी गई है।" (पेज 268)

"The details of those pillar bases and structures of GPR, which have been verified by excavation, are found in this report but I do not agree with them. The grid system method of excavation was used at the disputed site. It is a method recognised at international level. In excavation, the ASI has carried out recoding by three dimensional method. Photography has been carried out trench-wise and layer-wise. Excavation has been carried out at the disputed site by both vertical and horizontal methods. The excavation at the disputed site has been carried out by ASI as per the recognised method of archaeological excavation, but few other aspects have been overlooked." (E.T.C.)

“उत्खनन में पीरीयडाईजेशन के दो तरीके हैं, पहला स्तरीकरण दूसरा प्राप्त अवशेष का स्तरीकरण से पारस्परिक संबंध।’ मैं समझता हूँ कि यह दोनों विधियाँ पीरीयडाईजेशन का आधार भी हैं और विधि भी है। पुरातत्व में डायनेस्टी के आधार पर भी काल निर्धारण होता है यदि प्रासंगिक अवशेष प्राप्त हुए हों। यह कहना सही है कि पुरातत्व में पीरीयडाईजेशन के लिए तीन तरीके हैं पहला लेयर वाइज़, दूसरा डायनेस्टी वाइज़, तीसरा सेन्चुरी वाइज़।’ यह कहना सही है कि सेन्चुरी वाइज़ पीरीयडाईजेशन पुरातत्व में

मान्यता प्राप्त वैज्ञानिक विधि है। मैं एक पुरातत्ववेत्ता के रूप में इस बात से सहमत हूँ कि सेन्चुरावाइज पीरीयडाइजेशन इसका सबसे अच्छा तरीका है। ए० एस० आई० ने अपनी रिपोर्ट में पीरीयडाइजेशन के संबंध में एक चैप्टर रखा है। इस चैप्टर का मैंने अध्ययन किया है। ए० एस० आई० रिपोर्ट में तीनों विधियों अर्थात् लेयर वाइज़, सेन्चुरी वाइज़ तथा डायनेस्टीवाइज़ पीरीयड, के आधार पर पीरीयडाइजेशन किया है।” (पेज 269)

"There are two methods of periodization in excavation. Firstly, stratification. Secondly, by co-relation of remains found with stratification. I understand that these two methods are not only bases but also methods of periodization. In Archeology, dating is done on the basis of dynasty as well, if relevant remains have been discovered. It is correct to say that there are three methods of periodization in archeology. First is layer-wise, second dynasty-wise, third century-wise. It is correct to say that century-wise periodization is a recognised and scientific method in archeology. As an Archaeologist, I agree that century-wise periodization is its best method. The ASI has dealt with periodization in a chapter in its report. I have studied this chapter. In ASI Report, periodization has been done by all three methods i.e. layer-wise, century-wise and dynasty-wise period."(E.T.C.)

“विद्वान् जिन्होंने अतिवक्ता ने साक्षी का ध्यान ए०एस०आई० रिपोर्ट वाल्यूम 1 के पृष्ठ 38 लगायत 44 पर दिये गये पीरियड सं० 1 लगायत 9 पर आकृष्ट किया तथा साक्षी से यह पूछा कि ए०एस०आई० द्वारा दिये गये इन सभी पीरियडों में पीरीयडाइजेशन की उपरोक्त तीनों विधियों का प्रयोग किया गया है अथवा नहीं, साक्षी ने इसे देखने के बाद बताया कि हर पीरीयडों के संबंध में लेयर, काल एवं सेन्चुरी का उल्लेख नहीं किया गया है। सेन्चुरी का उल्लेख हर पीरियड के साथ किया गया है।” (पेज 270)

*"The learned counsel for the cross-examiner drew the attention of witness to period no. 1 to 9 given at page 38 to 44 of ASI Report Vol. 1 and asked the witness whether the aforesaid three methods of periodization had been used or not by the ASI in all these periods. After looking at it the witness stated that layer, period and century have not been mentioned in respect of each period. **Century has been mentioned with each period.**"(E.T.C.)*

“ए०एस०आई० द्वारा अपनी रिपोर्ट में पीरियडाइज़ेशन के संबंध में संचुरी के अनुसार जो काल गणना की गयी है उससे मैं सहमत नहीं हूँ। इस संबंध में मैं यह कहना चाहूँगा कि लेयर, डायनेस्टी तथा संचुरी विधियों को पुरातत्व की दृष्टि से दो भागों में विभाजित किया जा सकता है। पहला रिलेटिव डेटिंग मैथड दूसरा एब्सोल्यूट डेटिंग मैथड। ए० एस० आई० द्वारा पीरियडाइज़ेशन के बारे में अपनी रिपोर्ट में जो कहा गया है वह सही नहीं है। संचुरी विधि द्वारा जो काल का निर्धारण किया गया है उन तिथियों का निर्धारण सोलर ईयर (सौर वर्ष) द्वारा जिन विधियों द्वारा तिथि निर्धारण की जाती है। इन विधियों द्वारा रिपोर्ट में संचुरीवाइज़ जो तिथि निर्धारित की गई है। वह उन विधियों पर आधारित नहीं है। इसका तात्पर्य यह है कि रिपोर्ट में संचुरी द्वारा जो काल गणना की गई है वह एब्सोल्यूट डेटिंग मैथड पर आधारित नहीं है। एब्सोल्यूट डेटिंग के अन्तर्गत कार्बन डेटिंग तथा अन्य विधियाँ आती हैं। कार्बन डेटिंग पीरियडाइज़ेशन का एक वैज्ञानिक तरीका है। सामान्यतः कार्बन डेटिंग से जो तिथि आती है, उसको सही मानते हैं। ए०एस०आई० की रिपोर्ट में कार्बन डेटिंग के संबंध में एक अपेंडिक्स में दिया गया है जिसको मैंने देखा है। ए०एस०आई० ने अपने अपेंडिक्स में जिन कार्बन तिथियों का उल्लेख किया है उनमें लगभग अधिकांश तिथियों के संबंध में लेयर का उल्लेख नहीं किया गया है। अतः उसकी विश्वसनीयता संदेहप्रद हो जाती है।” (पेज 271-272)

" I do not agree with the period determination done as per century by ASI in its report, in respect of periodization. In this behalf I would like to say that layer, dynasty and

*century methods can be divided in two parts from the point of archaeology. First, relative dating method, second, absolute dating method. The version of ASI in its report regarding periodization, is not correct. The dates of period determined by century method, have been determined by solar year, by which method dates are determined. The dates determined century-wise in the report by these methods, are not based on those methods. It implies that the period determination done in the report by centuries, is not based on absolute dating method. Carbon-dating and other methods fall under absolute dating. **Carbon-dating is a scientific method of periodization. Usually the date determined by Carbon-dating is accepted as correct. An appendix regarding Carbon-dating is contained in ASI Report, which has been seen by me. Layers have not been mentioned in respect of most of the Carbon dates mentioned by ASI in its appendix. Hence, its credibility becomes doubtful.**" (E.T.C.)*

“ए०एस०आई० ने अपनी रिपोर्ट में एन०बी०पी०डब्लू० का काल जो पीरियड 1 के रूप में छठी शताब्दी बी०सी० से तीसरी शताब्दी बी०सी० दिखाया है, उससे मैं सहमत हूँ।” (पेज 272)

"I agree with the period of NBPW shown by ASI in its report as Period-I from 6th century BC to 3rd century BC."(E.T.C.)

“इसी प्रकार ए०एस०आई० के रिपोर्ट वाल्यूम 1 के पृष्ठ 40 पर पीरियड 5 पोस्ट गुप्ता-राजपूत लेविल को 7वीं से 10वीं शताब्दी ए०डी० बताया गया है, जिससे मैं सहमत नहीं हूँ। मेरे अनुसार यह अवधि 13वीं शताब्दी से 15वीं शताब्दी ए०डी० होनी चाहिए। इसी पृष्ठ पर पीरियड 6 मध्यकालीन-सल्तनत लेविल का काल 11वीं से 12वीं शताब्दी ए०डी० बताया गया है, जिससे मैं सहमत नहीं हूँ। मेरे अनुसार यह काल

13वीं शताब्दी से 15वीं शताब्दी ए0डी0 होना चाहिए। इसी रिपोर्ट के पृष्ठ 41 पर पीरियड 7 के रूप में मध्यकालीन लेविल का काल 12वीं से 16वीं शताब्दी ए0डी0 बताया गया है, इससे भी मैं सहमत नहीं हूँ। मेरे अनुसार यह काल 13वीं शताब्दी से 15वीं शताब्दी ए0डी0 के अन्तर्गत ही आवेगा। इसी रिपोर्ट के पृष्ठ 43 पर पीरियड viii (मुगल लेविल) का काल संचुरी के अनुसार निर्धारित नहीं किया गया है। मेरे अनुसार यह काल 16वीं शताब्दी ए0डी0 से माना जायेगा। इसी रिपोर्ट के पृष्ठ 44 पर पीरियड 9 जिसे लेट एन्ड पोस्ट मुगल लेविल कहा गया है, इसकी तिथि भी ए 0एस0आई0 द्वारा संचुरी में निर्धारित नहीं की गई है, मेरे अनुसार यह काल 16वीं शताब्दी से 17वीं शताब्दी ए0डी0 है। मेरे अनुसार पीरियड 8 तथा पीरियड 9 का लेट लेविल 16वीं से 17वीं शताब्दी ए0डी0 है। पोस्ट मुगल लेविल 17वीं शताब्दी से अब तक हो सकती है। इसी प्रकार मेरे अनुसार पीरियड 6 और पीरियड 9 का काल 13वीं शताब्दी से 15वीं शताब्दी ए0डी0 है। पीरियड 7 के संबंध में भी मैंने यही कहा है। इस प्रकार मैं ए 0एस0आई0 द्वारा किये गये काल निर्धारण जो पीरियड 5, 6 तथा 7 का किया गया है, के अलावा ए0एस0आई0 द्वारा किये गये अन्य काल निर्धारण से सहमत हूँ।'' (पेज 273-274)

"In this very manner, on page 40 of the ASI report, Vol. I, Period-5 Post Gupta-Rajput Level is stated to be belonging to 7th to 10th century AD, with which view I do not agree. In my opinion, this period ought to be from 13th century to 15th century. On this very page, Period-6: Medieval-Sultanate Level has been ascribed to 11th to 12th century AD, with which view I do not agree. In my opinion, this period ought to be from 13th century to 15th century. On page 41 of this very report, the Medieval Level is stated to be Period-7 and to have spanned between 12th century and 16th century AD; with this view too I do not agree. In my opinion, this period would be covered under the period spanning between 13th century and 15th century. On page 43 of this very report, Period-8 (Mughal Level) is not dated

*in terms of century. In my opinion, this period will be taken to have begun from 16th century. On page 44 of this very report, Period-9, termed as Late and Post Mughal Level, has also not been dated in terms of century by the ASI. In my opinion, this period is from 16th century to 17th century AD. The Post-Mughal Level may be from 17th century till date. In this very manner, the span of Period-6 and Period-9, in my opinion is from 13th century to 15th century AD. I have stated this very thing in reference to Period-7 as well. **In this way, with the exception of dating done by ASI in respect of Periods 5, 6 and 7, I agree with the dating done by it in respect of other periods.**" (E.T.C)*

“मैंने अपनी मुख्य परीक्षा का जो शपथ पत्र प्रस्तुत किया है, वह प्रधान रूप से जी-7 ट्रेंच के अध्ययन पर आधारित है, क्योंकि ट्रेंच जी-7 में ही नेचुरल स्वायल तक जो स्तरीकरण के साक्ष्य उपलब्ध हुए हैं, वे किसी अन्य ट्रेंच में उपलब्ध नहीं हैं। ट्रेंच जी-7 को इस पुरास्थल पर हुए उत्खनन का इण्डेक्स ट्रेंच भी कहा जा सकता है। मेरी दृष्टि में ट्रेंच जी-7, इण्डेक्स ट्रेंच हो सकती है। इसके अतिरिक्त जिन अन्य ट्रेंचों में वर्जिन स्वायल तक उत्खनन हुआ है, वे ट्रेंचेज़ मेरी दृष्टि में उतने महत्वपूर्ण नहीं हैं।”

(पेज 286-287)

"The affidavit I have filed at my Examination-in-Chief, depends mainly on the study of Trench G-7, because stratigraphical evidences which have been discovered upto the depth of natural soil in Trench G-7 itself, are not available in any other trench. Trench G-7 may also be termed as index trench of the excavation carried out on this archaeological site. Trench G-7, in my opinion, may be an index trench. Besides, other trenches wherever excavations have been carried out upto the depth of virgin soil, are, in my opinion, not so important." (E.T.C)