

## Allahabad High Court

## Unknown vs Ms Written By Babur

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1501

description regarding India's Travel is the same." (E.T.C.)

^^fogy;e fQUp us vius ;k=k o`rkUr esa ;g fy[kk gS fd tc og  
v;ks/;k x;k Fkk] mlus v;ks/;k dk fdyk] fxjh&iM+h gkyr esa ik;kA ;g  
lgh gS fd fogy;e fQUp ds vuqlkj ml fdys dks jkek iSysl dgrs Fks]  
;g fy[kk gSA\*\* ¼ist 229½

"William Finch has written in his travel account that  
when he visited Ayodhya, he found the Fort of Ayodhya in a  
dilapidated condition. It is correct that according to  
William Finch, that fort was called Rama's Palace, it is  
written." (E.T.C.)

^^;g lgh gS fd ftl le; fogy;e fQUp us v;ks/;k ;k=k  
fd;k] ml le; ckcjh efltn cu pqdh Fkh vkSj jke tUe LFkku efUnj  
Hkh ekStwn Fkh] fdUrQ fogy;e fQUp us bu nksuksa phtksa dk o.kZu vius  
;k=k o`rkUr esa ugha fd;kA\*\* ¼ist 229½

"It is true that by the time William Finch travelled  
Ayodhya, Babari mosque had already been constructed and  
Ram Janmasthan Mandir (Temple of Rama's birthplace)  
was also existent, but William Frinch did not mention these  
two facts in his travel account." (E.T.C.)

^^esjs vuqlkj ckcjh efltn v;ks/;k ds dsUnz LFkku ij cuh  
gSA ;g lgh gS fd ckcjh efltn jke dksV ds bykds ds yxHkx  
chpkSchp fLFkr gSA ;g esjh jk; gSA\*\* ¼ist 236½

"According to me, Babri mosque has been built at  
the centre place of Ayodhya. It is correct that Babri  
mosque is situated almost in the middle of Ram Kot area.  
This is my opinion." (E.T.C.)

^eSaus VkbQu Fksyj dk o`rkar ugha i<+kA\*\* ¼ist 237½

"I did not read the description of Tiffenthaler."(E.T.C.)

^^eSaus tkstsQ lkgc iknjh lkgc dk o`rkar iwjk i<+k ugha gSA\*\* ¼ist 258½

"I have not studied entire description of Father  
Joseph."(E.T.C.)

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^^fogy;e fQUp lkgc ds o` r k ar dk s eS a ,d L=k sr  
ekurk gwW aA eS a fogy;e fQUp lkgc ds o` r k ar dk s ck;l~ M  
ekurk gwW aA \*\*

¼ist 258½

"I regard the description of William Finch as a  
source. I consider the description of William Finch to be  
biased." (E.T.C.)

^^;g dguk xyr gS fd C;wd kuu lkgc us tk s  
bUlfdz I 'ku ns[ k s Fk s og 1855 ds ckn fookfnr LFky ij  
ugh a Fk s vkS j ogk a ij nwl j s bUlfdz I 'ku yxk fn;s x;sA ;g  
Hkh dguk xyr gS fd 1855 esa dksbZ u;s bUlfdzI'ku yxs ;k mudks Hkh  
1934&35 ds naxs esa rksM+ fn;k x;k gksA ij 1934^35 ds naxs esa fookfnr  
LFky dks ,oa iqjkus yxs bUlfdzI'ku dks {kfr t:j igqaph FkhA\*\* ¼ist  
282½

"It is wrong to say that the inscriptions seen by

Mr. Buchanan, were not present on the disputed site after 1855 and some other inscriptions had been installed there. It is also wrong to say that any new inscription was installed in 1855 or the same was destroyed in the riot of 1934-35. However, in the riot of 1934-35, damage was certainly caused to the disputed site and previously installed inscription." (E.T.C.)

^^eSus viuh iqLrd ds ist 91 ij ;g Bhd fu"d"kZ fudkyk Fkk fd ckcjh efltn dk fuekZ.k raxyd ;k 'kdhZt ds le; gqv kgsA bldk vFkZ ;g Hkh gS fd 'kk;n ;g efltn ckcj ds le; ;k ckcj }kjk ugha cukbZ xbZ FkhA - - - -esjk ;g Hkh fu"d"kZ blesa gS fd ckcj v;ks;/k dHkh ugha vk;kA ;g Hkh esjk fu"d"kZ Bhd gS] tks eSaus ist 92 ij fy[kk gS fd pwWafd ckcj v;ks;/k ugha vk;k] blfy, mldk jke tUeHkwfe efUnj fxjkus dk loky iSnk ugha gksrkA\*\* ¼ist 295½

"I had drawn correct conclusion at page 91 of my book that Babari mosque might have been constructed

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during the time of Tughlaq or Sharkies. It also means that probably this mosque was not built during the period of Babar or by Babar... It is also my conclusion that Babar never came to Ayodhya. This inference of mine is also correct, as I have written at page 92, that since Babar did not visit Ayodhya, no question of demolishing Ram Janma Bhumi Mandir arises." (E.T.C.)

^^;g esjh jk; lgh gS fd vxj efltn 'kdhZ 'kkldksa us cuok;k gksxk rks og vo'; 1504 ds igys cuh gksxA\*\* ¼ist 300½

"My this opinion is correct that if the mosque had been built by Shirky rulers, it must have been built prior to 1504." (E.T.C.)

^^esjh jk; o fo'okl esa okn la[k &489 ds izlrj 8 i`"B 5 vkSj 6 iSjxzkQ 2 esa ;g dFku fd uD'kk utjh esa fn[kk, izkphu dfczLrku mu eqlyekuksa ds gSa tks ckcj vkSj v;ks;/k ds iwoZ 'kkld dh yM+kbz esa ekjs x, lgh ugha gSA\*\* ¼ist 300½

"In my opinion and belief, the statement contained in paragraph no. 8 at page 5 and paragraph no. 2 of suit no.4/89 to the effect that the old graveyard shown in the site plan related to those Muslims who were killed during the battle between Babar and previous ruler of Ayodhya, is not correct." (E.T.C.)

^^bfrgkl dkj ds :i esa eSa ;g dg ldrk gwWa fd ;g cksa xyr gSaA efltn ,oa dfcz L rku ds ckj s es a okn&i= esa fd, x, vfHkdFku esj h ,sf rgkfld tk ap vkS j rF;k s a ls esy ugh a [kkrs gS a rFkk esj h jk; ls fHkUu gS aA \*^ ¼ist 300½

"As a historian, I can say that these things are incorrect. The averments regarding mosque and graveyard made in the plaint do not tally with my historical research and facts and differ from my opinion." (E.T.C.)

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^^usfoy lkgc us vius xtsfV;j esa fookfnr <kaps dks 'kk;n ckcjh efltn dgk gSA mUgksaus vius xtsfV;j esa bl <kaps dks ckcj dh efltn

dgk gSA esjh jk; esa bldk vfHkizk; ^^ckcjh efLtn\*\* ls gSA\*\* ¼ist 309½

"Mr. Nevil in his gazetteer has probably termed the disputed structure as Babri Mosque. In his gazetteer, he has termed the structure as the Mosque of Babar. In my opinion, it means "Babri Mosque". (E.T.C.)

1352. Learned counsel for the defendants have stressed upon the motive of this witness and in furtherance thereof they drew our attention to certain facts antecedents to the publication of his book "The Disputed Mosque-A Historical Enquiry" in 1991:

^^esjh iRuh dk uke esgj vQ'kkW Qk:dh gSA esjk fookg flfoy eSfjt ;kuh Lis'ky eSfjt ,DV ds vUrxZr gqvK gSA mlds ckn esjk fudkg Hkh gqvK FkKA esjs llqj dk uke 'ke'kqy jgeku Qk:dh gSA^^

¼ ist 26½

"The name of my wife is Mehar Afshan Farooqui. My marriage has been solemnized as civil marriage, i.e., under Special Marriage Act. Thereafter my Nikah too was performed. Name of my father in law is Shamshul Rehman Farooqui." (E.T.C.)

^^eSaus fudkg ds le; bLyke /keZ dks Lohdkj fd;k gSA^^ ¼ist 26½

"I have adopted Islam religion at the time of my Nikah." (E.T.C.)

^^eSaus tc bLyke /keZ dcwy fd;k Fkk ml le; esjk uke Hkh j[kk x;k Fkk tks fd lkftn FkKA eSa u fgUnw gwa vkSj u eSa bl le; eqlyeku gwaA - - - - 'kknH eSaus bLykfed rkSj ij dh gSA^^ ¼ist 27½

"When I adopted Islam religion, at that time, I was given a new name Sajid. Presently, I am neither a Hindu nor a Muslim..... I married according to Islamic rites." (E.T.C.)

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^^eSaus vius cPpkSa dk uke Qkjlh tqcku esa j[kk gSA ,slh dksbZ ckr ugha gS fd eq>s Qkjlh tqcku ls dksbZ [kkL yxko gksA^^ ¼ist 28½

" I made nomenclature of my children in Persian language. It is not so that I have some special interest in Persian Language." (E.T.C.)

^^eSaus ch0,0 1970 esa ikl fd;k Fkk] ,e0,0 ikfyfVdy lkbZal esa 1972 esa ikl fd;k vkSj mlds ckn eKMZu fgLV~h ls ,e0,0 lu~ 1974 esa ikl fd;k FkKA^^ ¼ist 28½

"I passed B.A. in 1970, M.A. in 1972 in Political Science and thereafter, passed M.A. in Modern History in 1974." (E.T.C.)

^^;g lgh gS fd 11 o"kksZ ds lrr iz;kl ds ckn eq>s ih0,p0Mh0 dh fMxzh 1989 esa feyh FkHA blh chp esjh fu;qfDr rnFkZ :i esa 1974 esa bykgkckn fo'ofon;ky; esa gks x;h FkHA ;g rnFkZ fu;qfDr izodrk ds :i esa gqbZ FkHA 1989 esa eSa jhMj Hkh gks x;k FkKA\*\* ¼ist 28½

"It is true that after 11 years of continuous efforts I secured Ph.D. Degree in 1989. Meanwhile, I was appointed on ad hoc basis in Allahabad University in 1974. This ad hoc appointment was made as a Lecturer. In 1989 I became Reader also." (E.T.C.)

^^tuojh] 87 ls ysdj 1990 rd Jh cghmn~nhu efyd lkgc bykgkckn fo'ofon;ky; ds dqyifr FksA Jh cghmn~nhu lkgc Hkh eq>s

tkurs FksA - - - - 6 Qjojh] 79 dks esjh 'kknh esgj vQ'kka Qk:dh  
lkfgck ls gqbZ FkhA\*\* ¼ist 29½

"From January 1987 to 1990 Sri Bahiuddin Malik  
Saheb was the Vice Chancellor. Sri Bahiuddin Saheb also  
knew me.....On 6th February 79 my marriage took place  
with Mehar Afshan Farooqi." (E.T.C.)

^^;g 'kknh esjh vkSj esjh iRuh ds ifjokj okyksa dh lgefz ls  
ugha gqbZ FkhA^^ ¼ist 29½

"This marriage did not take place with the consent of

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my wife and family members." (E.T.C.)

^^viuh 'kknh ds jftLV~s'ku ds ckn fudkg dh t:jr blfy,  
iM+h fd esjs lqljky okyksa dh Lohd`fr ds fy, ,oa lkekftd ekU;rk ds  
fy, ,slk djuk mfpr Fkka\*\* ¼ist 30½

"Necessity of Nikah after registration of marriage,  
arose with a view to obtain approval of my in-laws and for  
social recognition it was essential to do so." (E.T.C.)

^^mUgksaus ;g Pokbl vo'; nh Fkh fd eSa fudkg dj yWwA ;gh esjs  
llqjky okyksa dh Pokbl gh esjh Pokbl FkhA ¼fQj dgk½ esjh Hkh ;gh  
PokbZl gks ldrh FkhA^^ ¼ist 30½

"They had given me a choice that I should perform  
Nikah. This choice of my in-laws was, in fact, my choice.  
(Further said). Choice of mine too could be only  
this." (E.T.C.)

^^fudkg djus ds fy, eqlyeku gksuk vko';d Fkka blfy, eS  
eqlyeku gqvK Fkka" ¼ist 30½

" For materialization of Nikah it was necessary to be  
a Musalman. Therefore, I got converted as a  
Muslim." (E.T.C.)

^^eq>s esjh iRuh us bl dk;Z esa budjst fd;k Fkka^^ ¼ist 33½

" My wife encouraged me for this work." (E.T.C.)

^^esjs llqj 'ke'kqy jgeku Qk:[kh ds buh'kh;y ,l0vkj0  
Qk:dh gSA^^ ¼ist 33½

" Initial of my father in law, Shamshul Rehman  
Farooqi, is S.R. Farooqi." (E.T.C.)

^^eSaus viuh iqlrd ds izhQsl esa ;g fy[kk gS fd esgj vQ'kka  
Qk:dh bLVksVZM ijlw;sMhx eh Vw ikiwykbftj fn fgLVkfjdy  
VqFkA^^¼ist 33½

" In the Preface of my book I have written that  
Mehar Afshan Farooqi started persuading me to  
popularize the historical truth." (E.T.C.)

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1353. They also pointed out that though he was registered  
for Ph.D. in 1978 having passed M.A. in Modern History in  
1974 but could not complete Ph.D. for a decade. It is only in  
1988 when Sri Vahiuddin Mullick was the Vice Chancellor of  
Allahabad University and Chief Minister of U.P. was Sri  
Mulayam Singh Yadav he was conferred Ph.D. in 1989. Sri  
M.M. Pandey, Sri H.S. Jain and Sri R.L. Verma all the learned  
counsels stated that PW 15 converted himself a 'muslim' for the  
purpose of marriage and also changed his name as 'Sajid' but has

appeared in the witness box mentioning his name as Sushil Srivastava and this also shows lack of bonafide on his part and refers to his statement on page 49 and 50:

^^;g lgh gS fd ;Fkk vko';drkuqlkj eSa vius dks lkftn Hkh dg ysrk gwa vkSj lq'khy Hkh eku ysrk gwaA\*\* ½ist 49½

"It is correct that as per requirement I use to say myself Sajid as well as Sushil." (E.T.C.)

^^eSaus [kqnk dh dle ugha yh gS bZ'oj dh dle yh gSA\*\*½ist 49½

"I have not sworn in the name of 'Khuda', instead I have sworn in the name of 'Ishwar'." (E.T.C.)

^^esjk uke lkftn ugha gSA eSaus /keZ ifjorZu fd;k gS vkSj eqlyeku gqvK gWwAA ij esjs fy, /keZ dk dksbZ egRo ugha gSA eSa v/keZ esa fo'okl djrk gWwAA\*\* ½ist 50½

"My name is not Sajid. I have got converted my religion and have become a Muslim but to me, the religion has no significance. I believe in Adharma (atheism)." (E.T.C.)

1354. They also pointed out that the wife of PW 15 is well qualified being M.A. in Medieval History and D.Phil. with specialisation in "Economic Policy of Delhi Sultanate" which she did in 1988 but her father was not a Historian and instead a Government servant, a member of Indian Postal Service and

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retired therefrom as is evident from page 50:

^^esjs llqj bf.M;u iksLVy lfoZl esa dk;Zjr FksA esjs llqj Hkh fyVjsjh fdzfVd gSA] dke Hkh djrs gSA\*\* ½ist 50½

"My father-in-law was posted in Indian Postal Services. He also is a literary critic and work as such." (E.T.C.)

1355. About his conduct in the University the learned counsel drew our attention to the statement of PW 15 at page 55/56:

^^;g dguk lgh ugha gS fd esjs vkpj.k ds lEcU/k esa dksbZ tkap gqbZ ;k ml tkap ds ckn eSa ogka ls gVf fn;k x;kA^^ ½ist 55½

"It is not correct to say that any enquiry was conducted regarding my character or that I was removed from there after the enquiry." (E.T.C.)

^^;g dguk xyr gS fd 'kkg us esjs vkpj.k ds ckjs esa ,d lnL;h; desVh ds :i esa esjh tkap fd;s FksA eq>s bl ckr dh tkudkj ugha gS fd mijksDr deh'ku us eq>s xyr c;ku nsus dk nks"kh ik;k FkKA eq>s bl ckr dh tkudkj ugha gS fd mijksDr deh'ku us mDr fo'ofok; dh efgyk v;/kid dks rFkk efgyk Nk=kvkSA ds izfr v'yhy vkpj.k ;k muds izfr v'yhy Hkk"kk 0;Dr djus dk nks"kh ik;k gksA e>ss bl ckr dh tkudkj ugha gS fd mDr deh'ku us 13-4-99 dks viuh vk[;k izLrqr fd;k vkSj ;g lq>ko fn;k fd eq>s ogka ls fudky fn;k tk;SA eq>s bl ckr dh tkudkj ugha gS fd fo'ofok; ds fLMhdsV us 30-4-99 dks vius izLrko la0 46 }kjk eq>s gSM vkQ fn fMikVZesaV vkSj DokMhZusVj vkSj Mh0vkj0,l0 izksxzke ls gVf fn;kA Lor% dgk fd e>s 5-5-99 dks fLMhdsV }kjk bl vk'k; dk i= izkIr gqvK fd eSa gSM vkQ fMikVZesaV rFkk DokMhZusVj dk pktZ vU; v;/kid dks lkSai nWwAA eSaus fn0 11-6-99 dks vius izks0 in ls R;kxi= lkSai fn;k eSaus ;g dkj.k n'kkZ;k fd eSa xqtjkrh Hkk"kk ds VsLV dks ikl djus esa vleFkZ jgk

gwWa vkSj pwafd mDr ijh{kk dks ikl fd;s cxSj eSa dUQeZ ugha fd;k tk  
ldrk FkKA rFkk bykgkckn fo'ofokj; esa esjh vodk'k dh vof/k  
lekIr gksus okyh FkKA eq>s bl dkj.k 28 twu] 99 dks dk;ZeqDr dj  
1509

fn;k x;k FkKA\*\* ½ist 55½

"It is wrong to say that Shah as a one member Committee conducted the enquiry about my conduct. I am not aware of the fact that the aforesaid Commission found me guilty of tendering false statement. I have no knowledge of this fact whether the Commission found me guilty of indulging in scrofulous conduct or using salacious language with lady teacher and students of the said University. I have no knowledge of the fact that the aforesaid Commission submitted its report on 13.04.1999, recommending for my expulsion from there. I have no knowledge of the fact that the Syndicate of the University on 30.04.99, vide agenda No. 46, ousted me from the office of the Head of the Department, Coordinator and DRS programme. Of his own said that on 05.05.99 a letter of Syndicate was received to the effect that I should hand over the charges of the Head of Department and Coordinator to another teacher. On 11.06.99 I submitted my resignation from the post of Professor showing the reason that I have been unable to qualify to the test of Gujarati language in as much as, I could not be confirmed without clearing the aforesaid test. And period of my leave was about to exhaust. For this reason I was discharged from duty on 28.06.99." (E.T.C.)

^^;g lgh gS fd eSa Jh oh0,e0'kkg bUDok;jh desVh ds le{k  
0;fDrxr :i ls mifLFkr gqvK FkKA^^ ½ist 56½

"It is correct that I appeared in person before Sri V.M. Shah Enquiry Committee." (E.T.C.)

^^;g dguk lgh gS fd foHkkx ds lHkh v/;kidksa us esjs  
fo:) ;g f'kdK;r fd;k Fkk fd og yksx esjs lkFk dke ugha dj ldrs  
gSaA cfYd dsoy dqN v/;kidksa us gh bl izdkj dk izLrko fd;k FkKA

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½fQj dgk½ fd os yksx esjs gsM ds dk;Z ls larq"V ugha FksA ;g dguk  
xyr gS fd eq>s nqjkpj.k ds dkj.k fo'ofokj; ls fudkyk x;k vkSj  
ml vkns'k dks izkIr u djs eSaus bLrhQk ns fn;k vkSj okil bykgkckn  
pyk vk;kA^^ ½ist 56½

"It is correct to say that all the teachers of the Department complained against me that they could not work with me. Rather, only few teachers made such proposal. (Further said ) that they were not satisfied with my work as Head. It is wrong to say that due to misconduct, I was expelled from the University and without receiving that order, I resigned and returned to Allahabad." (E.T.C.)

1356. For our purposes, however, suffice it to mention that PW 15 has make out a new case and says that according to his study there is grievous doubt whether Babar built the mosque in

dispute. He says that neither there is any material to show that Babar ever visited Ayodhya nor the name "Mir Baqi" finds mention in Baburnama. On page 217 he admits that as a result of his research he has written on page 89 of his book that inscriptions might have been fixed on the disputed building later on mentioning that the disputed building was built by Babar and on page 295 he refers to page 91 of his book where he has said that the disputed building might have been constructed at the time of Tughlaqs or Sharkis and may not have been built by Babar. On page 300 he further says that if constructed by Sharki Rulers, the disputed building might have been constructed prior to 1504. He also says that averments in para 2 and 8 of the plaint (Suit-4) that graves around the disputed building were of those muslims who died in battle between Babar and the erstwhile ruler of Ayodhya are incorrect statements (page 300). The witness, therefore, has not supported the case of plaintiff (Suit-

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4) and on the contrary has taken a totally different stand. In fact by reaching such inference, he has stated in his examination-in-chief that the disputed building was not constructed after demolishing a temple by Babar.

1357. Here one more aspect we need to mention. Though the witness has been produced as Expert Historian but on page 222 he admits that he had a very little knowledge of history. That being so according to own statement of the witness his statement cannot be taken as an opinion of an Expert Historian and, therefore, inadmissible under Section 45 of the Evidence Act. Even otherwise, the extract of his statement we have noticed above make it clear that neither the witness has made any threadbare inquiry into the matter nor has done his job honestly yet has written a book based on hearsay and has claimed it to be a book written by an Expert. He admits that he cannot read Persian, Arabic, Sanskrit and Urdu (Page 33). He admits that despite being historian he has accepted whatever said by others on the basis of their alleged scholarly feeling and wrote it in his book as a statement of fact (page 38). He has never studied either Calligraphy or Epigraphy (Page 51) but has made statement and recorded finding in this regard in his book. On page 65 he admits that he has raised doubt on the Calligraphy style of the text of the inscription at Babri mosque but simultaneously admits that he had not the least knowledge of art and science of Calligraphy. We in fact find it surprising with the kind of dishonesty, such person has shown. In his book he has given in the footnote reference of a number of books which he admits that he had never studied (page 68). On page 77 he says that he did not pay attention on the fact whether the inscriptions were installed from the beginning or installed subsequently but

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on page 217 admits that he has written on page 89 of his book that there is a possibility that the inscriptions might have been installed subsequently. On page 106 on the one hand he admits

that he lacks knowledge of Epigraphy, Numismatic, Archeology, Survey of Land, Science of Architecture, Turkish, Arabic and Persian language yet simultaneously he says that though the period of construction of the disputed structure, he could not conclude but according to him it relates prior to Mughal period. We are sorry to find that a person like PW 15 has written a book on such an important and sensitive matter without having made an in-depth study on the subject and has deposed before us claiming himself to be an Expert Historian though simultaneously admit that he has a very little knowledge of history. On page 218 and 219 again contradicting his earlier statement he said that he has made research on the question as to how much old and of which period the inscriptions are and found that the inner inscription appears to be new from the style of calligraphy while the outer one is old. Despite admitting the fact that he has no knowledge of calligraphy he has made such comments on calligraphy of the text of inscription which is not expected from a responsible Expert Historian. Besides his statement ex facie appears to be incorrect in view of the admitted position as also mentioned in Epigraphica Indica (1965) published by ASI that there were three inscriptions out of which two got misplaced in 1934 and were restored by new one which had some mistakes and did not contain the correct original text.

1358. The lack of expertise of PW 15 in respect to Medieval History has also been commented by plaintiff's (Suit-4)'s another witness, i.e., PW 20, Shirin Musvi on page 129 of

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her statement where she said:

^^eSa Jh lwjtHkku tks ,d vkfd;ksZykftLV gS Mk0 lqohjk  
tk;loky tks ,slh;UV bf.M;u fgLVksfj;u gSa vkSj Jh lq ' khy  
JhokLro tk s ekMZ u bfrgkl dkj gS a mudh bl jk; ls ;fn  
mUgksaus ,slk dgk gS fd ehjckdh ,d f'k;k;k Fkk mudh bl jk; ls lger  
ugha gwWa pwwafd ok s yk sx esf Moy fgLV~ h ds ,FkkfjVh ugh a gS A \*\*  
½ist 129½

"I do not agree with the opinion of Sri Surajbhan, an Archaeologist, Dr. Suvira Jaiswal, Ancient Indian Historian and Sri Sushil Srivastava, Modern Historian and if they have said so that Mir Baqi was a Shiya, I do not agree with their opinion because they are not authority on Medieval History." (E.T.C.)

1359. PW 16, Prof. Suraj Bhan in his cross-examination has said:

^^eq > s fookfnr LFky ij f'kykys[ k tk s ehjckdh }kjk  
yxok;k x;k Fkk mlds vykok vkS j dk sb Z ,ihxz k fQdy  
bohMs al ugh a feyh ftlds vk/kkj ij ;g dgk tk lds fd  
fookfnr <k ap k dk uke ckcjh efLtn gk sA ;g f'kykys[k mruk  
gh iqjkuk Fkk ftruh efLtnA^^ ½ist 157½

"Except for an inscription carved by Mir Baqi, I did not come across any other epigraphical evidence on the basis of which the disputed site may be called Babri Masjid. This inscription is as old as this masjid." (E.T.C.)



^^fookfnr <kaps esa 2 txg ij bUlfdzI'ku yxs gq, FksA ;g nksuksa  
 bUlfdzI'ku iRFkj esa [kqns gq,s Fks ijUrq ckgj okys bUlhdzI'ku dk Lysc  
 nhokj esa fQDl Fkka ;g nksuksa mijksDr bUlfdzI'ku Qkjlh Hkk"kk esa fy[ks  
 Fksa eSa Qkjlh ugha tkurk ;g lgh gS fd eSa Qkjlh ugha i<+ ldrk  
 blfy, ekSds ij eSa mu nksuksa bUlfdzI'ku dks ugha i<+ ldrk Fkk vkSj  
 vanj okyh bUlfdzI'ku dks ns[k Hkh ugha ik;kA\*\* ¼ist&175½

"Inscriptions were engraved at two places in the

1514

disputed structure. Both of the inscriptions were engraved in the stone but the slab of the outside inscription was fixed in the wall. Both these inscriptions were written in Persian language. I do not know Persian. It is true that I can not read Persian. So I, could not read both the inscriptions at the site and could not even see the inside inscription."(E.T.C.)

^^;g efLtn ckcj dh viuh cuokbZ gqbZ ugha Fkh] cfYd ;g  
 ehjckdh }kjk ckcj dh btk+r ls cuokbZ xbZ Fkh vkSj blh dkj.k ckcjh  
 efLtn ehjckdh ds lk/kuksa ds vuq:i gh cuh FkhA^^ ¼ist 334½

"This mosque not built by Babar on his own; rather, it was built by Mir Baqi with the permission of Babar, and for this very reason, the Babri mosque was built only as per the means of Mir Baqi." (E.T.C.)

^^efLtn esa fy[ks f'kykys[k esa ;g fy[kk Fkk vkSj efLtn ds rksM+s  
 tkus ls igys eSaus mls ns[kk Hkh Fkk vkSj mlds ckjs esa dbZ fjdkMZl gSa]  
 tks Hkkjr ljdkj }kjk gesa fn, x, Fks] muesa i<+k gS rFkk v;ks;/k ds  
 Åij fy[kh xbZ fdrk esa Hkh i<+k gSA

;g ,ihxzkQ+] efLtn ds eq[; }kj] iqu% fd] ;kuh efLtn ds  
 eq[; xqEcN esa tkus okys }kj ds Åij yxk Fkka bl f'kykys[k esa ckcjh  
 efLtn ds cuk, tkus ds ckjs esa fy[kk gS] tks eSa vius igys ds c;kuksa esa  
 crk pqdk gwaA ;g f'kykys[ k Q+k jlh es a gS A bl f'kykys[k esa ;g  
 ugha fy[kk gS fd ;g efLtn fdlh vkSj Hkou dks rksM+dj cukbZ xbZ gSA\*\*  
 ¼ist 334&335½

"It was so written in the stone inscription at the mosque and the same had also been seen by me before demolition of the mosque. There are several records in this behalf, which have been provided to us by the Government of India. I have read it in them and also in the books written about Ayodhya.

This epigraph was engraved at the main gate of the

1515

mosque (again stated) that is to say, above the gate leading to the main dome of the mosque. This stone inscription refers about the construction of the Babri mosque, about which I have already stated. This inscription is in Persian. This inscription does not mentioned that this mosque was built by demolishing any other building."(E.T.C.)

^^ckcjh efLtn ds f'kykys[ k ls ;g Li"V gS fd ;g ckcj  
 ds le; esa lu~ 1528 bZ L oh es a cuk;h x;h FkhA\*\* ¼ist 433½  
 "From the inscriptions of Babri mosque, it is clear that  
 it was built in the year 1528 AD during the times of

Babar." (E.T.C.)

^g fo}kuksa us r; dj fn;k gS fd ;g <kWapk ckcj ds le; esa  
lu~ 1528 bZ0 esa cuk;k x;k Fkk] eSa Hkh bldks lgh ekurk gwWAA\*\* $\frac{1}{4}$ ist 433 $\frac{1}{2}$

"It has been determined by the scholars that this structure had been built in the year 1528 AD during the times of Babar. I also consider it to be correct." (E.T.C.)

^ckcjh efltn dk fuekZ.k izkIr rF;ksa ds vuqlkj lu~ 1528&29  
bZLoh esa gqv k FkA tks eqxy dky esa iM+rk gSA\*\*  $\frac{1}{4}$ ist 457 $\frac{1}{2}$

"According to the facts determined, Babri mosque was built in the year 1528-29 AD, which falls in the Mughal period." (E.T.C.)

^esjk bl <kWaps dks ckcjh efltn dgus ds ihNs vkSj dksbZ fo'ks"k  
mn~ns'; ugha gS] flok; blds fd eSa iqjkrRoosRrk gwWAA vkSj ckcjh efltn  
dk <kWapk iqjkrkfRod gSfjVst Fkk] blh uke ls tkuk tkrk FkA eSaus bls  
ns[kk Fkk] bldks blh uke ls eSaus vius ys[kksa esa fy[kk gSA ;g vf/kd  
MsQfuV vkSj vf/kd fizlkbZt <ax ls ml <kWaps dks crkus dk rjhdK eq>s  
ekywe nsrk gSA\*\*  $\frac{1}{4}$ ist 457 $\frac{1}{2}$

"I have no special motive in calling this structure Babri mosque, except for the fact that I am an archaeologist and the structure of Babri mosque was a

1516

archaeological heritage and was known by this name. I had seen it and have mentioned it so in my articles. It appears to me, to be a more definite and precise method of describing the said structure." (E.T.C.)

1360. The statement of PW 16 in respect to period of construction and the person by whom, is solely based on two inscriptions which he claims to have affixed on the disputed building in Persian language though neither the witness can read Persian nor could see the inner one. Here also on page 157 read with 334 and 335 though the witness claims that the inscriptions which were installed when he visited the premises were the same as were installed at the time of construction of the building and this shows that he has not read the text of the inscriptions as published in different books from time to time and had no occasion to compare the same but the statement has been made on pure conjecture and surmises.

1361. The expertise of PW 16 on the matter relating to Medieval History has been doubted by another witness of plaintiff (Suit-4), i.e., PW 20, Shirin Musvi in her statement on page 129.

1362. Further the witness do not claim to be an Expert Historian but he is an Expert Archaeologist. Since he has written an Article on the disputed building i.e. Paper No. 110C1/8 (Exhibit D37, Suit-5), it appears that to support its contents, he came in witness box in his first appearance. For our purposes suffice it to mention that here also the sole foundation for claiming the period of construction of the building as "1528 AD" by Mir Baqi, the entire stress is on the said inscriptions and nothing else.

1363. Another Expert Historian Suvira Jaiswal-P.W.18, in

1517

her cross-examination with respect to the aforesaid aspect, has said :

^^ckcj vo/k ds {ks= esa vk;k Fkk ,slk eSaus i<+k gS ysfdu v;ks;/k vk;k ;k ugha eSa ugha crk ldrh gWwA\*\* ¼ist 24½

"Babur had come in the region of Awadh, I have read so, but in fact, came to Ayodhya or not, I cannot say." (E.T.C.)

^^ysfdu crkS j bfrgldkj eSa crk ldrh gWaw fd 16oha 'krkCnh esa ckcj us v;ks;/k esa ckcjh efLtn cuokbZA\*\* ¼ist 103½

"but as a historian I can tell that in 16th century Babar got constructed Babari Mosque in Ayodhya." (E.T.C.)

^^eS u s ckcjh efLtn ds ckjs esa dq N ugh a i<+k fo'k s" k :i ls ugh a i<+k blfy, eS a ugh a crk ldrh fd ckcjh efLtn dc vfLrRo es a vk;hA eSa ;g Hkh ugha crk ldrh fd ckcjh efLtn ds vfLrRo esa vkus ds igys ml LFkku ij D;k FkKA\*\*¼ist 105½

" I have read nothing about Babari Mosque, I did not study thoroughly, therefore, I cannot say as to when Babari Mosque came into existence. I cannot say as to what was there at the site before coming into existence of Babari Mosque." (E.T.C.)

^^eSaus ckcjukek ugha i<+k gSA\*\* ¼ist 121½

"I have not read Babarnama." (E.T.C.)

^^ ;g Bhd gS fd eS a iz k phu bfrgkl dh fo'k s" kK gw aA ;g Hkh Bhd gS fd eSa bl vnkyr esa iz k phu bfrgkl ds fo'k s" kK ds :i esa xokgh nsu s vkbZ gawA \*\* ¼ist 122&123½

"This is correct that I am expert in Ancient History. It is also correct that I have come to this Court to tender evidence as specialist in Ancient History." (E.T.C.)

1364.

PW 18 admits that she has come to depose her

1518

statement as Expert Historian being specialist in Ancient History (page 122-123). However, while on one hand she claims that the disputed building was constructed in 16th century by Babar at Ayodhya called Babari mosque and this statement she is making as a historian but simultaneously on page 105 she said that she has not read anything about Babari mosque and did not study thoroughly and, therefore, cannot say as to when Babari mosque came into existence. On page 121, she also admits of having not read "Baburnama" at all.

1365. Shrin Musvi-P.W.20 in her examination with respect to the aforesaid aspect has said:

(Examination-in-chief)

"There was an inscription at Babari Masjid divided in three parts and its some part were printed in Beveridge's Babar-Nama. The entire inscription is published in 1965, Epigraphia Indica published by A.S.I. It is in Persian language and Nask-script. It mentions that Mir Baqi got the mosque constructed in 1528-29 AD on the orders and intention of Babar. The date of his construction

is found from its script by numerical calculation. (page2-3)

Buchanan visited Ayodhya in 1810 and described about the same in his accounts. He has said that it is alleged that Aurangzeb demolished a temple in Ram Kot and constructed a mosque but he said that the mosque has an inscription of the period of Babar, therefore, the aforesaid view is ill founded." (page-4)

(Cross-examination)

^;g Bhd gS fd ckcj us ehjckdh dks vo/k dk dek.Mj fu;qDr fd;k FkKA\*\* ¼ist 29½

"It is true that Babar had appointed Mir Baqi

1519

Commander of Awadh." (E.T.C.)

^ckcj dk v;ks;/k tkus dk jsQzsUlst gS] exj ,slk mlds eseksvkj esa ugha gSA ;g jsQzsUlst nwljs ledkyhu vkSj ledkyhu ds ikl ds lzksrksa esa i<+k gSA LEHkor% eSaus ;g ckr [okUnhj dh fy[kh gqbZ fdrkc esa i<+k gSA og ckcj ds ledkyhu gSA og lsUV~y ,f'k;k ds jgus okys Fks vkSj ckcj ds vkfQlj FksA mudh ;g fdrkc Qkjlh fyfi esa gSA eSa Qkjlh tkurh gwWaa nwljk fu;j daVsijsh lkslZ bl le; eq>s ;kn ugha gSA\*\* ¼ist 30&31½

"References of visit of Babar to Ayodhya are there but it is not so in his Memoir. I have read these references in other contemporary and nearby sources. Perhaps I have read this in the book written by Khwand Mir. He was contemporary to Babar. He was resident of Central Asia and an officer of Babar. His book is in Persian script. I know Persian. I do not remember presently any other near contemporary source." (E.T.C.)

^ckcjuek esa eq>s tggWa rd ;kn gS] dgha Hkh efltn cuokus dk ftdz ugha gSA vt[kqn dgk fd rc ml tekus esa efltn cuokuk dkWeu izSfDVL FkKA\*\* ¼ist&31½

"In Babarnama so far as I remember, there is no reference anywhere of getting any Mosque constructed. Then of her own, she said that those days, to get mosque constructed was a common practice." (E.T.C.)

^ckcj v;ks;/k dc vk;k Fkk] eSa ugha crk ldrh] D;ksafd ckcjuek esa mlds ;gkWa vkus dk dksbZ ftdz ugha gSA\*\* ¼ist&33½

"I cannot say as to when Babar came to Ayodhya because in Babarnama there is no reference of his visit there." (E.T.C.)

^;g Bhd gS fd lkuh ds eryl nh vnj ;kfu nwljk gSA ;g Bhd gS fd fookfnr <kaps ds Åij yxs gq, bUldzsi'ku ij ehj ckdh ds fy;s ,d VkbZfVy vkflQs lkuh fy[kk x;k ftls cuthZ us ^blQgkuh^

1520

i<+k FkKA 'kk;n cuthZ us viuh iqLrd ^ckcjl fjiyhtu^ esa ,slk fy[kkA\*\* ¼ist 58½

"It is true that 'Sani' means 'the other' or 'second'. It is true that in inscription on disputed structure, the title for Mir Baqi was written as 'Asife sani' which was read as Isfehani by Banerji. Perhaps Banerji has written this in his book Babar's religion." (E.T.C.)

^tSlk eSaus Åij c;ku fn;k gS fookfnr LFky ij yxs f'kykys[k  
dks lu~ 75 ls 1980 ds chp esa i<+k Fkk ,oa ml ij v/;;u fd;k FkKA  
mu f'kykys[kksa dk v/;;u esjs 'kks/k ds fy, vko';d FkKA eSaus viuh  
Fkhlhl esa fookfnr LFky ij ik;s x;s f'kykys[k dk dksbZ mYys[k ugha  
fd;k gS blesa dkLV vkQ dkaLV<sup>3</sup>D'ku ds ckjs esa ugha fy[kk gSA^^  
½ist 120&121½

"As I have stated above, I had deciphered the epigraph on  
the disputed site between 1975 and 1980 and had studied  
on this point also. The study of those epigraphs was not  
necessary for my research." (E.T.C.)

^^;g Bhd gS fd 1975 ds igys fookfnr LFky ij yx s  
f'kyky s[ kk s a dh eq > s dk sb Z tkudkj h ugh a FkhA^^ ½ist 121½  
"It is true that I had no knowledge of the epigraphs on  
the disputed sites before 1975." (E.T.C.)

^^eSaus vk sj htuy bUlfdz i 'ku dh Qk sV k s ,si hxz k fQ;k  
bf.M;k 1964&65 es a ns[ kk gS A \*\* ½ist 121½

"She had seen the photograph of the original  
inscription in Epigraphia Indica in 1964-65." (E.T.C.)

^^ml fookfnr LFky ij rhu f'kykys[k yxs gq, Fks bl le; iwjh  
rkSj ls ;kn ugha gS fd og rhuksa f'kykys[k fdu fdu LFkkuksa ij yxs Fks  
oks Qkjlh Hkk"kk esa FksA\*\* ½ist 122½

"Three inscriptions were installed on the disputed site.  
Presently I do not fully remember at which places those  
three inscriptions written in Persian language were

1521

installed." (E.T.C.)

^^mlesa tks [kkL ckr fy[kh gS og ;g gS fd mls ckcj ds vkns'k  
ij ehjckdh us cuok;k vkSj ^^[kSj ckdh\*\* 'kCn ls bls cuok;s tkus dh  
rkjh[k fudyrh gSA\*\* ½ist 122½

"It is particularly mentioned therein that it was  
installed by Meer Baqi under the orders of Babar and the  
date of its installation is inferred by the word "Khair  
Baki." (E.T.C.)

^^esj s vuq l kj loZ i z F ke fookfnr <k ap s dk fuekZ . k 1528  
esa gq v k gk sx kA^\* ½ist 126&127½

"In my opinion, first of all, the disputed structure  
may have been constructed in 1528." (E.T.C.)

^^;g dguk fcydqy xyr gksxk fd fookfnr <kWaps dk fuekZ.k  
1501 esa fd;k x;k gksA\*\* ½ist 127½

"It will be totally wrong to say that the disputed  
structure may have been constructed in 1501." (E.T.C.)

^^isij ua0 2@15&d&l ij vafdr 18&12&61 dh frfFk dh vksj  
fnyk;k ftls i<+dj xokg us dgk iSjk 1 esa ,slk fy[kk x;k gS fd  
ckcjh efltn ckcj }kjk yxHkx 460 o"kZ igys cuokbZ x;h Fkh ;g 460  
lky ls T;knk ugha gks ldrk vxj ;g ckr 1961 esa dgh x;h gSA pwafd  
1501 esa ckcj fgUnqLrku vk;k gh ugha Fkk blfy, ml le; ckcjh  
efltn cuokus dk iz'u gh ugha Fkk bls iSjk 1 esa tks ckdh ckrs fy[kh  
gS og lgh gS ysfd; ;g dguk fd ;g ckr 1961 ls 460 lky igys  
dh gS xyr gSA\*\* ½ist 127&128½

"Attention was drawn to the date of 18-12-61 shown  
on Paper No. 2/15-Ka-1 seeing which the witness stated  
that it is written in para 1 that the Babri Masjid was built

by Babur nearly 460 years ago. It can not be older than 460 years if such statement was made in 1961. As Babur did not even come to Hindustan in 1501, there was no question of Babri Masjid being built at that time. Other

1522

things written in its para 1 are correct but it is wrong to say that this statement was made 460 years prior to 1961."

(E.T.C.)

^esjs vuqlkj ;g efltn ehj ckdh us cuokbZ Fkh vkSj mlus ,slk dgk gS fd ckcj ds gqDe ls cuokbZ x;h blfy, eSa ;g ugha crk ldrh fd ckcj dk ,slk vkns'k Fkk ;k ugha D;ksafd fdlh vkSj lkslZ esa mldk mYys[k ugha gSA\*\* ½ist 128½

"According to me, this mosque was got constructed by Mir Baqi and he has said that it was constructed under the commands of Babur, therefore, I can not tell whether Babur had given any such command or not because it is not referred to in any other source." (E.T.C.)

^ckdh rk'kcUnh ehjckdh dk gh uke gS [kqn ckcj us ckcjukek esa bl uke dk mi;ksx fd;k gSA ckdh 'kxkoy uke eSus ugha lquk fQj dgk fd ,slk eq>s ;kn ugha gSA eSa ;g ugha crk ldrh fd ckdh lxxoy ehjckdh dk gh uke Fkk fQj dgk fd lxxoy dksbZ uke ugha gksrk Fkk dksbZ iksLV gksrh Fkh lxxoy ,d vkfQl Fkk mldh D;k M;wVh vkSj ,DtSDV uspj D;k D;k Fks eq>s ugha ekyweA\*\* ½ist 130½

"Baqi Tashkandi is the name of Mir Baqi, Babur himself has used this name in Baburnama. I have not heard the name of Baqi Sagawal, then said, I do not remember so, I can not tell as to whether Baqi Sagawal was the name of Mir Baqi, then said, Sagawal was not a name but was a post, Sagawal was an office. I do not know what was his duty and exact nature." (E.T.C.)

^^;g dguk xyr gS fd tks bafLdzI'ku fookfnr <kaps ij yxs gq, Fks oks 1934 ds naxs ds ckn yxk fn;s x;s Fks]cfYd ;g lgh gS fd og igys ls yxs gq, Fks ftldk ftdz cqdkuu us lu 1810 ds vius ,dkm.V esa fd;k gSA dqy feykdy rhu buLfdzI'ku fookfnr <kaps ij yxs gq, FksA rhuksa buLfdzI'ku vyx&vyx vYQkt esa Fks ijUrQ muds dUVsUV ;kuh mudk eryc deksks'k ,d Fkka ;kuh rhuksa buLfdzI'ku ,d

1523

gh le; ds yxs gq, Fks] tks lu 1580 ds igys ds FksA ,ihxzkfQDl dh LVMh ds vuqlkj rhuksa buLfdzI'ku dh fyfi 1580 ds igys dh gS A ;g eS au s \*,ihxz k fQ;k bf.Mdk oS Y ;we 1964&65 es a i<k gS fd rhuk s a buLfdz I 'ku 1528 esa gh yxs Fk sA ,sihxzkfQ;k bf.Mdk vkfdZ;ksykftdy foHkx dk ,d tjuy gS vkSj dkQh fo'oluh; tjuy gSA^^ ½ist 136&137½

"It is wrong to say that the inscriptions which stood at the disputed structure were installed after the 1934 riot. However, it is true that they were installed from before, as Buchanan has mentioned in his account of 1810 AD. In all, there are three inscriptions on the disputed structure. They had different wordings but their meaning was almost same. That is to say, the three inscriptions were installed at one and the same time. They all belong to pre-1580 period. As

per the study of epigraphics, the script of all the three inscriptions preceded 1580. I have read in Epigraphia Indica Vol 1964-65 that the inscriptions was installed in 1528 itself. Epigraphia Indica is a Journal from the Archaeological Deptt and it is fairly worth relying." (E.T.C.)

^eSaus cuthZ dh iq L rd ckcj ,UM fn fgUnwt es a Hkh nk s bUlfdz I 'ku ds ckj s esa i<k gS rhljs ds ckcr mUgksaus ugha fy[kk gS D;ksafd og {kfrxzLr gks x;k FkKA cuthZ }kjk fy[kh xbZ iqLrd esjh viuh ykbczsjh esa ekStwn gS vkSj VSxksj ykbczsjh y[kuÅ esa Hkh gksuh pkfg,A^\* ¼ist 137½

"In Banerjee's book "Babur and the Hindus" also I have read about two inscriptions but he has written nothing in regard to the third one because it was damaged." (E.T.C.)

^ckcj us v;ks;/k ds ckjs esa dksbZ [kkl ckr ugha dghA\*^¼ist 138½  
"Babur did not say anything specific about

1524

Ayodhya." (E.T.C.)

^^,DthfcV 53 dks ns[kdj xokg us dgk blesa fy[ks vuqlkj ehjckdh ckcjh efLtn dk QkmUMj FkKA esjs fglkc ls QkmUMj dk eryc mlls gS ftlus bls cuk;kA^ ¼ist 146½

"Seeing Exhibit 53, the witness said that Mir Baqi was, as per its contents, the founder of Babri Mosque. According to me, founder means the person who got it built." (E.T.C.)

1366. PW 20 in her examination-in-chief, besides other, has said that the inscription fixed at Babari mosque is divided in three, and some part thereof was published in "Baburnama" by Mrs. Beveridge and the entire inscription is in Epigraphica Indica (1965) and this shows that the building in dispute was constructed by Mir Baqi in 1528-29 AD. It is in Persian and script is Nask. The inscription also shows that the construction was made under the orders and as per the intention of Babar. The first of her statement that there was one inscription divided in three itself is not supported with what is pleaded and sought to be proved by plaintiffs (Suit 4). Further the text of the inscriptions as quoted in Baburnama by Beveridge and in Epigraphica Indica (1965) differs. On page 121 of her statement she claims to have seen the photo of original inscription in Epigraphica Indica (1964-65) while the author has said something else which we shall be discussing a bit later. On page 29 she claims that Mir Baqi was appointed commander of Awadh by Babar and on page 130 she says that Baqi Tashkandi was another name of Mir Baqi and this name has been used by Babar in Baburnama but we do not find mention of Mir Baqi or the fact that Baqi Tashkandi was also called as Mir Baqi in the Baburnama though some of the writers on their own have tried to identify "Baqi Tashkandi" with Mir Baqi but without giving

1525

any material to justify such inference. She further said that

Buchanan in his account in 1810 has mentioned about three inscriptions (page 136-137) but we do not find any such publication or book written by Buchanan mentioning the same. On the contrary we find that Dr. Francis Buchanan though made certain survey for about seven years starting from 1807 but could not get himself published any material in this regard and later on his material was processed and a report was published in 1838 by "Robert Montgomery Martin".

1367. In any case despite so many reasons some of which we have already discussed, we find that the statement of the above mentioned Expert witnesses suffer serious flaws and make it extremely delicate situation for this Court to rely on their opinion. The only thing which consistently emerges is that the statement about the period of the construction and the person who got the disputed building constructed is solely founded upon the text of the inscriptions fixed on the disputed building. There is no other material either to corroborate or to support it.

1368. Besides above expert historians, some other witnesses have also deposed about construction of mosque, the period and the persons who got it constructed.

1369. PW-1-Mohd Hashim in this regard has said:

^eSaus ehjckdh dk uke [kwc vPNh rjg ls lquk gSA ----ehjckdh ckcj dk dek.Mj FkKA\*\* ¼ist 84½

"I have heard of the name of Mir Baqi very well. .... Mir Baqi was a commander of Babur."(E.T.C.)

^iz'u& vkius vius vthZ nkok ds iSjk 1 esa ;g fy[kok;k gS fd ;g efLtn ftls ckcjh efLtn dgk tkrk gS 'kag'kkg ckcj us cuok;h Fkh\

mRrj& tks fy[kk gS og lgh fy[kk gS esjk eryc gS fd ;g efLtn ckcj ds gqDe ls rkehj gqbZ FkKA^^ ¼ist 92½

1526

"Question:- Have you got it written in para 1 of your claim that emperor Babur built this mosque, which is called Babri mosque.

Answer:- Whatsoever is written, is correctly written. I mean to say that this mosque was constructed at the behest of Babur."(E.T.C.)

^^ckcjh efLtn curs oDr tax ugha gqbZA\*\* ¼ist 92½

"There was no struggle while the construction of the mosque was under way." (E.T.C.)

^^fdlh rkjh[k ds eqrkfcd ckcj vkSj v;ks/;k ds ml oDr ds jktk ;k gqdqer ds chp esa dksbZ tax ugha gqbZa ftl oDr efLtn cuh rc Hkh dksbZ tax ugha gqbZA\*\* ¼ist 93½

"As per a narrative, no battle took place between Babur and the then King or Kingdom of Ayodhya. When the mosque was built even then no battle took place there."(E.T.C.)

^^fookfnr Hkou ftls ge ckcjh efLtn dgrs gSa lu~ 1528 esa rkehj gqvK FkKA esjs vthZ nkok ds iSjkxzkQ 1 esa bl bekjr dh tks mez fy[kh x;h gS og lgh gSA\*\* ¼ist 100½

"The disputed building, which we call Babri mosque, was constructed in 1528. The age of this building as



mentioned in paragraph 1 of my claim application, is correct."(E.T.C.)

^^ckcj lqUuh eqlyeku Fkka ehjckdh f'k;k eqlyeku Fkka ckcj vCckl dyanj lqUuh eqlyeku FksA eSa ugha dg ldrk fd ehjckadh buds eqjhn FksA 'kkg'kkag ckcj dHkh Hkh v;ks/;k ugha vk;sA ckcj dh gdwer nks lky dh Fkh ysfd uSa ;g ugha dg ldrk fd dksu dksu lh [kkL lu~ esa ;g gdwer jghA\*\* ¼ist 109½

"Babur was a Sunni Muslim. Mir Baqi was a Shia Muslim. Babur Abbas Qalandar was a Shia Muslim. I cannot say Mir Baqi was his disciple. Emperor Babur

1527

never went to Ayodhya. The reign of Babur lasted for two years but I cannot tell in which particular years this rule was."(E.T.C.)

^^bl efLtn ij ,d iRFkj yxk gq v k Fkk] ftl ij ;g reke tkudkj nh xbZ Fkh fd ;g efLtn ckcj us cuokbZ gS ] ctfj;s ehjckW d h a vt[kqn dgk ml ij fy[kk gqvk Fkk ^^cQj eqnS'kkg ckcj us vnylr\*\*A mlds vykok Hkh vkSj dqN fy[kk Fkk tks eq>s vc ;kn ughaA

iz'u& D;k ml ij vkxs ;g Hkh fy[kk gqvk gS ^^fcuk dcZ bZ eqgcRrs dqfnf'k;kW\*

mRrj& ;g Bhd gS] ,slk Hkh fy[kk gqvk Fkka vkt [kqn dgk fd Qkjlh esa iwjh rkjh[k fgLV~h fy[kh gqbZ Fkha\*\* ¼ist 120½

"This mosque had a stone detailing that this mosque was built by Babur through Mir Baqi. (Himself stated) It had written on it 'Emperor Babur built it.' Apart from this, it had something more written on it which I cannot recall at present.

Question:- Has it something further written which runs as 'bina karb ei muhabatte kudishian' ?

Answer:- It is true that it was so written. (Stated on his own) The entire history was written in Persian."(E.T.C.)

^^ckcj dh reke fdrkcksa esa bldk ftdz vkrk gS vkSj vke yksxksa esa ppkZ gS fd ;g efLtn ckcj us cuokbZ Fkha\*\* ¼ist 120½

"It finds mention in many books of Babur and it is a public talk that Babur built this mosque." (E.T.C.)

^^bl efLtn ij tks fy[kk gqvk Fkk fd ;g Qfj'rkSa ds mrjus dh txg gS] og ehjckadh us fy[kok;k Fkka\*\* ¼ist 136½

"It was Mir Baqi who had got it engraved on this mosque that it is a descending place of angels." (E.T.C.)

^^esjk dguk gS fd 1528 ls ;g ges'kkk efLtn jgk gS]\*\*¼ist 164½

1528

"I have to say that it has always been a mosque since 1528," (E.T.C.)

^^ckcj v;ks?;k ugha vk;s ] v;ks/;k ds lkFk yxrh lj;w ds mRrj dh rjQ ikWp & nl dksl ij ckcj us dksbZ Msjk ugha yxk;k A ;g dguk xyr gsS fd og gQ~rsa &nl jkst dk d;ke djus ds fy, ogkW vk;k djrs FksA\*\* ¼ist 179½

"Babur had not come to Ayodhya and he had not camped five-ten kosas north of the river Saryu flowing

along Ayodhya. It is wrong to say that he used to come there to do work lasting a week or ten days." (E.T.C.)

^^;g xyr gS fd ckcj'kkg us ehjckWdh dks efLtn cukus ds fy, dksbZ gqDe ugha fn;k Fkka\*\* ¼ist 180½

"It is wrong that emperor Babar had given no command to Mir Baqi for constructing a mosque." (E.T.C.)

1370. P.W.2 Haji Mahboob Ahmad has said:

^^'kga'kkg ckcj v;ks;/k dHkh ugha vk,A ----ehjckdh ckcj dk lsukifr Fkka\*\* ¼ist 27½

"Emperor Babur did not come to Ayodhya. .... Mir Baqi was Babur's army chief." (E.T.C.)

^^ckcj dh dk sb Z yM+k bZ v;k s/ ;k esa ugh a gq ; hA vkSj blfy, ,slk dksbZ loky iSnk ugha gksrk fd bl efLtn ds vkl&ikl dh dczsa mu ykxksa dh gksa tks ckcj ls yM+kbZ esa ekjs x, gksaA\*\* ¼ist 76½

"No battle with Babur had taken place in Ayodhya and hence there is no question that the graves located in the vicinity of this mosque may be of those persons who may have have been killed in the battle with Babur." (E.T.C.)

^^efLtn es a iRFkj t:j yx s gq , Fk s] ,d iRFkj ij dqN fy[kk gqvk Hkh Fkk] ysfd u eq>s ekywe ugha fd D;k dqN fy[kk gqvk Fkka\*\*¼ist 107½

"Stones had certainly been used in the mosque;

1529

one stone had something written on it but I cannot tell what was written on it." (E.T.C.)

1371. P.W.3 Farooq Ahmad in his cross examination has said:

^^ckcj fgUnqLrku dk ckn'kkg Fkka ckcj ds othj ehjckdh us ;g efLtn cuokbZ FkhA\*\* ¼ist 16½

"Babar was emperor of India. This mosque was built by Babar's Wazir Mir Baqi." (E.T.C)

^^v;ks;/k esa lcls iqjkuh efLtn ;gh Fkh ftldks ckcjh efLtn dgk tkrk gSA ckcjh efLtn ls iqjkuh vkSj dksbZ efLtn v;ks;/k esa ugha gSA\*\* ¼ist 18½

"It was the oldest mosque in Ayodhya, which was called Babri Masjid. There is no other mosque older than Babri Masjid in Ayodhya." (E.T.C)

1372. P.W.4 Mohd. Yaseen also in his cross examination said:

^^eqrnkfo;k efLtn dks 'kga'kkg ckcj us cuok;k Fkk blfy, mls ckcjh efLtn dgk tkrk Fkka ckcj us [kqn vkdj efLtn ugha cuok;h mldk gqDe Fkk mlds othj us cuok;h FkhA ,slh ckr rokjh[kksa esa fy[kh gksxhA eSaus ,slh ckr [kqn bfrgkl dh fdrcksa esa ugha i<+h ysfd u yk sx k s a ls lq u k gS A \*\* ¼ist 60 ½

"The disputed mosque was built by emperor Babar, due to which it is called Babri mosque. Babar himself did not come over to build the mosque, and it was on his command that his Wazir had got it built. Similar references are found in history. I have not so read myself in history books, but I have heard so." (E.T.C)

^^eq r nkfo;k bekjr es a esE cj ls lVg gq v k ,d iRFkj

yxk gq v k Fkk] ftl ij Qkjlh esa dq N fy[kk gq v k FkA ;g  
Bhd gS fd ml ij fy[kk gqv k Fk ^cQjewns 'kkg ckcj\*\*A eSaus bl ckr  
dk xkSj ugha fd;k fd mlh iRFkj ij 935 fgtjh ckr rkehj bekjr

1530

fy[kh gksA\*\* ¼ist 74½

"A stone was affixed adjacent to the member of the disputed structure, which had something inscribed in Persian. It is true that 'Bafarmude Shah Babar' was inscribed over it. I did not pay attention to the fact that on that very stone, 935 Hizri was inscribed regarding the construction of the building." (E.T.C)

1373. P.W.6 Mohammad Unus Siddiqi in his cross examination has said:

^eSa ckcjh efLtn ,D'ku desVh dk ps;jeSu gwWa QStckn czkap  
dkA\*\* ¼ist 8½

"I am chairman of the Faizabad branch of the Babri Masjid Action Committee." (E.T.C.)

^^1957 vkSj 1965 ds chp eq>s bl tk;nkn ds ckr ekywe gqv k Fk fd ;g dc vkSj fdlus cuokbZ FkA eSa ugha crk ikÅWaxk fd cqfu;kn  
rkSj ij bl tk;nkn dk fdruk jdck FkA\*\* ¼ist 9½

"Between 1957 and 1965 I came to know as to when this property was erected and by whom. I am not in the position to tell how much area this property basically had." (E.T.C.)

^^vt[kqn dgk fd esjh ;kn'r detksj gS ¼fQj dgk fd lu~  
1987 ls 'kq: gqbZ gSA½ ;g Bhd gS fd vc vkye ;g gS fd oktodkr eSa  
vius yM+dksa ds uke Hkh Hkwy tkrk gwWaA\*\* ¼ist 33½

"(Stated on his own) my memory is weak. I began to develop weakness in my memory from 1986. (Again stated that it has started from 1987). It is true that condition has now become so serious that I forget even the name of my sons." (E.T.C.)

^^eSaus ckcj ukek ugha i<+kA tks fgLV~h dh fdrkcsa geus vius dkslZ  
esa i<+h Fkh muesa dgha ckcjh efLtn dk ftdz ugha vk;kA eSa D;ksafd ogha  
dk jgus okyk gwWa blfy, eq>s ckcjh efLtn ds ckjs esa tkudkj izkIr gks

1531

x;hA\*\* ¼ist 55½

"I did not read 'Baburnama'. In the history books which I studied as a part of my course, I did not come across the mention of the mosque anywhere. As I hail from that very place, I came to have knowledge of the Babri mosque." (E.T.C.)

^^efLtn ds es ac j ij ,d iRFkj yxk gq v k Fk ftl ij  
,slk rgjhj Fk fd ckcj ds gqDe ij bldh rkehj ehjckdh us dj;k;h  
FkA - - ;g iRFkj es ac j ij yxh gq ; h FkA - - ;g rgjhj  
Qkjlh esa FkA eSa dqn gn rd Qkjlh i<+k gqv gwWaA ml rgjhj dks eSaus  
i<+k FkA fefMy Dykl ds ckn eSaus vjfc;k dkyst esa nkf[kyk fy;k Fk  
vkSj ogka dqN gn rd Qkjlh i<+h FkA\*\* ¼ist 62½

"On the member of the mosque was placed a stone with an inscription that it was built by Mir Baqi at the diktat of Babur. . . This stone was fixed to the

member. . . This inscription was in Persian. I have read Persian to some extent. I read the inscription. After doing my middle, I sought admission in Arabia College and studied Persian to some extent there." (E.T.C.)

1374.

PW 10, Mohammad Idris has said:

^tgkWa rd eSa tku ik;k gwWa] fdrkcsa i<+dj vkSj ykxksa ls lqudj] og ;g gS fd bl efLtn dh rkehj ehjckdh us djokbZ FkhA D;ksafd bldk ftdz v[kckjksa esa vkrk jgk gS] blfy, eSa dg ldrk gwWa fd ;g efLtn lu~ 1528 es a cuokbZ xbZ FkhA\*\* ¼ist 32½

"As far as I have come to know by reading the books and by hearing people that this mosque had been built by Mir Baqi. Since this fact has continued to be published in newspapers, I can say that this mosque was built in 1528." (E.T.C)

^ckcj ds fliglykj ds ckjs esa rks eSa ugha tkurk ysfdu eSaus ehjckdh dk uke t:j lquk gSA ;g ml tekus ds ;kuh 1525&26 ds

1532

vklikl ds ,d cgqr cM+s vkneh FksA oks ,d QkSth Fks mudk rk:QZ ,d QkSth dh gSfl;r ls gSA oks eqlyeku Fks bLyke ds gkeh FksA oks eqlyeku Fks blfy, tkfgj gS fd oks Hkh cqrijLrh ds f[kykQ FksA\*\*¼ist 49½

"I do not know about the commanders of Babar, but have certainly heard the name of Mir Baqi. He was a very big personality of that time i.e. around 1525-26. He was a soldier and he is known as a soldier. He was Muslim and follower of Islam. Since he was Muslim, naturally he was against idolatry." (E.T.C)

^ckcj us fgUnqLrku esa fdlh efLtn dks ugha rksM+kA fdlh efUnj dks Hkh ugha rksM+kA\*\* ¼ist 90½

"Babar did not demolish any mosque in India. Did not demolish any temple as well." (E.T.C)

^fdlh Hkh rkjh[k dh fdrkc esa eSaus ,slk ugha i<+k fd ckj dHkh v;ksa;/k vk;k gksA og vo/k izkUr ds gkf'k;s ls gksdj fcgkj t:j x;k Fkk] - - tgkWa rd ehjckdh dk loky gS] og v;ks;/k esa t:j vk;k vkSj eqLrfdy rKSj ij ;gkWa jgkA - - fdrkcsa esa eSaus i<k gS fd ftl tehu ij ;g efLtn cukbZ xbZ ] og bldh rkehj ls igys ,d [kq y s gq , eS n ku dh lwj r es a iM+h gq b Z FkhA\*\* ¼ist 98&99½

"I have not read so in any history book that Babar ever came to Ayodhya. He did go to Bihar along the border of Awadh province, ... So far as Mir Baqi is concerned, he did come to Ayodhya and remained here permanently. ... I have read in books that the land over which this mosque was built, was in form of an open space prior to its construction." (E.T.C)

^935 fgtjh lky esa v;ks;/k ij fdlh fgUnw jktk dh gdwer ugha FkhA - - - ;g Bhd gS fd ckj us v;ks;/k dCtk djus ds fy, dksbZ [kkl tax ugha dhA 'kdhZ lqYrku tkSuiqj okys dh gdwer ckj ds vkus ij [kRe gks x;h FkhA mudh ;g gdwer 932 vkSj 937 fgtjh lky

1533

ds chp esa [kRe gqbZ FkhA mudh NksVh&eksVh taxes gqbZ Fkh eSa bl ckcr lgh lu~ ugha crk ldrkA bl ckr dk ftdz Mk0 fcyxzkeh dh fy[kh

gqbZ fdrkc esa gSA\*\* ¼ist 111½

"No Hindu king ruled over Ayodhya in 935 Hizri era. . . . It is true that Babar did not contest any important battle to conquer Ayodhya. The reign of Sherky Sultan of Jaunpur came to an end on arrival of Babar. His reign ended between 932 and 937 Hizri era. He had small battles. I cannot correctly tell about them. This fact is mentioned in the book written by Dr. Bilgrami." (E.T.C)

1375. P.W.12 Ram Shankar Upadhyay has said:

"esj k fjlpZ dk vk/kkj Fkk fd 1528 esa ckcjh efLtn cuh] bl ij fdLh dk dk sb Z fookn ugh Fkk^^ (ist&30)

"The premise of my research was that there was no dispute on the point of the Babri mosque being built in 1528 and also on its date," (E.T.C.)

1376. P.W.19 Maulana Atiq Ahmad has said:

^^ckcjukek esa fookfnr LFky ;kuh ckcjh efLtn cuokus dk dksbZ ftdz ugha gSA^\* ¼ist 37½

"'Baburnama' does not have mention of building the disputed structure, that is, Babri mosque." (E.T.C.)

^^eq>s ;g Bhd ls ;kn ugha gS fd eSaus fdL iqLrd esa igyh ckj ckcjh efLtn dk uke i<+k gksA ;g Hkh ;kn ugha fd eSaus dc bls igyh ckj i<+k FkKA\*\* ¼ist 46½

"I do not properly remember in which book I read the name of Babri mosque for the first time. I also do not remember when I read it for the first time." (E.T.C.)

^^ckcjh efLtn ds ckjs esa eSaus i<+k gSA ckj us fookfnr LFky ds vykok vkSj Hkh efLtns fgUnqLrku esa cuokbZ gS ftldk ftdz rkjh[kksa esa vkrk gSA ,slk ugha gS fd ckj dh cuokbZ x;h lHkh efLtn ckj efLtn ds uke ls gh tkuh tkrh gSA eq>s eqrbZ;u rKSj ls fdLh efLtn

1534

dks ftls ckj us cuokbZ] ;kn ugha vFkkZr bl efLtn ;kfu dh ckcjh efLtn ds vykokA ;g Bhd gS fd ckcjh efLtn fookfnr LFky ij ehjckdh us cuok;k FkKA ij ckj ds gqDe lsA ckcjh efLtn ij og dRck yxk gq v k Fkk mles a ;g ckr fy[kh gq b Z Fkh fd ;g efLtn ehjckdh us ckj ds gqDe ls cuokbZ gSA og dRck eSaus [kqn ugha ns[kk ij mijksDr fdrkc ckcjh efLtn esa mldk gokyk gS dRcs ds vklkj mlesa fNis gq, gSA ;g Bhd gS fd mlh fdrkc ds vk/kkj ij vkSj nwljs vkVhZdyl ds fcuk ij eSa ,slk dg jgk gwWa fd ,sl k dRck ogk a yxk gq v k gS A \*\* ¼ist 76½

"I have read about Babri mosque. Babar had built many other mosques in India besides the one at the disputed site, whose references are found in history. It is not that all the mosques built by Babar are known as Babri mosque. I definitely do not remember any mosque built by Babar i.e. besides this mosque or the Babri mosque. It is true that Mir Baqi had built Babri mosque at the disputed site, but on the command of Babar. An inscription was fixed at the Babri mosque in which it was mentioned that this mosque had been built by Mir Baqi on command of Babar. I did not see this inscription myself, but the contents of the inscription have been published in the aforesaid book 'Babri Masjid'. It is true that on basis of said book

and other articles, I am saying that such inscription had been fixed over there." (E.T.C.)

1377.

PW 23, Mohd. Qasim Ansari has said:

^^Qkjlh esa 'kk;n dqN vUnj fy[kk Fkka ij eSa mls i<+ ugha ldkA vjch esa vYykg] eksgeen o dqjku dh dqN vk;rs <+kaps ds vanj fy[kh FkhA ;g eq>s ;kn ugha gS fd fdruh txg dqjku dh vk;rsa o vYykg] eksgeen fy[kk Fkka tks vjch esa fy[kk gqvk Fkk og lc [kqnk gqvk fy[kk Fkka ;g vk;rsa iRFkjksa ij Hkh fy[kh Fkh vkSj nhokjksa ij Hkh fy[kh FkhaA ,d ,d txg ij nks&nks] rhu&rhu ykbZusa fy[kh gqbZ

1535

FkhaA ;g fy[kkoVsa 15&20 fQV dh ÅwapkbZ ij fy[kh gqbZ FkhaA dgha dgha ij vkB nl fQV dh uhpkbZ ij fy[kh Fkh vkSj bls Hkh uhps fy[kh FkhaA ---\*\* ¼ist 72&73½

"There was something written in Persian outside. But I could not read that. The words 'Allah' and 'Muhammad', and some Ayats (verses) of the Quran were written in Arabic language, inside the structure. I do not remember at how many places verses of the Quran and the words 'Allah' and 'Muhammad' were written. Whatsoever was written in Arabic, was all engraved. These Ayats were engraved on stones as well as on walls. 2-3 lines were engraved on every place. These engravings were on the elevation of 15-20 feet. At certain places these engravings were at the depth of 8-10 feet or even at greater depth." (E.T.C.)

1378.

PW 26 Kalbe Jawwad in his cross examination has

said as under:

^^tgka rd eq>s [;ky gS ckcjh efLtn ckcj ds xoZ u j ehjckdh us 1528 esa cuokbZ FkhA ---ckcj efLtn vktdy ftls v;ks/;k dgk tkrk gS ogka gSA igys ;g ekywe gqvk Fkk fd igys ;g ohjku txg Fkh ckn es a vkckn gq b Z A \*\* ¼ist 41½

"To the best of my memory, the Babri mosque was built in 1528 by Mir Baqi, Governor of Babar. ... Babri mosque exists at the place which, these days, is called Ayodhya. It so transpired that earlier this was a deserted place and was inhabited subsequently." (E.T.C.)

^^ 1528 ds iwoZ fookfnr LFky ,d [kkyh tehu Fkh vkS j ftl ij ;g efLtn rkehj dh x;hA \* ¼ist 42½

"Prior to 1528, there was vacant land at the disputed site over which the mosque was built." (E.T.C.)

"fookfnr LFky ds ckjs esa tks iqLrd eSaus ^^ckcj efLtn\*\* uked

1536

i<+h gS vkSj dksbZ iqLrd esa ugha i<+k gS] dsoy v[kckjkr vkSj ys[kksa esa i<+k gSA bl fo'k; ij fy[kh ugha xbZ gSA" ¼ist 51½

"I have read only the book titled 'Babri Masjid' as regards the disputed site and have not read any other book. I have only read newspapers and articles. I have no special study on this topic, because not much books have been written on this topic." (E.T.C.)

^^eSa lqudj vkSj i<+dj ckcjh efLtn dks ckcjh efLtn dgrk gwWaA - - eSaus vyx ls bl ckr ij dksbZ fjlpZ ugha fd;k fd fookfnr

<kapc ckcjh efltn Fkh ;k ughaA\*\* ¼ist 58½

"I call the Babri mosque as Babri mosque on the basis of hearsay and my studies. ... I have not carried out any separate research as to whether the disputed structure was Babri mosque or not." (E.T.C.)

^eq>s flQZ bruk ekywe gS fd ckcj dHkh v;ks;/k ugha vk;kA  
fygktk muds geyk djdS [kqn thrus dk loky ugha mBrkA ;g  
LVSfCy'M gS fd efltn ehj ckdh us cuok;h u fd ckcj usA\*\* ¼ist 87½

"I know only this much that Babar never came to Ayodhya. Hence, the question of he being victorious does not arise. It is established that the mosque was built by Mir Baqi and not Babar." (E.T.C.)

"ckcjh efltn ds ckcjh efltn gksus dk bYe eq>s dqN i<+us ls  
gqvk vkSj dqN ekrscj xokgksa ls gqvkA ;g bYe eq>s lckgqn~nhu vCnqy  
jgeku dh fdrkc ckcjh efltn vkSj dqN ys[kksa ls gqvkA --- lckgqn~nhu  
lkgc ,d vkfye FksA eq>s ;g ugha ekywe mudk Lis'kykbts'ku dkgs esa  
FkkaA\*\* ¼ist 88½

"I gathered the knowledge of the Babri mosque being Babri mosque from certain studies and few 'Matebar' witnesses. I gathered this knowledge from Sabahuddin Abdul Rehman's book Babri Masjid and certain articles .... Sabahuddin was a scholar. I do not know his

1537

topic of specialization." (E.T.C.)

1379. PW 29 Dr. Jaya Menon though had appeared to depose her statement against A.S.I. report dated 22nd August 2003 but in her cross-examination she has also made statement about the period of construction of disputed building and also the person according to her who had constructed it. She said:

"I do not know the total number of mosques constructed in Ayodhya during 15th and 16th century but I know that Babri Masjid was constructed during 16th Century." (Page 146-147)

"I know that Babri Mosque was erected in the year 1528 by Mir Baqi. . . . I do not exactly know as to who Mir Baqi was, but as I think, he was a commander possibly in Babar's army." ( Page 154-155)

"I don't know whether Babar had come to Ayodhya and Faizabad. I have heard about Meer Baqi who is supposed to have built Babri Masjid." (Page 219-220)

1380. PW 30 Dr. R.C. Thakran in his cross examination said:

^lu~ 1528 bZ0 esa v;ks;/k QStckn dk :yj dkSu Fkk] bldh  
tkudkj eq>s ugha gSA\*\* ¼ist 193½

"I do not know as to who was the ruler of Ayodhya, Faizabad in 1528." (E.T.C.)

^fookfnr Hkou ckcj }kjk cuokbZ xbZ efltn gSA\*\* ¼ist 194½

"The disputed building is a mosque built by Babur."(E.T.C.)

^bl ckjs esa fd v;ks;/k esa ckcj us efltn cuok;k Fkk] eSaus  
lepkj&i=ks rFkk if=dkvksa esa i<+k Fkka eSa ,d bfrgklK ds :i  
esa v[k+ckjksa vkSj if=dkvksa dks Kku dk lzksr ekurk gwWaA Lo;a dgk fd

bu lzksrksa ls izkIr ,sfrgkfld tkudkjH lR;kfir gS ;k ugha bldks  
bfrgkldkj v/;;u o fo'ys"K.k ds }kjk r; djrs gSaA v[k+ckjksa vkSj

1538

if=dkvksa ls izkIr bl tkudkjH dk lR;kiu eSaus fdlh iqLrd ls ugha  
fd;k] --- bu ys[kksa o eksuksxzK+ksa dh vkFksaVhflVh dks eSaus lR;kfir ugha  
fd;kA Lo;a dgk fd igys gh bfrgkldkjksa ds }kjk ;g ckr lR;kfir  
dh tk pqdh FkhA bl lEcU/k esa fdlh bfrgkldkj dh iqLrd dks eSaus  
ugha i<+k gSa\*\* ¼ist 195½

"In news-papers and magazines, I read that Babur  
had built a mosque in Ayodhya. As a historian, I consider  
news-papers and magazines to be a source of knowledge.  
(Himself stated) Historians through study and analysis  
determine whether historical information obtained from  
these sources is true or not. I did not through any book  
verify the veracity of this information, obtained from the  
news-papers and magazines. ... I did not certify the  
authenticity of these articles and monographs. (Himself  
stated) This fact had already been certified by the  
historians. I have not read a book of any historian in this  
regard." (E.T.C.)

^^esjs fopkj ls fookfnr Hkou lu~ 1528 bZ L oh ds yxHkx  
cuk gk sx kA \*\* ¼ist 358½

"In my opinion, the disputed structure may have  
been built around 1528 AD." (E.T.C.)

1381. PW 32 Dr. Supriya Verma in his cross examination  
said:

"The inscriptions found at the disputed site of excavation  
refer that Meer Baqi, the commander of Babar has built  
this mosque as I remember now." (Page 34)

1382. D.W.2/1-1 Sri Rajendra Singh in his cross  
examination has said:

^^lu~ 1528 es a fookfnr LFky ij Hkxoku jke ds eafnj dks  
fxjkus ds ckn ,d <kW ap s dk fuekZ . k fd;k x;k Fkk] ftls dqN  
yksx ckcjh efltn dgrs gSaA\*\* ¼ist 26½

1539

"In the year 1528, a structure had been built at the  
disputed site after demolishing the temple of Lord Rama,  
which is called Babri mosque by few persons." (E.T.C.)

^^eSaus viuh iqLrd esa ^^bihxzKfQ;k bafMdk vjsfcd ,.M ijf'k;u  
LiyhesaV 1965\*\* dk gokyk fn;k gS] ftls eSaus i<+k gSa ftl ,ihxzKfQ;k  
bafMdk dks eSaus i<+k gS] m l iqLrd esa fookfnr bekjr esa yxs rhu iRFkj]  
ftu ij [kqnkbZ Fkh] ds fp= Nis gSa vkSj [kqnkbZ esa fy[ks et+ewu dk  
vuqokn Hkh Nik gSa\*\* ¼ist 36&37½

"I have referred 'Epigraphia Indica Arabic and  
Persian Supplement 1965' in my book and I have read the  
same. The Epigraphia Indica, which has been read by me,  
contains photographs of the three engraved stones fixed in  
the disputed structure as well as the translation of the  
Epigraph." (E.T.C.)

^^ckcj tc v;ks/;k x;k Fkk] rc mlds iwoZ jk.kklkaxk dks ijKftr  
dj pqdk FkKA ;g lEHko gS fd ftl le; ckcj v;ks/;k dh rjQ x;s]



ml le; v;ks/;k] vo/k ds vUrxZr vkrk Fkk vkSj ogka dk xouZj  
 bczkfge ykxnh }kjk fu;qDr jgk gksA ckcj tc v;ks/;k dh rjQ x;s Fks]  
 rks og v;ks/;k ugha x;s Fks] v;ks/;k ls dqN dksl dh nwjh ij ?kk?kjk  
 unh ds fdukjs mUgksaus viuk iM+ko Mkyk Fkka eq>s bl laca/k esa  
 dqN&dqN Lej.k vk jgk gS fd ml LFkku ij iM+ko Mkyus ds ckn ckcj  
 us vius dqN lkfFk;ksa dks v;ks/;k Hkstj] bls ckn bczkfge ykxnh }kjk  
 fu;qDr xouZj 'ks[k ck;thn v;ks/;k NksM+dj Hkkx x;kA ck;thn ds  
 v;ks/;k NksM+dj Hkkxus dh ;g ?kVuk 1527&1528 bZ0 esa gqbZ] tks 930  
 fgtjh ds rqY; gSA blesa dksbZ lUnsg ugha gS fd bl ?kVuk ds ckn ds  
 dbZ eghuksa dh ?kVukvksa dk fooj.k ckcjukesA esa miyC/k ugha gSA 28 ekpZ]  
 1528 ds ckn ckcjukesA esa 2 vizSy] 1528 dh ?kVuk dk fooj.k feyrk  
 gSA mlds ckn dk fooj.k gks ldrk gS fd 18 flrEcj] 1528 ls feyrk  
 gksA - - - - -25&26 flrEcj] 1528 esa ckcj Xokfy;j mjok ?kkVh esa  
 mrjk Fkka mjok ?kkVh ds iwoZ og cgqr ls 'kgjksa ls gksdj xqt+js Fks] gks  
 ldrk gS fd bls iwoZ og vkxjk ls gksdj xqtjs gksaA Lo;a dgk fd  
 ckcjukesA esa bl laca/k esa tkudkj fey ldrh gSA\*\* ¼ist 79&81½

1540

"By the time Babar went to Ayodhya, he had defeated Rana Sanga. It is possible that when Babar went towards Ayodhya, it fell under Oudh and its Governor may have been appointed by Ibrahim Lodi. When Babar had gone towards Ayodhya, he had not gone to Ayodhya and instead had halted few kose (distance of two miles) away from Ayodhya along the banks of Ghaghra river. I am able to recollect a bit that after halting at that place, Babar had sent few of his associates to Ayodhya due to which Sheikh Baijeed, the Governor appointed by Ibrahim Lodi, fled away from Ayodhya. This fleeing incident of Baijeed occurred around 1527-1528 AD, which is equivalent to 930 Hizri era. There is no doubt that details of incidents occurring many months after this incident, are not available in the Babarnama. After 28th March, 1528, the next detail contained in Babarnama is of 2nd April, 1528. It is possible that the next details commence from 18th September, 1528. . . . . On 25-26th September, 1528 Babar had been to Urva valley in Gwalior and before reaching Urva valley, he had passed through many cities. It is possible that he may have passed through Agra. (The witness) stated on his own that information in this behalf can be had from Babarnama." (E.T.C.)

^^Lo;a dgk fd igyh ckj v;ks/;k dh rjQ vkus ds ckn og  
 Xokfy;j dh rjQ pyk x;k Fkk] ogka ls ykSVdj iqu% ij tc og  
 v;ks/;k dh rjQ x;k] tks mDr izLrj dh nwljh rFkk rhljh ykbu esa  
 crk;k x;k gSA tgka rd eq>s Lej.k gS] ;g ckr flrEcj 1528 ds ckn  
 dh gSA nwljh ckj tc ckcj v;ks/;k dh rjQ x;k Fkk] rc Hkh og  
 v;ks/;k ds vUnj ugha x;k Fkka v;ks/;k ls nl dksl dh nwjh ij mldk  
 iM+ko Fkka Lo;a dgk fd eSa lUnHkZ ns[kdj gh iwjh ckr crk  
 ikÅwaxkA\*\*¼ist 82½

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"(The witness) stated on his own that at time of his first visit to Ayodhya, he had proceeded towards Gwalior,

from where he returned and went to Ayodhya, which is mentioned in second and third line of the said paragraph. To the best of my memory, this incident is subsequent to September, 1528. On the other occasion as well when Babar went towards Ayodhya, he did not enter Ayodhya and halted at a distance of 10 kose from Ayodhya. (The witness) stated on his own that I would be able to give the complete facts only after looking at the reference." (E.T.C.)

1383. D.W.2/1-2 Sri Ram Saran Srivastava in this regard, has said:

^^fjdkMZ ds fglkc ls fookfnr Hkou lu~ 1528 es a cuk Fkk] bl izdkj dk ykx dFku djrs gSa rFkk fjdkMZ ls Hkh ;gh lkfcr gksrk gSA\*\* ¼ist 27½

"According to records, the disputed structure was built in the year 1528. This is claimed by people and the records also prove it." (E.T.C.)

^^,sl k crk;k tkrk gS fd fookfnr LFky ij fookfnr Hkou lu~ 1528 es a efLtn ds :i esa cuk;k x;k Fkka\*\* ¼ist 31½

"It is said that in the year 1528 AD, the disputed structure was built at the disputed site as a mosque." (E.T.C.)

^^ysfdu fjdkMZ ds vk/kkj ij irk pyr gS fd lu~ 1528 esa ckcj us eafnj rksM+dj efLtn cuokbZ Fkha bfrgkl dh iqLrdksa ls irk pyr gS fd ckcj ogha dgha lehi esa :ds gq, Fks vkSj muds ,ts.V ehj ckd+h us eafnj rksM+dj efLtn cukus dk dke fd;kA\*\* ¼ist 35½

"But from the records it appears that in the year 1528 Babar had built the mosque after demolishing the

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temple. It is gathered from history books that Babar was staying at a nearby place and his agent Mir Baqi had gone ahead to demolish the temple and build a mosque." (E.T.C.)

^^tgka rd eSaus i<+k gS] ckcj ds lu~ 1528 esa fookfnr LFky ij igqapus dh ckr ugha feyrh gS vkSj dksbZ vU; ek;/e Hkh ,slk ughsa gS fd ftlls irk pyr gks fd ckcj lu~ 1528 esa fookfnr LFky ij x;k gksA\*\* ¼ist 36½

"From my studies, no reference is found about Babar going to the disputed site in the year 1528 and there is no such source from which it is found that Babar had been to the disputed site in the year 1528." (E.T.C.)

^^fjdkMZ ds vuqlkj mDr efLtn ehj ckd+h us lu~ 1528 esa cuokbZ A \*\* ¼ist 36½

"According to records, the above mosque was built in year 1528 by Mir Baqi." (E.T.C.)

^^fookfnr LFky ij yxs f'kyky s[ k o fjdkMZ dk s ns[ kus ls ;g ekywe gqvk fd ckcj ds gqDe ls muds ,ts.V ehj ckd+h us bl Hkou dk fuekZ.k nso iq:"kksa ¼Qfj'rkSa½ ds vkus ds fy, djok;k Fkka ehjckd+h us ftl efLtn dks cuok;k Fkk] mlesa ehukjsa ugha Fkha\*\*¼ist 37½

"From perusal of records and inscriptions at the disputed site, it transpired that under the order of Babar, his agent Mir Baqi had built this structure for descension

of angels. There were no minarets in the mosque built by Mir Baqi." (E.T.C.)

"fookfnr Hkou efLtn ds :i esa lu~ 1528 esa cukbZ x;h"

$\frac{1}{4}$ ist 39 $\frac{1}{2}$

"The disputed structure was built as a mosque in 1528 A.D." (E.T.C.)

^og fookfnr Hkou 1528 esa fufeZr fd;k x;k Fkk A eSaus ;g ckr QStkckn ds xts+fV;lZ ls i<+dj viuh iQLrd esa fy[kh FkhA\*\*  $\frac{1}{4}$ ist 52 $\frac{1}{2}$

" The disputed structure was built in 1528. I have

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written this in my book after reading the gazetteers of Faizabad." (E.T.C.)

^eSaus viuh iQLrd dkx+t la0 260 lh&l@1 esa fookfnr Hkou dh if'peh nhokj ij fy[ks f'kykys[k dk mYys[k fd;k gS] tks Qkjlh esa Fkk vkSj ftlesa bl LFkku dks Q+fj'rksa ds mrjus dk LFkku crk;k x;k gSA bl dks eSaus dbZ fdrcksa esa i<+k Fkk vkSj mlh ls viuh fdrcksa esa i<+k Fkk vkSj mlh ls viuh fdrkc esa fn;k FkKA\*\*  $\frac{1}{4}$ ist 61 $\frac{1}{2}$

" In my book, paper no. 260 C-1/1, I have mentioned about the inscription over the western wall of the disputed structure, which was in Persian and in which this place was termed as the place of descension of angels. I had read this in many books and wrote it in my books on basis thereof." (E.T.C.)

^fookfnr Hkou dks ehj ckd+h us efLtn ds :i esa cuok;k Fkk rFkk blesa ,d f'kykys[ k yxk gq v k Fkk fd ;g Q+fj'rksa ds mrjus dk LFkku gSa lk{kh us dgk fd eSaus Åij ;g c;ku ugha fn;k gS fd ehjckd+h us fookfnr Hkou dks efLtn ds :i esa cuok;k Fkk] cfYd eSaus ;g c;ku fn;k gS fd tSlk fd f'kykys[k esa mfYyf[kr Fkk ;g i+fj'rksa  $\frac{1}{4}$ ,safty $\frac{1}{2}$  ds mrjus dk LFkku FkKA\*\*  $\frac{1}{4}$ ist 74&75 $\frac{1}{2}$

" The disputed structure was built as a mosque by Mir Baqi and there was an inscription reading that it was the place of descension of angels. The witness stated that I have not stated above that Mir Baqi had built the disputed structure as a mosque and instead I had stated that as contained in the inscription, it was a place of descension of angels." (E.T.C.)

^tSlk fd f'kykys[k esa mYys[k Fkk] ;g Hkou LoxZ ls mrjus okys Q+fj'rksa ds fy, cuok;k x;k FkKA

eq>s bl ckjs esa Kku ugha gS fd Q+fj'rksa ds mrjus dh txg dks efLtn dgk tk ldrk gS ;k ughaA\*\*  $\frac{1}{4}$ ist 75 $\frac{1}{2}$

"As contained in the inscription, this structure was

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built for descension of angels.

I have no knowledge of the fact whether the place of descension of angels can be called mosque or not."

(E.T.C.)

^eSaus bl laca/k esa ftruh Hkh iQLrdksa dk v/;;u fd;k gS] mu lc esa fy[kk gS fd ckcj us fookfnr Hkou dks efLtn ds :i esa cuok;k Fkk] vFkkZr~ ehj ckdh us tks Hkou cuok;k Fkk] og ckcjh efLtn gh gSA\*\* $\frac{1}{4}$ ist 76 $\frac{1}{2}$

"In all those books I have studied in this respect, it is

written that Babur got the disputed building built as a mosque, that is to say, the building which Mir Baqui built, is the Babri mosque itself." (E.T.C.)

^^esjh ;g tkudkjhd fd efUnj dks rksM+dj lu~ 1528 esa fookfnr Hkou cuk;k x;k Fkk] fu;qfDr ds iwoZ ls jgh FkhA Nkuchu ds ckn mijksDr nksuksa ckrksa dh iqf"V gks xbZA\*\* ¼ist 173½

"My knowledge of the disputed building being built in 1528 by demolishing the temple, preceded my appointment. Both of the afore-said things came to be substantiated after enquiry." (E.T.C.)

1384. OPW 9 Dr. T.P. Verma in his cross examination has said:

"lu~ 1528 esa v;ks/;k esa ckcjh efLtn cuk;s tkus dk mYys[k feyrk gSA ;g ckr eSaus i<+h Hkh gS fd lu~ 1528 esa v;ks/;k esa ckcjh efLtn cukBZ xbZA\*\* ¼ist 12½

"There is a reference of the Babri mosque being built at Ayodhya in 1528. I have also read that Babri mosque was constructed at Ayodhya in 1528 AD," (E.T.C.)

^^iz0& tc ckcjh efLtn cuh] rc D;k vki ogkWa ekStwn Fks\ m0 th ughaA\*\* ¼ist 12½

"Question:- Were you present there at the time when the Babri mosque was built ?

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Answer:- No, Sir." (E.T.C.)

^^ckcjh efLtn cukus ds ckn ckcj ds fliglkykj ehjckdh rk'kdUnh us ogkW a ij rhu f'kyk[k.M+k s a ij vfHkys[ k fy[kok;sA ftu rhu f'kyk[k.Mk s a ij ehjckdh us ogkW a fy[kok;k Fkk] os Qkj]h Hkk"kk es a fy[kok;s Fk sA ftu f'kyk[k.M+ksa ij ehjckdh us ijf'k;u esa dqN fy[kk;k Fkk] muesa ls ,d f'kyk[kAM vkf[kjh le; rd ckcjh efLtn ij yxk Fkk] ckdh nks f'kyk[kAM mlds igys gh dHkh xk;c gks pqds FksA bu f'kykys[kksa dk fooj.k ,ihxzkfQ;k bafMdk ijf'k;u [kaM esa vuqokn lfgr izdkf'kr gqvkgS] ftldk mYys[k eSaus viuh iqLrd ^^v;ks/;k dk bfrgkl ,oa iqjkrRo\*\* esa fd;k gSA - - - ,ihxzkfQ;k bafMdk ,oa esjh mijksDr iqLrd nksuksa esa gh mijksDr rhuksa f'kykys[kksa dk o.kZu gSA rhuksa gh f'kykys[k ijf'k;u Hkk"kk esa fy[ks x;s FksA mu f'kykys[kksa ls ;g izxV gksrk gS fd og efLtn FkhA\*\* ¼ist 12½

"After the construction of the Babri mosque, Mir Baqi Tashkandi, commander of Babur, got three stone-blocks inscribed there. The inscriptions engraved on the three stone-blocks at the instance of Mir Baqi, were in Persian language. Among the stone-blocks which Mir Baqi had got inscribed in Persian, one stone-block was fixed to the Babri mosque till the last time, but the remaining two stone-blocks had disappeared some time earlier. Accounts of these stone-blocks has been published with their translation in the Persian part of 'Epigraphia Indica', which fact I have made mention of in my book titled 'Ayodhya Ka Itihaas Evam Puratatva'. . The aforesaid three inscriptions find description both in 'Epigraphia Indica' and the aforesaid book of mine. All the three inscriptions were written in Persian language. From

these inscriptions it is evident that it was a mosque."  
(E.T.C.)

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^Qfj'rksa ds mrjus dk LFkku\*\*  
esjs b.VjfizVs'ku ds vuqlkj bldk vFkZ ;g gksuk pkfg, fd ;gkWa ij  
nsorkvksa dk vorkj gqvk Fkka

nsorkvksa dk vorkj Hkxoku jke ds :i esa gqvk Fkka ;g ckr  
ijf'k;u esa fy[kh xbZ Fkha\*\*¼ist 13½

"The place of descension of angels."

As per my interpretation, it ought to mean that deities  
incarnated themselves at this place.

Deities incarnated in the form of Lord Rama. This  
thing was written in Persian." (E.T.C.)

^mijksDr rhuksa f'kykys[kksa esa ls fdlh Hkh f'kykys[k dks eSaus ns[kk  
ugha Fkk] muds ckjs esa i<+k Fkka eSaus f'kykys[k ugha i<+k Fkk f'kykys[kksa ds  
ckjs esa i<+k Fkka\*\* ¼ist 13½

"I saw none of the aforesaid three inscriptions, but I  
read about them. I did not decipher the inscriptions; I read  
about them."(E.T.C.)

yHkx lHkh f'kykys[kksa esa ckcj dk uke vkSj mlds fy, nqvk,a  
vkSj mlds fy, vkns'k dk myys[k fd;k x;k Fkka mijksDr f'kykys[kksa  
esa ls fdlh esa Hkh ckcj ds vkus dk mYys[k ugha Fkka eSa ijf'k;u Hkk"kk  
fcydqy ugha le>rk gWwA ftu iqLrdksa dks eSaus dalyV fd;k Fkk  
muesa ;gh fy[kk Fkk fd ;s ijf'k;u Hkk"kk esa fy[ks x, FksA mu iqLrdksa esa  
,ihxz kfQ;k bf.Mdk ijf'k;u [k.M felst csfjt }kjk rS;kj  
^ckcjukek\*\* dk vuqokn gSA - - - ,ihxz kfQ;k bf.Mdk\*\* esa ;g fy[kk  
gqvk gS fd ;s vfHkys[k ;kuh f'kykys[k ckcj ds gqDe ls ehjckdh us  
fy[kok, FksA\*\* ¼ist 14½

"Almost all the inscriptions have made mention of  
Babur's name, blessings for him as also orders for him. The  
arrival of Babur did not find mention in any of the  
aforesaid inscriptions. I do not at all understand the  
Persian language. Whichever books I consulted, said that  
these inscriptions were written in the Persian language.

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Out of those books, 'Epigraphia Indica', Persian part is a  
translation of 'Baburnama' scripted by Mrs. Beveridge. . . .  
It is written in 'Epigraphia Indica' that Mir Baqi got these  
inscriptions prepared at the behest of Babur."(E.T.C.)

^198lh&2@90 yxk;r 198lh&2@99  
iz0& D;k ;g mlh ,ihxz kfQ;k bf.Mdk dh izfr gS] ftlds ckjs esa vkus  
Åij mYys[k fd;k gS\  
mRrj& th gkWaA blh dkxt la[;k& 198lh&2@95 ij mijksDr  
f'kykys[kksa ds QksVksxzK Nis gSaA dkxt la[;k&198lh&2@96 ij igys  
f'kykys[k dk VsDLV ,oa vuqokn Nik gSA nwljs f'kykys[k dk VsDLV ,oa  
vuqokn dkxt la[;k &198lh&2@97 ij Nik gS vkSj rhljs f'kykys[k  
dk VsDLV ,oa vuqokn dkxt la[;k & 198lh&2@97 ,oa dkxt  
la[;k&198lh&1@98 ij Nik gSA ;s f'kykys[k ckcj ds tekus esa fy[ks  
x, gSaA bu f'kykys[kksa ij fgtjh lu~ dh frfFk 935 oka o"KZ fy[kk x;k gS  
tks bZLoh lu~ ds vuqlkj 1522&29 iM+rk gSA blhfy, eSa ;g le>rk gWwA  
fd ;s f'kykys[k lu~ 1528 esa fy[ks x;s gSaA\*\* ¼ist 14&15½

"198C- 2/ 90 to 198C-2/99

Question:- Is this a copy of that very 'Epigraphia Indica' you have referred to above ?

Answer:- Yes, Sir. Photographs of the aforesaid inscriptions are published on this very paper no. 198 C - 2/95. The text and translation of the first inscription is published on paper no. 198 C-2/96. Paper no. 198 C-2/97 carries the text and translation of the second inscription and paper nos. 198 C - 2/97 & 198 C - 1/98 carry the text and translation of the third inscription. These inscriptions date back to the reign of Babur. These inscriptions have 935th year of the Hizri calendar written on them which comes to be 1528 - 29 AD. That is why I have the impression that these inscriptions were written in 1528." (E.T.C.)

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^^eSa bl ckr ls rks lger gwWa fd fookfnr Hkou 1528 bZLoh esa efLtn ds :i esa cuk;k x;k Fkk]\*\*<sup>1</sup>/<sub>4</sub>ist 255<sup>1</sup>/<sub>2</sub>

"I do agree that the disputed structure was built a mosque in 1528 AD," (E.T.C)

^^ckcj Lo;a v;ks/;k ugha x;k] cfYd mlds vU; lsukifr;ksa ds lkFk ckdh 'kxk+koy <sup>1</sup>/<sub>4</sub>ehj ckdh csx<sup>1</sup>/<sub>2</sub> us bl dke dks vatke fn;k] vFkkZr ckcj ehj ckdh dks vo/k dk pktZ nsdj Xokfy;j dh vksj jokuk gks x;kA ckcj ds nksckjk v;ks/;k dh rjQ vkus dk dksbZ mYys[k ugha feyrk gSA ckcjh efLtn rkehj djkus dk okD;k ehjckdh dks vo/k dk izHkkjh cukdj ckcj ds Xokfy;j pys tkus ds ckn dh ?kVuk gS] ijUrq ;g Ävuk fdrus ckn dh gS] ;g eSa ugha crk ldrk gwWaA bl laca/k esa ,d ek= vkS j lcls egRoiw. kZ lk{; os rhu f'kyky s[ k gS a] tk s ckcjh <k ap s ij yx s gq , Fk s] ,sl k ekuk tkrk gS fd vkS j bues a ls nk s f'kyky s[ kk s a esa 935 fgt+j h vFkkZ r ~ 1528 bZ 0 dh frfFk iM+h gq b Z gS A fdlh f'kyky s[ k esa muds fuekZ . k dk eghuk vkS j frfFk ugh a feyrh gS ] dso y lu~ feyrk gS A eSaus viuh iqLrd ds ist 114 ds igys dkye esa dzekad&6 ds lkeus rhu ek sg jZ e 935 fgtjh dk s 18 flrEcj 1528 bZ 0 ekuk gS A blh dz e k ad &6 ij eS au s rhu ek sg jZ e 936 fgtjh dk s 7 flrEcj 1529 bZ 0 ekuk gS A bl x.kuk ds vuqlkj 935 fgtjh dk o"kZ vxLr 1529 rd vo'; pyk gksxA esjs dzekad 6 ds fooj.k ds vuqlkj ckcjukes a es a 18 flrEcj 1528 ls lkr flrEcj 1529 rd dk iwj k o.kZ u feyrk gS A ckcjuke esa 18 flrEcj 1528 bZ0 ls 7 flrEcj 1529 rd ds fooj.k esa fdlh Hkh eafnj dks fxjk;s tkus dk dksbZ mYys[k ugha feyrk gSA\*\* <sup>1</sup>/<sub>4</sub>ist 344&345<sup>1</sup>/<sub>2</sub>

"Babar himself did not go to Ayodhya and instead Baqi Shagaval (Mir Baqi), along with other commanders, completed this task i.e. occupied Ayodhya and established the administration and thereafter Babar proceeded towards Gwalior after handing over charge of Awadh to Mir Baqi. No reference is found about Babar's re-visit to Ayodhya. The incident of construction of Babri mosque is subsequent

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to the incident of Babar proceeding towards Gwalior after making Mir Baqi in-charge of Awadh, but I cannot tell as

to how much later. The sole and the most important evidence in this behalf are the three inscriptions, believed to be fixed in the Babri structure, and two of these inscriptions are dated 935 Hizri or 1528 AD. The month and date of construction is not found in any inscription, and only the year is found. At serial no. 6 of first column at page 114 of my book, I have taken three Moharram 935 Hizri to be 18th September, 1528. At this very serial no. 6 I have taken three Moharram 936 Hizri to be 7th September, 1529. As per this calculation, the 935 Hizri year must have continued till August, 1529. According to the details of my serial no. 6, the Babarnama contains complete descriptions from 18th September, 1528 to 7th September, 1529. The Babarnama does not contain any reference of demolition of any temple between 18th September, 1528 to 7th September, 1529." (E.T.C)

1385. OPW 11 Dr. Satish Chandra Mittal in his cross examination has said:

^^ckcjh efLtn lu~ 1528 esa cuh FkhA ml le; ckcj ftUnk FksA xtsfV;j ds vuqlkj ckcj ml le; v;ks;/k ds fudV 6&7 dksl dh nwjh ij dSEi fd;s gq, Fkk] ftl le; bl efLtn ds fuekZ.k dh mlus vkKk nh FkhA ;g vkKk mlus ehjckdh dks nh FkhA vkSj mlds ckn ehjckdh us ckcjh efLtn dh rkehj djokbZ FkhA\*\* ¼ist 18-19½

"Babri mosque was built in the year 1528. At that time, Babar was alive. According to the gazetteer, Babar had camped near Ayodhya at distance of about 6-7 kose (one kose being equal to two miles) at the time when he had given the command for construction of this mosque. He had given this command to Mir Baqi, and thereafter Mir Baqi

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had got Babri mosque constructed." (E.T.C)

^^eSaus vius gyQuesa ds iSjk&17 esa tks dkxt la[;k&107lh&1@109 ls 110 dk lanHkZ fn;k gs] ;g ml fdrkc ds i`"B dk lanHkZ ugha gS] laHkor% ;g dkxt la[;k xyrh ls fy[kk x;k gSA eq>s ;g ugha ekywe gS fd izfl) fczfV'k losZ;j ek.V xksejh ekfVZu ftUgksaus lu~ 1838 esa viuh iqLrd ^^fgLV~h ,UVhfDoVht Vksiksxxkih LVsfVfLVdL vkQ bZLV bafM;k okY;we&2\*\* fy[kh gS] os vo/k {ks= esa rSukr Fks ;k dgha vkSjA ek.V xk se jh ekfVZ u tS l s dbZ losZ ;j Hkkjr esa mu fnuk s a dbZ LFkkuk s a ij crkS j losZ ;j rS u kr Fk sA ewy r% fcz f V'k losZ ;j ek.V xk se jh ekfVZ u bfrgkldkj ugh a Fk s] ijUrq muds }kjk fy[kh iqLrd dks ,sfrgkfld n`f"V ls egRoiw.kZ ekuk tkrk gSA ek.V xksejh ekfVZu us viuh iqLrd esa bl ckr dk gokyk fn;k gS fd ckcj us 1528 esa jketUeHkwfe efUnj fxjkdj mlh LFkku ij efLtn dk fuekZ.k fd;k Fkka - - - -eSaus vius 'kiFk&i= ds iSjk&17 esa ckcj }kjk efUnj fxjkdj efLtn fuekZ.k djks dk c;ku ek.V xksejh ekfVZu }kjk fyf[kr fdrkc ftlds mn~?k`r i`"B&107lh&1@109 ij vk/kkfjr gS vkSj vkt dk c;ku Hkh eSaus blh fdrkc ds gokys ls fn;k gSA\*\* ¼ist 26&27½

"The paper nos. 107C-1/109 to 110, mentioned by me in para-17 of my affidavit, are not the references of the pages of that book and possibly this paper number has been mentioned inadvertently. I do not know whether the

famous British surveyor Montgomery Martin, who wrote the book 'History, Antiquities, Topography, Statistics of East India Vol.-II' in the year 1838, was posted in Awadh or elsewhere. In those days, many surveyors like Montgomery Martin were posted at many places in India as surveyor. ... The British surveyor Montgomery Martin was basically not a historian, but the book written by him is considered important from historical point of view. In this book of his, Montgomery Martin has referred that in

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the year 1528 Babar had demolished Ramjanmbhumi temple and built a mosque at that very place. ... The contention in para-17 of my affidavit regarding demolition of temple by Babar and building of mosque in its place, is based on the book written by Montgomery Martin, whose excerpt is at page 107C-1/109, and my statement of the day is also based on that very book." (E.T.C)

1386. O.P.W.12 Kaushal Kishor Mishra in his cross examination has said:

^^esjh Le`fr vc cgqr vPNh ugha gSA ikap &N% lky ls esjh Le`fr detksj gks xbZ gSA\*^ ¼ist 114½

"Now my memory is not very good. My memory has weakened for five-six years." (E.T.C.)

^^bl eafUnj dks ehj ckdh uke ds ,d lsukifr us rqM+ok;k Fkk vkSj efLtn dk fuekZ.k dj;k;k Fkka ehjckdh ml le; eqxy lezKV ckcj ds lsukifr FksA ;g efLtn fdrus lks lky igys ehjckdh us cuok;h bldh tkudkj esjs firk o ckck th dks Fkh ysfdus Lej.k ugha gSA\*\* ¼ist 118&119½

"This temple was demolished and a mosque was erected in its place by a commander called Mir Baqi. Mir Baqi was at that time commander of Emperor Babur. How many years ago this mosque had been constructed, was known to my father and grandfather; but I do not have any recollection of it." (E.T.C.)

1387. Most of the above witnesses are not experts yet what discern undoubtedly that everybody's impression and opinion about the period of construction is based on inscriptions and nothing else. Therefore, scrutiny and study on inscription become vital.

1388. The written material which throws some light on this aspect consists of Gazetteers (published from time to time);

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settlement and survey reports; History books and certain other books pertaining to the disputed site/building though strictly speaking not written by well known historians but those persons claim to have collected information on the basis of their own inquiry or investigation etc. or had acquired knowledge in the capacity in which they were working or otherwise or due to the interest generated in the matter after dispute spread countrywide. We would place on record what has been said in such published material and also consider their credibility etc.



simultaneously.

Gazetteers-Settlement/Survey Reports:

1389. 'Gazetteers', mostly published in 19th and 20th century during the pre-independence period, and, one after independence, published under the auspices of U.P. Government and another by the Government of India are the documents heavily relied in these cases. It is not in dispute that 'Gazetteers' are not the documents published under some statutory provision. In order to understand their evidenciary value and authority we have to first consider what 'Gazetteer' means.

1390. Learned counsels have placed before us a printout taken from internet from the site "Wikipedia, the free encyclopedia" under the heading "Gazetteer". It says that a 'gazetteer' is a geographical dictionary or directory, an important reference for information about places and place names, used in conjunction with a map or a full Atlas. It geographically contains information concerning the geographical makeup of a country, regions or continent as well as the social statistics and physical features such as mountains, waterways, or roads. Examples of information provided by gazetteers include the location of places, dimensions of physical features, population,

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literacy rate, etc. The "Oxford Dictionary" defines the "gazetteer" as a geographical index or dictionary. It refers to a document published by British Historian "Laurence Echard" in 1693 bears the title "Gazetteer's or Newman's Interpreter: Being a Geographical Index". Echard wrote that the title "gazetteers" was suggested to him by a very eminent person whose name was not disclosed. The next part was published by Echard in 1704 as "the Gazetteer simply". This is considered to be the introduction by the word gazetteer into the English language. It is said that since 18th century the word gazetteer has been used interchangeably to define either its traditional maning (i.e., a geographical dictionary or directory) or a daily news paper such as London Gazetteer. Tracing the history of gazetteer Wikipedia, the free encyclopedia says:

"Gazetteers of ancient Greece existed since the Hellenistic era. The first known gazetteer of China appeared by the 1st century, and with the age of print media in China by the 9th century, the Chinese gentry became invested in producing gazetteers for their local areas as a source of information as well as local pride. Although existent only in fragments, the geographer Stephanus of Byzantium wrote a geographical dictionary in the 6th century which influenced later European compilers of gazetteers by the 16th century. Modern gazetteers can be found in reference sections of most libraries as well as on the Web.

In his journal article "Alexander and the Ganges" (1923), the 20th century historian W.W. Tarn calls a list and description of satrapies of Alexander's Empire written between 324 and 323 BC as an ancient gazetteer. Tarn

notes that the document is dated no later than June 323 BC, since it features Babylon as not yet partitioned by Alexander's generals. It was revised by the Greek historian Diodorus Siculus in the 1st century BC. In the 1st century BC, Dionysius of Halicarnassus mentioned the chronicle-type format of the writing of the logographers in the age before the founder of the Greek historiographic tradition, Herodotus (i.e. before the 480s BC), saying "they did not write connected accounts but instead broke them up according to peoples and cities, treating each separately." Historian Truesdell S. Brown asserts that what Dionysius' describes in this quote about the logographers should be categorized not as a true "history" but rather as a gazetteer. While discussing the Greek conception of the river delta in ancient Greek literature, Francis Celoria notes that both Ptolemy and Pausanias of the 2nd century AD provided gazetteer information on geographical terms.

Perhaps predating Greek gazetteers were those made in ancient Egypt. Although she does not specifically label the document as a gazetteer, Penelope Wilson (PhD, Lecturer in the Department of Archaeology at Durham University) describes an ancient Egyptian papyrus found at the site of Tanis, Egypt (a city founded during the Twentieth dynasty of Egypt) which provides the following for each administrative area of Egypt at the time.

The Domesday Book initiated by William I of England in 1086 was a government survey on all the administrative counties of England; it was used to assess the properties of farmsteads and landholders in order to tax them sufficiently. In the survey, numerous English

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castles were listed; scholars debate on exactly how many were actually referenced in the book. However, the Domesday Book does detail the fact that out of 3,558 registered houses destroyed in 112 different boroughs listed, 410 of these destroyed houses were the direct result of castle construction and expansion. In 1316, the Nomina Villarum survey was initiated by Edward II of England; it was essentially a list of all the administrative subdivisions throughout England which could be utilized by the state in order to assess how much military troops could be conscripted and summoned from each region. The Speculum Britanniae (1596) of the Tudor era English cartographer and topographer John Norden (1548-1625) had an alphabetical list of places throughout England with headings showing their administrative hundreds and referenced to attached maps. Englishman John Speed's Theatre of the Empire of Great Britaine published in 1611 provided gazetteers for counties throughout England, which included illustrative maps, short local histories, a

list of administrative hundreds, an index of parishes, and the coordinates of longitude and latitude for county towns. Starting in 1662, the Hearth Tax Returns with attached maps of local areas were compiled by individual parishes throughout England while a duplicate of their records were sent to the central government offices of the Exchequer. To supplement his 'new large Map of England' from 1677, the English cartographer John Adams compiled the extensive gazetteer "Index Villaris" in 1680 that had some 24,000 places listed with geographical coordinates coinciding with the map. The "Geographical Dictionary" of Edmund Bohun

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was published in London in 1688, comprising 806 pages with some 8,500 entries. In his work, Edmund Bohun attributed the first known Western geographical dictionary to geographer Stephanus of Byzantium (fl. 6th century) while also noting influence in his work from the Thesaurus Geographicus (1587) by the Belgian cartographer Abraham Ortelius (1527-1598), but stated that Ortelius' work dealt largely with ancient geography and not up-to-date information. Only fragments of Stephanus' geographical work *Ethnica* (ἔθνη) have survived and were first examined by the Italian printer Aldus Manutius in his work of 1502.

The Italian monk Phillippus Ferrarrius (d. 1626) published his geographical dictionary "Epitome Geographicus in Quattuor Libros Divisum" in the Swiss city of Zurich in 1605. He divided this work into overhead topics of cities, rivers, mountains, and lakes and swamps. All placenames, given in Latin, were arranged in alphabetical order for each overhead division by geographic type;. A year after his death, his "Lexicon Geographicum" was published, which contained more than 9,000 different entries for geographic places. This was an improvement over Ortelius' work, since it included modern placenames and places discovered since the time of Ortelius.

Pierre Duval (1618-1683), a nephew of the French cartographer Nicolas Sanson, wrote various geographical dictionaries. These include a dictionary on the abbeys of France, a dictionary on ancient sites of the Assyrians, Persians, Greeks, and Romans with their modern

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equivalent names, and a work published in Paris in 1651 that was both the first universal and vernacular geographical dictionary of Europe. With the gradual expansion of Laurence Echard's (d. 1730) gazetteer of 1693, it too became a universal geographical dictionary that was translated into Spanish in 1750, into French in 1809, and into Italian in 1810.

Following the American Revolutionary War, United

States clergyman and historian Jeremy Belknap and Postmaster General Ebenezer Hazard intended to create the first post-revolutionary geographical works and gazetteers, but they were anticipated by the clergyman and geographer Jedidiah Morse with his *Geography Made Easy* in 1784. However, Morse was unable to finish the gazetteer in time for his 1784 geography and postponed it. Yet his delay to publish it lasted too long, as it was Joseph Scott in 1795 who published the first post-revolutionary American gazetteer, his *Gazetteer of the United States*. With the aid of Noah Webster and Rev. Samuel Austin, Morse finally published his gazetteer *The American Universal Geography* in 1797. However, Morse's gazetteer did not receive distinction by literary critics, as gazetteers were deemed as belonging to a lower literary class. The reviewer of Joseph Scott's 1795 gazetteer commented that it was "little more than medleys of politics, history and miscellaneous remarks on the manners, languages and arts of different nations, arranged in the order in which the territories stand on the map." Nevertheless, in 1802 Morse followed up his original work by co-publishing *A New Gazetteer of the Eastern Continent* with Rev. Elijah Parish,

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the latter of whom Ralph H. Brown asserts did the "lion's share of the work in compiling it."

1391. In 19th Century it is said that gazetteers were widely popular in Britain with publishers such as Fullarton, Mackenzie, Chambers and W & A.K. Johnston, many of whom were Scottish, meeting public demand for information on an expanding Empire.

1392. The above discussion gives us an idea and broad feature of documents published and termed as "Gazetteer". There is distinction between Gazette and Gazetteer. The British Government enacted "Official Gazette Act, 1863" (Act No. XXXI of 1863) and published various Gazettes thereunder. The Gazetteer, as said about is not founded on a statute but being a document published under the authority or auspices of the Government, deserve much more reliability and confidence. It constitute an important source of historical and other informations in general and most authenticated data about the then existing affairs.

1393. The extent to which informations contained in Gazetters can be believed, relied and considered has been subject matter of Courts time and again wherein the information contained in the Gazetters has also been utilized in one or the other manner. Some of such cases may be referred as under. It appears that the consensus of the judicial opinion is that information contained in a Gazetteer can be considered but correctness thereof may need corroboration. It all depend on the nature of dispute in every case.

1394. In *Fulbati Kumari Vs. Maheshwari Prasad Singh* AIR 1923 Patna 453 a Division Bench of Patna High Court

relied upon the Bengal District Gazetteer, Volume XVII in order

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to gather some information about what happened at Dumri when Captain Brown took over charge of the operations in the jungle terry tracts in 1774.

1395. In Sukhdev Singh Vs. Maharaja Bahadur of Gidhaur AIR 1951 SC 288 Bengal District Gazetteer, Vol. XVII was referred and in para 10 the Apex Court held:

"The statement in the District Gazetteer is not necessarily conclusive, but the Gazetteer is an official document of some value, as it is compiled by experienced officials with great care after obtaining the facts from official records."

1396. In Gopal Krishnaji Ketkar Vs. Mahomed Jaffar Hussein AIR 1954 SC 5 a dispute regarding management of a Darga known as Haji Malang came to be considered before the Apex Court. The Darga had two tomb, one of a Hindu and another of Muslim saint. The Court referred to the Gazetteer of Bombay to find out the history which is said to have lost an antiquity and from the gazetteer it appears that a Muslim saint came to India as an Urban missionary in 13th century and after his death, he was buried in the said Darga. There was another tomb called Mayi's tomb where the body of a Hindu Raja's daughter treated by Bawa Malang as his daughter was buried. In the peculiar facts and circumstances of the case, the Apex Court observed that such matter cannot be governed either by Hindu or Muslim law but should be governed by its own special customs or by general law of public religious and charitable trust.

1397. In Chhote Khan & others Vs. Mal Khan & others AIR 1954 SC 575, the Court referred to Gazetteer Gurgaon District (1910) with respect to the properties owned by Meos of Ferozepore Tehsil and others villages in Gurgaon. It also

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refers to the settlement record of 1877 observing that it is an important document.

1398. In Biswambhar Singh & others Vs. State of Orissa & another AIR 1954 SC 139, the Court referred to Hunter's Imperial Gazetteer, Volume 4, page 478 which mentions certain facts about the origin of Bhuyans as also the Settlement Report of 1907-1911.

1399. In Commissioner of Income-tax Vs. Sri Ramakrishna Deo AIR 1959 SC 239, the Court referred to the District Gazetteer, Vishakhapatnam, 1907 in para 3 of its judgment.

1400. In State of Bihar & others Vs. Bhabapritananda Ojha AIR 1959 SC 1073, the Court referred to Bihar District Gazetteer relating to Santal Parganas, 1938.

1401. In Swami Motor Transports (P) Ltd. & Anr. Vs. Sri Sankaraswamigal Mutt & Anr. AIR 1963 SC 864 the Court resorted to rely on "Madras District Gazetteers, Madurai" in respect to certain statistical data published therein in support

of the claim of the State observing that this is the information furnished from authorized Government publication.

1402. In Mahant Shri Srinivasa Ramanuj Das Vs.

Surayan Dass & Anr. AIR 1967 SC 256 the Court said:

"These statements in the Gazetteer are not relied on as evidence of title but as providing historical material and the practice followed by the Math and its head. The Gazetteer can be consulted on matters of public history."

1403. In Laxman Siddappa Naik vs. Kattimani Chandappa Jampanna and others AIR 1968 SC 929 the Apex Court approved the consultation of Bombay Karnatak Gazetteer of 1893 and certain other similar documents to find out the

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distinguishing customs and manners of different tribes.

1404. Sri R.L.Verma, however, submits that in a suit where the question of title of temple or property is involved, it cannot be said to be a question of history and therefore, neither the Gazetteers nor the report of Archaeological Survey etc. can be an appropriate book of reference for deciding such a controversy and placed reliance on Farzand Ali Vs. Zafar Ali 46 IC 119 where it is observed:

"We are inclined to think that the use of the historical works to establish title to the property cannot be justified on the strength of Section 57 of the Indian Evidence Act. The question of title between the trustee of a mosque, though an old and historical institution, and a private person, cannot, in our opinion, be deemed to be a 'matter of public history' within the meaning of the said section."

1405. The submission, in our view, is totally misconceived and travels much beyond the point for which the various copies of gazetteers have been filed before us by the parties and in fact some observations therefrom are also relied by Sri Verma. For the purpose of historical events and fact as they were centuries ago, the manner in which they have taken are detailed in the documents published under the authority of the then Government in the form of Gazetteers.

1406. Mahant Shri Srinivasa Ramanuj Das (supra) dictum has been followed in Yadarao Dajiba Shrawane (Dead) Vs. Nanilal Harakchand Shah (Dead) & Ors. 2002 (6) SCC 404.

1407. The first gazetteer in respect to Indian sub-continent came to be published in 1828 under the title "East India

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Gazetteer" by Walter Hamilton (second edition reprint 1993 by Low Price Publications, Delhi) containing particulars and descriptions of the Empires, Kingdoms, Principalities, Provinces, Cities, Towns, Districts, Fortresses, harbours, rivers, lakes and, C. of Hindostan and the adjacent Countries, India beyond the Ganges and the eastern Archipelago.

1408. Hamilton's "Gazetter" of 1828 on page 353 under

the heading 'Oude' gives following information about Ayodhya :

"Pilgrims resort to this vicinity, where the remains of the ancient city of Oude, and capital of the great Rama, are still to be seen; but whatever may have been its former magnificence it now exhibits nothing but a shapeless mass of ruins. The modern town extends a considerable way along the banks of the Goggra, adjoining Fyzabad, and is tolerably well peopled; but inland it is a mass of rubbish and jungle, among which are the reputed site of temples dedicated to Rama, Seeta, his wife, Lakshman, his general, and Hanimaun (a large monkey), his prime minister. The religious mendicants who perform the pilgrimage to Oude are chiefly of the Ramata sect, who walk round the temples and idols, bathe in the holy pools, and perform the customary ceremonies."

1409. Thereafter Robert Montgomery Martin, for the first time sought to contradict local belief or tradition about the person who made construction by referring to an inscription on the wall of the disputed building according to which it was the work of the conqueror Babar falsifying the local tradition of its construction by Aurangzabe in his work "The History, Antiquities, Topography and Statistics of Eastern India" (1838 AD) (Ex. 20, Suit 5-Paper No.107C1/109-110). The copy

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of the book in all 6 volumes available to the Court is the first Indian reprint 1976 by Cosmo Publications, Delhi. The details of inscription referred to in the above passage have not been given. It says at page 334/335, Vol.II, as under:

".... if these temples ever existed, not the smallest trace of them remains to enable us to judge of the period when they were built; and the destruction is very generally attributed by the Hindus to the furious zeal of Aurungzebe, to whom also is imputed the overthrow of the temples in Benares and Mathura. What may have been the case in the two latter, I shall not now take upon myself to say, but with respect to Ayodhya the tradition seems very ill founded. The bigot by whom the temples were destroyed, is said to have erected mosques on the situations of the most remarkable temples; but the mosque at Ayodhya, which is by far the most entire, and which has every appearance of being the most modern, is ascertained by an inscription on its walls (of which a copy is given) to have been built by Babur, five generations before Aurungzebe."

1410. Edward Thornton in "A Gazetteer of the Territories under the Government of the East-India Company and of the native States on the Continent of India", first published in 1858 (reproduced in 1993) by Low Price Publications, Delhi (Book No. 10) on page 739 (Paper No.107C1-10 i.e. Ex.5 Suit 5) under the heading "Oudh" observed as under:

"According to native tradition, they were demolished by Aurungzebe, who built a mosque on part of the site. The

falsehood of the tradition is, however, proved by an inscription on the wall of the mosque, attributing the work  
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to the conqueror Baber, from whom Aurungzabe was fifth in descent. The mosque is embellished with fourteen columns of only five or six feet in height, but of very elaborate and tasteful workmanship, said to have been taken from the ruins of the Hindoo fanes . . . . ." (emphasis added)

1411. We do not find from the above Gazetteer whether Thornton himself had viewed the alleged inscription, whether there was only one inscription or more than one and whether Thornton was capable of himself reading Persian/Arabic or the said information is based on secondary evidence, i.e., information he might have received from somebody else whose authenticity is also not known. To us it appears that the above observations are founded on what has been noticed by Robert Montgomery Martin in "The History, Antiquities, Topography and Statistics of Eastern India" by Robert Montgomery Martin (Vol-II) (first published in 1838 AD) (Supra) (Ex. 20, Suit-5-Paper No. 107 C1/109-110) where referring to the survey made by the Dr. Buchanan, Martin referred the inscription and contradicted local belief and tradition of demolition by Aurangzeb and said that it must have been the work of Babar.

1412. However, from the words "an inscription", to us it appears that according to his information there existed only one inscription on the wall of the mosque which attributed the work to Emperor Babar.

1413. Then comes P. Carnegy's "A Historical Sketch of Tahsil Fyzabad, Zillah Fyzabad" (hereinafter referred to as "P. Carnegy's Historical Sketch"). He was an Officiating Commissioner and Settlement Officer at Faizabad and in 1967 prepared the said report which was published in 1870. Copies

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of frontispiece, pages 5, 6, 7, 19, 20 and 21 have been filed as paper No.107C1/17-23 i.e. Ex.49, Suit 5 (Register 20, page 35-47). Appendix-A containing the list of sacred places in and about Ajudhia has been filed as Ex. A-10 (Suit4) (Register 16, pages 67 to 78). With respect to construction of the disputed building, on page 20 and 21 of the book, (Paper No.107C1/22-23), P. Carnegy has said:

"The Janamasthan and other temples.- It is locally affirmed that at the Mahomedan conquest there were three important Hindu shrines, with but few devotees attached, at Ajudhia, which was then little other than wilderness. These were the "Janamasthan," the "Sargadwar mandir" also known as "Ram Darbar" and the "Tareta-ke-Thakur."

On the first of these the Emperor Babar built the mosque which still bears his name, A.D. 1528. On the second Aurangzeb did the same A.D. 1658-1707; and on the third that sovereign, or his predecessor, built a mosque,



according to the well known Mahomedan principle of enforcing their religion on all those whom they conquered.

Babar's mosque.- According to Leyden's memoirs of Babar that Emperor encamped at the junction of the Serwa and Gogra rivers two or three kos east from Ajudhia, on the 28th March 1528, and there he halted 7 or 8 days setting the surrounding country. A well known hunting ground is spoken of in that work, 7 or 8 kos above Oudh, on the banks of the Surju. It is remarkable that in all the copies of Babar's life now known, the pages that relate to his doings at Ajudhia are wanting. In two places in the Babari mosque the year in which it was built 935 H. corresponding with 1528 A.D. is carved in stone, along with inscriptions

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dedicated to the glory of that Emperor.

1414. The reference of inscriptions in Carnegie's Historical Sketch is also at page 27, Section VI under the heading "Buildings" at Serial Item 5 which states as under:

"Babar's mosque with stone inscriptions in Ajudhia, date A.D. 1528, and stone columns of infinitely greater antiquity."

1415. Here Carnegie has referred two inscriptions on the disputed building to infer that the same was constructed in 935 Hizra (corresponding with 1528 AD). He has also not said anything further. He also gave no details or the text of the alleged inscriptions.

1416. In "Gazetteer of Oudh" by Mr. W.C. Benett, C.S., Assistant Commissioner (1877) (Book No. 11), the factum of the construction of disputed building is given on page 6/7 which is a virtual reproduction of what is said in P. Carnegie's Historical Sketch (supra) as evident from the following:

"The Janamasthan and other temples.--It is locally affirmed that at the Muhammadan conquest there were three important Hindu shrines, with but few devotees attached, at Ajodhya, which was then little other than a wilderness. These were the "Janamasthan," the "Swargaddwar mandir" also known as "Ram Darbar," "Treta-ke-Thakur."

On the first of these the Emperor Babar built the mosque, which still bears his name, A.D. 1528. On the second, Aurangzeb did the same, A.D. 1658 to 1707; and on the third, that sovereign or his predecessors built a mosque, according to the well-known Muhammadan principle of enforcing their religion on all those whom they

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conquered.

Babar's mosque.--According to Leyden's Memoirs of Babar, that Emperor encamped at the junction of the Serwa and Gogra rivers two or three kos east from Ajodhya, on the 28th March 1528, and there he halted seven or eight days, settling the surrounding country. A well-known

hunting ground is spoken of in that work, seven or eight kos above Oudh, on the banks of the Sarju. It is remarkable that in all the copies of Babar's life now known, the pages that relate to his doings at Ajodhya are wanting. In two places in the Babari Mosque, the year in which it was built, 935 H., corresponding with 1528 A.D., is carved in stone, along with inscriptions dedicated to the glory of that Emperor.

If Ajodhya was then little other than a wilderness, it must at least have possessed a fine temple in the Janamasthan; for many of its columns are still in existence and in good preservation, having been used by the Musalmans in the construction of the Babari Mosque. These are of strong, close-grained, dark-colored or black stone, called by the natives kasauti (literally touch-stone slate,) and carved with different devices. To my thinking these more strongly resemble Buddhist pillars than those I have seen at Benares and elsewhere. They are from seven to eight feet long, square at the base, centre and capital, and round or octagonal intermediately." (emphasis added)

1417. Next is the "Gazetteer of the Province of Oudh" Vol. I (three volumes in one) published by Low Price Publications, Delhi (first published in 1877-78) (reprinted in LPP 1993)

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(Book No. 11). Copy of pages No.6 and 7 of the aforesaid Gazetteer have been filed as Papers No.107C1/25-26 i.e. Ex.7, Suit-5 (Register 20, Page 51-53). The 'introduction' of the above gazetteer has been written by Mr. W.C. Benett, C.S., Assistant Commissioner. Therefore, to us it appears that the above gazetteer was prepared by or under the supervision of Mr. Benett who might have been assisted with a number of other offers contributing write ups on different items. On page XXXIX, chapter I, "Introduction", it says:

"The great Afghan captains whom that prince defeated in Oudh have left no representatives, and the four pages describing the events which attended his entry to Ajodhya, where it is possible that the Hindu chiefs rallied round the centre of their religion, are missing from all the known copies of his memoirs. The only record remaining is an ancient mosque, which preserves the invader's name on the holiest spot of all--the birthplace of Rama."

1418. Thereafter on page 6/7, under the headings "The Janamasthan and other temples" and "Babar's mosque" it mentions about the inscriptions at two places in the disputed building to show the period of construction and the person by whom it was constructed. It is again a repetition of what was said in P. Carnegy's Historical Sketch (supra) and there is no substantial difference therein:

"The Janamasthan and other temples--It is locally affirmed that at the Muhammadan conquest there were

three important Hindu shrines, with but few devotees attached, at Ajodhya, which was then little other than a wilderness. These were the "Janamasthan" the 1569

"Swargaddwar mandir" also known as "Ram Darbar," "Treta-ke-Thakur".

On the first of these the Emperor Babar built the mosque, which still bears his name, A.D. 1528. On the second, Aurangzed did the same, A.D. 1658 to 1707; and on the third, that sovereign or his predecessors built a mosque, according to the well-known Muhammadan principle of enforcing their religion on all those whom they conquered."

Babar's mosque--According to Leyden's Memoirs of Babar, that Emperor encamped at the junction of the Serwa and Gogra rivers two or three kos east from Ajodhya on the 28th March 1528, and there he halted seven or eight days, settling the surrounding country. A well-known hunting ground is spoken of in that work, seven or eight kos above Oudh, on the banks of the Sarju. It is remarkable that in all the copies of Babar's life now known, the pages that relate to his doings at Ajodhya are wanting. In two places in the Babari Mosque, the year in which it was built, 935 H. corresponding with 1528 A.D. is carved in stone, along with inscriptions dedicated to the glory of that Emperor."

1419. "Report on the settlement of the Land Revenue of the Fyzabad District", (Book No. 18) by A.F. Millett, C.S., Officiating Settlement Officer, published by North Western Provinces and Oudh Government press, Allahabad in 1880 (hereinafter referred to as "Millet's report, 1880"). The book on the very first page mentions that it contains partly, reports and notes of P. Carnegy, late Settlement Officer, and J. Woodborn, late Officiating Settlement Officer. Copies of the frontispiece as 1570

well as page No.218, 231, 235 and 236 have been filed as Paper No.107C1/27-30A i.e. Ex.8, Suit-5 (Register Vol.20 Pages 55-62).

1420. Here also reference of the disputed building, the period of its construction by Emperor Babar is in the same language as stated in P. Carnegy's Historical Sketch (supra) and there is no substantial difference in the two except of some addition as is evident from para 666 and 667, read as under:

"666. The Janmasthan and other temples.- It is locally affirmed that at the Mahomedan conquest there were three important Hindu shrines, with but few devotees attached, at Ajudhya, which was then little other than a wilderness. These were the "Janmasthan," the "Sargadwar mandir," also known as "Ram Darbar," and "Tareta-Ke-Thakur." On the first of these the Emperor Baber built the mosque which still bears his name, A.D.

1528; on the second Aurangzeb did the same, A.D. 1658-1707; and on the third that sovereign, or his predecessor, built a mosque according to the well-known Mahomedan principle of enforcing their religion on all those whom they conquered. The Janmasthan marks the place where Ramchandar was born. The Sargadwar is the gate through which he passed into Paradise, possibly the spot where his body was burned. The Tareta-Ke-Thakur was famous as the place where Rama performed a great sacrifice, and which he commemorated by setting up there images of himself and Sita.

"667. Babar's mosque.- According to Leyden's Memoirs of Babar, that emperor encamped at the junction of the Serwu and Gogra rivers, two or three kos east from  
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Ajudhya, on the 28th March, 1528, and there he halted seven or eight days, settling the surrounding country. A well-known hunting-ground is spoken of in that work, seven or eight kos above Oudh, on the banks of the Sarju. It is remarkable that in all the copies of Babar's life now known the pages that relate to his doings at Ajudhya are wanting. In two places in the Babari mosque the year in which it was built, 935 H., corresponding with 1528 A.D., is carved in stone, along with inscriptions dedicated to the glory of that emperor."

1421. Next comes "Barabanki: A gazetteer being Volume XLVIII of the District Gazetteer of the United Provinces of Agra and Oudh" compiled and edited by H.R. Nevill, I.C.S., printed by F. Luker, Supdt., Government Press, United Provinces, Allahabad in 1904 (hereinafter referred to as "Nevill's Barabanki Gazetteer 1904"). Copy of pages No.168-169 have been filed as Paper No.107C1/40-41; Ex.52, Suit-5. He does not refer to any inscription etc. but while describing Hindu Muslim clash said to have occurred in 1853, he observed:

"The cause of the occurrence was one of the numerous disputes that have sprung up from time to time between the Hindu priests and the Musalmans of Ajodhya with regard to the ground on which formerly stood the Janamasthan temple, which was destroyed by Babar and replaced by a mosque."

1422. In "Fyzabad-a Gazetteer being Vol. XLIII of the District Gazetteers of the United Provinces of Agra and Oudh" by H.R. Nevill published in 1905 (Book No. 4) (hereinafter referred to as "Fyzabad Gazetteer, 1905"), page 173 refers to two inscriptions with the details of their place of  
1572

installation:

"Ajodhya is pre-eminently a city of temples, and apart from these there are but few points of interest in the place. Not all of these places of worship are connected with the Hindu religion. There are six Jain shrines which have

been already mentioned in Chapter III in connection with Jainism in this district; and there are also the Musalman mosques and tombs. It is locally affirmed that at the time of the Musalman conquest there were three important Hindu shrines at Ajodhya and little else. These were the Janamasthan temple, the Swargaddwar, and the Treta-ka-Thakur, and each was successively made the object of attention of different Musalman rulers. The Janamasthan was in Ramkot and marked the birthplace of Rama. In 1528 A.D. Babar came to Ajodhya and halted here for a week. He destroyed the ancient temple and on its site built a mosque, still known as Babar's mosque. The materials of the old structure were largely employed, and many of the columns are in good preservation; they are of close grained black stone, called by the natives Kasauti, and carved with various devices. Their length is from seven to eight feet, and the shape square at the base, centre and capital, the rest being round or octagonal. The mosque has two inscriptions, one on the outside and the other on the pulpit; both are in Persian and bear the date 935 Hijri. Of the authenticity of the inscriptions there can be no doubt, but no record of the visit to Ajodhya is to be found in the Musalman historians. It must have occurred about the time of his expedition to Bihar." (emphasis added)

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The copy of the frontispiece and pages No.172, 173, 171, 175, 176 and 177 have been filed as paper No.107C1/42-48; Ex.11, Suit-5; Register Vol.20 page 85-97.

1423. Next is "Imperial Gazetteer of India--Provincial Series--United Provinces of Agra and Oudh"-Vol. II (1908) (Book No. 16) published by Superintendent of Government Printing Calcutta, where at page 388-389 (Ex.10 Suit-5; Paper No.107C1/37-39) it says:

"At one corner of a vast mound known as Ramkot, or the fort of Rama, is the holy spot where the hero was born. Most of the enclosure is occupied by a mosque built by Babar from the remains of an old temple, and in the outer portion a small platform and shrine mark the birthplace. Close by is a larger temple in which is shown the cooking-place of Sita, the faithful wife of Rama. A lofty temple stands on the bank of the Gogra at the place where Lakshmana bathed; and Hanuman, king of the monkeys, is worshipped in a large temple in the town, approached by an immense flight of steps, which bears the name Hanuman Garhi. Other noticeable temples built during the eighteenth and nineteenth centuries are the Kanakbhawan, a fine building erected by a Rani of Tikamgarh, the Nageshwarnath temple, Darshan Singh's temple, and a small marble temple built by the present Maharaja, Ajodhya also contains a number of Jain temples, five of

which were built in the eighteenth century to mark the birthplaces of the five heirarchs who are said to have been born at Ajodhya. Besides the mosque of Babar, two ruined mosques, built by Aurangzeb, stand on the sites of celebrated Hindu shrines--the Swargadwara, where

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Rama's body was cremated, and the Treta-ka-Thakur, where he sacrificed." (emphasis added)

1424. The above gazetteer only refers the name of Emperor Babar that he constructed disputed building but neither the period nor the basis of such information is mentioned.

1425. H.R. Nevill, I.C.S., published another gazetteer in 1928 under the title "Fyzabad: A Gazetteer being Vol. XLIII of the District Gazetteers of the United Provinces of Agra and Oudh". Copy of the frontispiece and pages no.178, 179, 180 and 181 have been filed as Paper No.107C1/49-53 (Register 20, pages 99-107). In the preface written by Nevill in February, 1905 he said that in the earlier gazetteer of the province of Oudh, articles dealing with District Fyzabad and its various other divisions, towns and villages were taken almost wholly from the valuable and defuse Settlement Report of Mr. A.F. Millett, which embodied a large proportion of the remarkable notes and reports of Mr. Patrick Carnegy and the late Sri John Woodburn. These contain much that is now obsolete and still more of a purely traditional and speculative character. After collecting fresh materiel he found the necessity of publication of the said gazetteer. Chapter V deals with 'History'. For the present purpose we are confining to that part of the Gazetteer which deals with the period of construction of the disputed structure. On pages 151-152 the facts about the first Muslim invasion of Oudh is mentioned as under:

"The first Musalman invasion of Oudh was, according to the popular tradition, that of Saiyid Salar Masaud. The Mirat-i-Masaudi states that the youthful invader went from Multan to Ajodhya, where, after taking the city without a struggle, he remained hunting for some

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time and then set out for Delhi in 1030 A.D. The route taken is remarkable and the story must be confused in some manner. There is no mention of his passing through Ajodhya on his march from Satrikh to Bahraich, where he met his death; but popular legend steps in to fill the gap."

1426. The above narration is sought to be supported by referring to the "History of India-As told by its own Historians" by Sir H.M. Elliot and John Dowson, Vol. II, page 531. We have with us all the eight volumes of the book of Elliot and Dowson which was first published in 1866-1877 and reprinted in 1990, 1996, 2001 and 2008. In the appendix Chapter III which starts from page 528 of Vol. II it appears that Salar Masud son of Sultan Mahmud Subuktagin came to India by crossing the river Indus. Having conquest Multan he led his

army against 'Ajudhan'. A few lines from page 530-531 of Elliot and Dowson's book are as under:

"The rainy season had now set in, so they remained at Multan the next four months. After the rains, Mas'ud led his army against Ajudhan. Although, in those days, that place and its vicinity was thickly peopled, it was subdued without a struggle. Mas'ud was delighted with the climate of Ajudhan, and as, moreover, it was a good sporting country, he remained there till the end of the following rains, when he set off for Delhi."

1427. On page 530, footnote, the authors (Elliot and Dowson) have said:

"Ajudha or Ayodhya is the old form of the name Oudh. The scene of Mas'ud's later exploits is laid in the neighbourhood of Oudh."

1428. This narration claims to be an English translation of 1576

"Mir-at-i-Masaudi" written by Abdu-r Rahman Chishti. On page 513 the editor of the book "History of India" has mentioned about the author and the book "Mir-at-i-Masaudi" as well the following facts in order to enhance the degree of reliability on the aforesaid work in respect to life story of Salar Masaud:

"This is professedly a life of Mas'ud the Ghaznvide, and finds an appropriate place here after the story books. The author of this extraordinary work was by name' Abdu-r Rahman Chirsti. He explains the motives which impelled him to its composition, and the sources of his information after the following manner: "The history of the King of Martyrs, Salar Mas'ud, the facts of his birth, of his coming to Hindustan, and of his martyrdom, are told by different men in various ways, which have not found a place in any historical work of repute. The writer had long endeavoured to ascertain the real facts; and, after much research he obtained possession of an old book written by Mulla Muhammad Ghaznawi. This man was servant of Sultan Mahmud Subuktigin. He was also in the service of Salar Sahu, and of the Prince of Martyrs, whom he survived. The writer perused this old book from beginning to end with the greatest pleasure, and the doubts which he had entertained were dispelled. The book was very long, it entered into details about the wars of Sultan Mahmud, and Salar Sahu, mentioning incidentally here and there the King of Martyrs, and closing with an account of his martyrdom. Several of the beloved friends and attendants of the Martyr Sultan, in the abodes of the blessed, have urged the writer to the task which he has undertaken; but no one has made the same demand on behalf of Sultan Mahmud. It therefore

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seemed expedient to him that he should select and commit to writing all that related to the Martyr King. He would not, however, have been able to succeed, even in this,

without the directions he graciously received from the spirit of the departed. When he had set about his selection, and had engaged earnestly in the work, one night the spirit of the deceased martyr appeared to the writer in a vision, and most condescendingly expressed, with his blessed tongue, his approval of the work. Being thus graciously honoured, the author humbly replied that he had begun the work, and begged for assistance wherever his narration might be too high, or too low, too short, or too long. The spirit, with great affability, directed the author to write, and that he would attend to him and assist him. The present work is the result, to which the author has given the name Mir-at-i Mas'udi. May the reader of it also be (mas'ud) blessed. This is the author's prayer. The biography of the King of Martyrs having been derived from the aforesaid history, is here related in five chapters (dastans). Sundry incidents, and miraculous statements, which have been found in trustworthy books, have been selected, and, after being verified by oral communications with the author's spiritual visitors, have been inserted in the present work."

1429. The editor of "History of India" thereafter has termed the book as a historical romance and says that the book mainly seems to rest on the last word "Tawarikh-i-Mahmudi" of Mulla Muhammad Ghaznawi but at places it is difficult to rely on the narration. We do not find it expedient to go further except to point out that in all the subsequent Gazetteers, this history of invasion of Ayodhya by "Syed Salar Masud" has been followed

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referring to Elliot and Dowson's "History of India" Vol. II page 530/531 where the learned authors got confused by identifying "Ajudhan" as "Ayodhya" though the two are different places. "Ajudhan" was a place in "Punjab" while "Ayodhay" is much far therefrom. This mistake unfortunately has continued in a lot of History books also which have been published until recently.

1430. Dr. T.P. Verma, Historian and author of the book "Ayodhya Ka Itihas Evam Puratatva" (Exhibit 3-Suit 5) (Book No. 141) who has also written the same fact at page 110/111 in his above titled book, in his cross examination has admitted this error. He admits that "Salar Masud" never came to "Ayodhya" and he has wrongly mentioned the same in his book as is evident from the following:

^b\ ckr dh lEHkkouk de gS fd 11oha 'krkCnh esa v;ks;/k esa  
eqlyekuksa dh vkcknh jgh gksxhA lkykj elwn ds lSfud vf/kdkjh  
[oktk feV~Bs 1032 bZLoh ds djhc v;ks;/k esa vk;s jgs gksxsA esjs fopkj  
ls v;ks;/k dh lcls iqjkuh efltn ogh efltn Fkh] tks ckcjh efltn  
dgh tkrh FkhA ---13oha ls 17 oha 'krkCnh ds chp esa v;ks;/k dh x.kuk  
Hkkjr o"KZ ds cM+s 'kgjksa esa gksrh Fkh] tks vkt dh v;ks;/k ls cM+h jgh  
gksxhA ml le; QStkckn uke dk dksbZ 'kgj ugha FkhA --- fejkrs &  
elwnh esa 10 & 12 jktkvksa ds uke fn;s gSa ijUrQ ;g ugha fn;k x;k gS  
fd v;ks;/k esa ml le; jktk dkSu FkhA\*\* ¼ist 347&348½

"There is least probability that Muslim populace may have existed in Ayodhya in the 11th century. Salar



Masood's army officer Khwaja Miththe may have visited Ayodhya around 1032 AD. In my view, the oldest mosque in Ayodhya was the same mosque, which was called Babri mosque ... Ayodhya was considered to be a major city of India between 13th to 17th century, which was bigger than Ayodhya of today. At that time there was no city named Faizabad. ... The Mirate-Masoodi contains names of 10-12

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kings, but it has not been given as to who was the king at that time." (E.T.C)

^xokg us viuh iqlrd izn'kZ vks0vks0,l0 5 &3 ds ist 158 ds f}rh; dkye dks ns[kdj dgk fd ;g okD; fd ^blds iwoZ mlus lrj[k ¼lkdsr vFkok v;ks/;k½ esa Msjk Mkyk Fkk\*\*] dFku xyr gS]lgh ugha gS] vkSj ,slk dksbZ o.kZu ehjkr&,&elwnh esa ugha feyrk gSA ^ehjkr&,&elwnh\*\* esa lrj[k esa Msjk Mkyus dh ckr dgh x;h gS] ysfdu ;g lrj[k] lkdsr ;k v;ks/;k gS ;g ckr lgh ugha gSA lrj[k ¼lrfj[k½ QStkckn vkSj ckjkcadh ds chp esa fLFkr ,d LFKku dk uke gS tks vo/k {ks= esa iM+rK gSA ftldh nwjh orZeku v;ks/;k ls 50 ehy ls vf/kd gksxhA ---- {ks= ls esjk rkRi;Z u rks v;ks/;k gS vkSj u lrfj[k cfYd bls esjk rkRi;Z lEiw.kZ vo/k {ks= ls gSA\*\* ¼ist 349&350½

"After looking at second column of page 158 of his book, exhibit 0.0.S 5-3, the witness stated that the sentence reading as 'prior to this he had camped at Satrakh (Saket or Ayodhya)' , is wrong and is not correct and no such reference is found in Mirat-e-masoodi. The Mirat-e-masoodi mentions about camping at Satrakh, but it is not correct that this Satrakh is Saket or Ayodhya. Satrakh (Satrikh) is a place situated between Faizabad and Barabanki, which falls in Awadh area and whose distance would be more than 50 miles from the present Ayodhya. ... By area, I neither mean Ayodhya nor Satrikh and instead I mean the complete Awadh zone." (E.T.C)

^ehjkr , elwnh esa lkykj elwn ds v;ks/;kk vkus dh ckr ugha dgh x;h gS ;g eSa Lohdkj dj pqdk gwa ysfdu bl ckr dh lEHkkouk vHkh Hkh cuh gqbZ gS fd mlds lSfudksa dh fdLh Vksyh us tUe Hkwfe eafnj dks {kfr igqapkbZ gks D;ksafd vkt gh eSa FkksM+h nsj igys crk pqdk gwa fd gugeku x<+h esa lkykj elwn ds lSfud vf/kdkjh [oktk feV~Bs dh dcZ gksus dh ckr dgh gSA\*\* ¼ist 350½

"The Mirat-e-masoodi nowhere mentions about

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Salar Masood visiting Ayodhya. I have admitted this, but this probability still exists that certain group of his soldier may have caused damage to Janmbhumi temple because I have stated a short while ago that the existence of the grave of Khwaja Miththe, an army officer of Salar Masood, has been claimed at Hanumangarhi." (E.T.C)

^[oktk feV~ B s dh dcZ v;k s/ ;k esa gk su s vFkok muds lkykj elwn ds lS f ud vf/kdkjh gk su s dh ckr ehjkr& ,&el wn h es a ugh a vkrh gS A 1955 esa fcgkj ls izdkf'kr gugeku x<+h dk bfrgkl\*\* uked iqlrd ftlds ys[kd veR;Z & flag gSa] us bl ckr dk gokyk viuh iqlrd esa fn;k gS vkSj dgk gS fd [oktk

feV~Bs ds dcz dh ckr dks ,d b';w cuk;k x;k Fkk blh vk/kkj ij eSaus  
v;ks/;k esa elwn ds lsukvksa ds vkdze.k dh ckr vkSj mlds eafnjksa ds  
{kfrxzLr djus ds ckjs esa fy[kk gSA eSaus viuh iqLrd izn'kZ vks0vks0,10  
5&3 esa veR;Z flag dh iqLrd ^6 guqeku x<+h ds bfrgkl dk gokyk  
ugha fn;k gS vkSj u gh eSaus viuh iqLrd esa [oktk feV~Bs ds dcz ds gksus  
dk gokyk fn;k gSA\*\* ¼ist 351½

"The Mirat-e-masoodi neither mentions about  
existence of the grave of Khwaja Miththe at Ayodhya nor  
about he being an army officer of Salaar Masood. This fact  
has been referred in the book titled 'Hanumangarhi Ka  
Itihas', published in 1955 from Bihar and written by  
Amartya Singh, and it has been mentioned that the fact of  
Khwaja Miththe's grave had also been made an issue. On  
this basis, I have written about Ayodhya's invasion by the  
army of Masood and the destruction of its temples. In my  
book, exhibit O.O.S 5-3, I have neither referred to Amartya  
Singh's book 'Hanumangarhi Ka Itihas' nor have I  
referred about existence of grave of Khwaja  
Miththe." (E.T.C)

^Lo;a dgk fd ehjkr&,&elwnh dks bfrgkl dh iqLrd dk ntkZ

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ugha izkIr gSA bls fgLVksfjdy jksekal ;k ,sfrgkfld miU;kl dgk x;k  
gS ftlesa rF; ,oa dYiukvksa dk [kqdyj mYys[k fd;k x;k gS] ,slk  
bfy;V ,.M Mkmlu us dgh gSA\*\* ¼ist 354½

"Stated on his own that the Mirat-e-masoodi is not  
recognized as a history book. It is said to be historical  
romance or historical novel, in which facts and  
imaginations have been used liberally, which is so claimed  
by Elliot and Dawson." (E.T.C)

^^bl i`"B ij dze la0 5 ds uhps nh x;h fVIi.kh ls eSa vc bl  
le; iwjh rjg lger ugha gwWaa --- xokg us viuh iqLrd ds i`"B 176  
ds dze la0 21 ds uhps nh x;h fVIi.kh ds izFke okD;ka'k ^lkykj elwn  
ds vkdze.k ds yxHkx lkr n'kdksa ds ckn\*\* dks ns[kdj dgk fd eS a vc  
blls Hkh lger ugh a gwW aa \*\* ¼ist 355&356½

"At present, I do not completely agree with the  
comment contained below serial no.5 of this page. . . . .  
. . . . .After looking at part of the first sentence of the  
comment under serial no.21 of page 176 of his book  
reading as 'after about seven decades of invasion of Salar  
Masood', the witness stated that now I do not agree with  
this as well." (E.T.C)

1431. Now coming back to "Fyzabad Gazetteer 1928"  
(supra) page 155, it mentions:

"In 1528 Babar built the mosque at Ajudhya on the  
traditional spot where Rama was born."

1432. Again in the later part a directory is appended and  
deals with Ayodhya at page 179/180, it says:

"It is locally affirmed that at the time of the  
Musalman conquest there were three important Hindu  
shrines at Ajodhya and little else. There were the  
Janamsthan temple, the Swargaddwar and the Treta-ka-  
Thakur, and each was successively made the object of

attention of different Musalman rulers. The Janamasthan was in Ramkot and marked the birthplace of Rama. In 1528 A.D. Babar came to Ajodhya and halted here for a week. He destroyed the ancient temple and on its site built a mosque, still known as Babar's mosque. The materials of the old structure were largely employed, and many of the columns are in good preservation; they are of close-grained black stone, called by the natives kasauti, and carved with various devices. Their length is from seven to eight feet, and the shape square at the base, centre and capital, the rest being round or octagonal. The mosque has two inscriptions, one on the outside and the other on the pulpit; both are in Persian and bear the date 935 Hijri. Of the authenticity of the inscriptions there can be no doubt, but no record of the visit to Ahodhya is to be found in the Musalman historians. It must have occurred about the time of his expedition to Bihar."

1433. Here also Nevill in the footnote has placed reliance on Elliot and Dowson's "History of India" Vol. 4 page 283 which is english translation of "Tuzak-I Babari" which is said to be Leyden and Erskine's translation as per the preface of the book. We have gone through the entire page 283 of the said book but do not find any fact mentioned about the construction of disputed site or building mentioned therein.

1434. After independence under the authority of Government of Uttar Pradesh (Revenue Department) District Gazetteers of Uttar Pradesh in the revised form were published. The "Uttar Pradesh District Gazetteers-Faizabad" by Smt. Esha Basanti Joshi (Book No. 17) was published in 1960 printed at the Indian Press (Private) Ltd., Allahabad. Copy of the

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frontispiece and pages No.34, 36, 46, 47, 352 and 354 have been filed as paper No.107C1/54-61 i.e. Ex.13, Suit-5 (Register 20, pages 109-123). With reference to the construction of disputed building by Babar and the period it says:

"The Janmasthan was in Ramkot and marked the birthplace of Rama. It seems that in 1528 A.D. Babur visited Ayodhya and under his orders this ancient temple was destroyed and on the site was built what came to be known as Babur's mosque. The material of the old temple was largely employed in building the mosque and a few of the original columns are still in good preservations; they are of cloe grained black stone (kasauti) bearing various Hindu bas-reliefs (see Plate I), the outer beam of the main structure being of sandal wood. The height of the columns is seven to eight feet, the shape of the base, the middle section and the capital is square, the rest being round or octagonal. There are two inscriptions in Persian, one on the outside and the other on the pulpit bearing the date 935 Hijri."

1435. Broadly, we find and in fact it is even admitted by Sri Jilani that the sole basis for determining the period of construction of the disputed building and to co-relate it with Emperor Babar is/are the inscription(s) said to be installed in the disputed building referred to in certain Gazetteers etc. The text of these inscriptions have been given in different books which needs threadbare scrutiny to find out whether the disputed building was constructed in 1528 by or under the order of Emperor Babar is correct or not.

1436. The first document which has reproduced the text of said inscription(s) is the publication of Archaeological Survey

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of India titled as "The Sharqi Architecture of Jaunpur; with notes on Zafarabad, Sahet-Mahet and Other Places in the North-Western Provinces and Oudh by A. Fuhrer; Original edition 1889 (reprinted in 1994) by the Director General Archaeological Survey of India, New Delhi (hereinafter referred to as "Fuhrer's Report"). This is edited by Z.A.Desai. Chapter-X thereof refers to the inscriptions i.e., no. XL; XLI; XLII found at Ayodhya and is supported with the inscriptions found by Fuhrer at Ayodhya. It says that there were three inscriptions wherefrom he (Fuhrer) formed the opinion that the said building was constructed at Ayodhya in A.H. 930, or A.D. 1523, by Mir Khan, on the very spot where the old temple Janam Asthanam of Ramachandra was standing.

1437. The inscription No. XL was over the central mihrab, written in Arabic characters and gives twice the Kalimah as under:

۝۝۝ ۝۝۝ ۝  
 ۝ ۝ ۝۝۝۝ ۝۝۝۝۝ ۝۝۝  
 ۝ ۝ ۝۝ ۝۝۝ ۝۝۝ ۝  
 ۝ ۝ ۝۝۝۝ ۝۝۝۝۝ ۝۝۝  
 ۝ ۝ ۝۝

"There is no god but Allah, Muhammad is His Prophet."

(English Translation by "the Author")

1438. Inscription No. XLI was found on the mimbar (right hand side of the disputed building) written in Persian poetry, the metre being Ramal, in six lines:

۝۝۝۝۝۝ ۝۝۝۝ ۝۝ ۝ ۝ ۝۝۝  
 ۝۝۝۝ i ۝۝ i۝۝ ۝۝۝۝۝ ۝۝۝۝۝  
 ۝۝۝i۝۝ ۝ ۝ ۝۝ ۝ ۝۝ ۝۝۝۝  
 ۝۝ ۝ ۝۝۝۝۝ ۝۝۝۝ ۝ ۝ ۝۝۝۝  
 ۝۝۝۝۝ ۝ ۝ ۝۝ ۝ ۝۝ ۝۝۝  
 ۝۝۝۝ ۝ ۝ ۝۝ ۝۝ ۝ ۝ ۝۝۝۝۝

\*\*1- cea'kk;s ckcj [kn;w tgka  
 c'kkus fd ck dk[k+ xjnwW buka  
 2- fcuk dnkZ&,[+kku&,&ik;snkj

vehjs lvknr fu'kka ehj [kka  
 3- cekun ges'kk pquka ckfu;'k  
 pquka 'kgfj;kjs t+ehuks t+eka\*\*

(Hindi Transla

- (English Translation by "the Author")

[illegible]

.....

3- fo'o dk ,slk izfl} lezkV ftldk vflrRo i` Fkoh ds fy;s izlUurk dk mnkgj.k gSA 4- ml 'kkgh njckj dk ,d fo'kky uoke gS tk [k+kd+ku ¼phuh 'kkldksa dh mikf/k½ tSlk lkSHkkX;o'k vkSj }rh; Q+x+dqj ¼phuh 'kkldksa dh mikf/k½ gSA 5- /keZ ds bl egn ¼xgokjs vFkkZr efltn½ ds vk/kkj dh 'kq H k frfFk 930 fgtjh iz r hr djksA 6- ,s! [kqnk lalkj ds ckn'kkg ds lkFk mldk rkt] flagklu] HkkX; vkSj thou lnSo ckdh jgs 7- ckcj lezkV lalkj esa usfd;ksa ds iq"iksa dh o"kkZ djrk jgs vkSj mls lQ+yrk feyrh jgs 8-

'kklu dk lykgdkj vkSj ns'k dk iz'kkld tks bl efLtn ds fd+ys dk vk/kkj j[kus okyk gSA frfFk dk ;g fdrk vkSj efLtn dk foaj.k fucZy xqyke QrgqYykg xkSjh ds dEt++ksj fyfi }kjk fy[kk x;kA^^ (Hindi Translation by Court) "1. In the name of God, the merciful, the element.

2. In the name of him who .....; may God perpetually keep him in the world.

3. ....

4. Such a sovereign who is famous in the world, and in person of delight for the world.

5. In his presence one of the grandees who is another king of Turkey and China.

6. Laid this religious foundation in the auspicious Hijra 930.

7. O God ! May always remain the crown, throne and life with the king.

8. May Babar always pour the flowers of happiness; may remain successful.

9. His counsellor and minister who is the founder of this fort masjid.

10. This poetry, giving the date and eulogy, was written by the lazy writer and poor servant Fath-allah-Ghorl, composer."

(English Translation by Author) 1440. After referring the aforesaid inscriptions and text, Fuhrer on page 68, Chapter X has made the following observations:

"The old temple of Ramachandra at Janamasthanam must have been a very fine one, for many of its columns have been used by the Musalmans in the construction of Babar's masjid. These are of strong, close-grained, dark-coloured or black stone, called by the natives kasauti, "touch-stone slate," and carved with different devices. They are from seven to eight feet long, square at the base, centre and capital, and round or octagonal intermediately."

1441. The second extremely relied work is "Babur- Nama" by A.S. Beveridge (first published in 1921) (reprinted in LPP 1989, 1997, 2000), two volumes in a single bound book (Book No. 6). Besides the book itself, extract of some of the pages of the said book (of different editions) have also been filed by the parties which are exhibits as under:

(i) Paper No. 78 A-2/ 21-24 (Ex. J5, Suit-4) (Register Volume 13, page 39-45)

(ii) Paper No. 87 B-1/ 7 (Ex. J8, Suit-4)

(iii) Paper No. 87 B-1/ 8 (Ex. J9, Suit-4)

(iv) Paper No. C2-163/ 1-2 (Ex. J13, Suit-4) (Register Vol. 34 page no. 73-74)

(v) Paper No. 43A1/ 22-24 (Ex. T3, Suit-4) (Register Vol. 18 page 45-49)

(vi) Paper No. C2-156/ 1-5 (Ex. Q2, Suit-5) (Register Vol. 34 page 37-45)

(vii) Paper No. 107C1/ 71-74 (Ex.16, Suit-5) (Register 20 page 145-159) 1442. Appendix U at page LXXVII, LXXVIII and LXXIX refers to two such inscriptions, one inside the mosque and another outside the mosque. Photocopy of the aforesaid pages of Appendix U have been placed on record as Exhibit T3 (Suit-4) (Paper No. 43A-1/22-24), (Register 18 page 45-49). It appears from Appendix U that she got the text of the two inscriptions through the Deputy Commissioner of Fyzabad on an enquiry made by her husband about two inscriptions mentioned by several Gazetteers said to be existed on the Babar mosque at Ayodhya. However, at the bottom, note 2, she says that while reproducing the text a few slight changes in the turn of expression have been made for clearness sake. The text of the inscription inside the mosque as quoted in Babar-Nama by A.S. Beveridge is as under:

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 ck&dk[k+ xjnwW eqykdh+A 1/421/2 fcuk dnZ&,&egers dqnfl;ka jk vehjs lvknr fu'kka  
 ehj ckd+h 1/431/2 cqon [kSjs ckd+h o lkys fcukb'k v;ka 'kqn pwa xqQre cqon [k+Sj  
 ckd+h\*\* (Hindi Transliteration by Court) \*\*1- lezkV ckej ds vkns'kkuqlkj ftdk U;k; ,d  
 ,slh bekjr gS tks vkdk'k ds egy ls tk feyh gSA 2- HkkX;oku uokc ehj ckd+h us Qfj'rksa  
 ds mrjus ds bl LFkku dh vk/kkj f'kyk j[khA 3- blds vk/kkj dk o"kZ pwafd ,d [kSj  
 ckd+h 1/4'kk'or HkykbZ1/2 gSA vr% esjk ;g dFku Li"V gqvK \*\*coqn [kSj ckd+h\*\* 1/4;g  
 Hkyk dkjukek lnSo ckdh jgs1/2^^ (Hindi Translation by Court) "(1) By the command  
 of the Emperor Babur whose justice is an edifice reaching up to the very height of the  
 heavens. (2) The good-hearted Mir Baqi built this alighting place of angles.

(3) It will remain an everlasting bounty, and (hence) the date of its erection became manifest from my words: It will remain an everlasting bounty." (E.T.C.) 1443. The text of the inscription outside the mosque quoted in Beveridge's "Babar-Nama" is as under:

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 □□□□ □ □□□□□ □\*\*1- cukes vkafd nkuk gLr vdeej fd [+kkfyd+ tqeyk vkys ykedkuh  
 2- nw:ns eqLrQk ckn vt+ lrk;'k fd ljoj vaf;c&,&nks tgkuh 3- Qlkuk nj tgka ckej  
 d+yUnj fd 'kqn nj nkSjs xhrh dkejkuk\*\* (Hindi Transliteration) \*\*1- mlds uke ls tks  
 lcls egku cqf}eku gS tks lkjs lalkj dk L="Vk ,oa LFkku dh dSn ls eqDr gS 2- mldh  
 iz'kalk ds ckn eksgeen eqLrQk lYyYykgks vySfg olYye ij n:n gks tks nksuksa lalkj ds  
 ufc;ksa ds llnkj gSaA 3- ckej dyanj dk ;g pjpk lkjs lalkj esa O;kid gS fd og ,d lQy lezkV

gSaA\*\* (Hindi Translation) "1. In the name of One who is Great (and) Wise (and) who is Creator of the whole world and is free from the bondage of space.

2. After His praise, peace and blessings be on Prophet Muhammad, who is the head of all the Prophets in both the worlds.

3. In the world, it is widely talked about Qalandar Babur that he is a successful emperor." (E.T.C.) 1444. With respect to the second inscription that is outside the mosque, the Beveridge said that it is incomplete.

1445. The third set of text of inscription we are confronted with, is that published in "Epigraphia Indica-Arabic & Persian Supplement (In continuation of Epigraphia Indo- Moslemica) 1964 and 1965" reprinted 1987 published by the Director General Archaeological Survey of India, New Delhi. On page 49, the chapter begins with the heading "Inscriptions of Emperor Babur" said to be written by the Late Maulvi M. Ashraf Husain and edited by Z.A.Desai. Editor's note in the aforesaid Chapter is of some importance:

"A rough draft of this article by the author, who was my predecessor, was found among sundry papers in my office. At the time of his retirement in 1953, he had left a note saying that it might be published after revision by his successor. Consequently, the same is published here after incorporation of fresh material and references and also, extensive revision and editing. The readings have been also checked, corrected and supplemented with the help of my colleague, Mr. S.A.Rahim, Epigraphical Assistant,-Editor."

1446. On page 58 under sub-chapter VIII-X, "Inscriptions Dated A.H. 935, from Ajodhya", the author has referred to three inscriptions said to have existed at Babur's mosque. The author's comments about those inscriptions are:

"These three records are from Ajyodhya, in Fyzabad district of Uttar Pradesh. Ajodhya, called Ayodhya in ancient works, is a place of great antiquity. It was the earliest capital of the kingdom of Kosala in the later Vedic period, which may be traced down to 600 B.C. In the fifth and sixth centuries after Christ, the Gupta dynasty ruled over it and called it Saket, by which name it is also known in the Ramayana. From the seventh century onwards, a period of neglect ensued and according to Muslim historians, parties enjoyed hunting in its vicinity."

The chief fame of Ajodhya lies in its being the birth-

place of Sri Rama, the deified son of Raja Dasaratha and hero of the Ramayana. At the Muslim conquest, three important temples are reported to have existed here, viz. Janmasthana or birth-place Temple, the Treta-ki-Thakur or the place where Sri Rama performed a great sacrifice in commemoration of which he set up images of himself and his wife Sita, and the Svargadvaram or Rama-Darbar, which is believed to be the place where he was cremated. The second and third are



popularly believed to have been pulled down by Aurangzeb, and on the site of the first the present Baburi mosque is stated to have been built. The supposition is apparently anachronistic inasmuch as Aurangzeb was born about a century after A.H. 935, the date of Babur's record, and so the demolition could not have taken place so late.

The Baburi-Masjid, which commands a picturesque view from the riverside, was constructed according to A. Fuhrer in A.H. 930 (1523-24 A.D.) but his chronology, based upon incorrect readings of inscriptions supplied to him, is erroneous. Babur defeated Ibrahim Lodi only in A.H. 933 (1526 A.D.), and moreover, the year of construction, recorded in two of the three inscriptions studied below, is clearly A.H. 935 (1528-29 A.D.). Again, it was not built by Mir Khan as stated by him. The order for building the mosque seems to have been issued during Babur's stay at Ajodhya in A.H. 934 (1527-28 A.D.), but no mention of its completion is made in the Babur Nama. However, it may be remembered that his diary for the year A.H. 934 (1527-28 A.D.) breaks off abruptly, and throws the reader into the dark in regard to the account of Oudh.

The mosque consists of three compartments, each crowned by a dome. The squinch-arches and stalactite pendentives turn each aisle of the prayer-chamber into a squarish room. The drums of the domes inside were originally relieved by arched recesses, and the central dome was embellished with ornamental incised plaster discs, but the present domes were only reconstructed in the thirties of this century and are devoid of any original features.

The mosque contains a number of inscriptions. On the eastern facade is a chhajja, below which appears a Quranic text and above, an inscription in Persian verse. On the central mihrab are carved religious texts such as the Kalima (First Creed), etc. On the southern face of the pulpit was previously fixed a stone slab bearing a Persian inscription in verse. There was also another inscription in Persian verse built up into the right hand side wall of the pulpit. Of these, the last-mentioned two epigraphs have disappeared. They were reportedly destroyed in the communal vandalism in 1934 A.D., but luckily, I managed to secure an inked rubbing of one of them from Sayyid Badru'l Hasan of Fyzabad. The present inscription, restored by the Muslim community, is not only in inlaid Nasta'liq characters, but is also slightly different from the original, owing perhaps to the incompetence of the restorers in deciphering it properly.

The readings and translations of the historical epigraphs mentioned above, except in the case of one, were published by Fuhrer and Mrs. Beveridge, but their readings are so incomplete, inaccurate and different from the text that their inclusion in this article is not only desirable but also imperative.

The epigraph studied below was inscribed on a slab of stone measuring about 68 by 48 cm., which was built up into the southern side of the pulpit of the mosque, but is now lost, as stated above. It is edited here from the estampage obtained from Sayyid Badru'l Hasan of Fyzabad. Its three-line text consists of six verses in Persian, inscribed in ordinary Naskh characters within floral borders. It records the construction of the mosque by Mir Baqi under orders from emperor Babur and gives the year A.H. 935 (1528-29 A.D.) in a chronogram." 1447. The inscriptions found at the southern side of the pulpit of the mosque is said to be found inscribed on a slab of stone measuring about 68 by 48 cm. He says that the original is lost. The quoted inscription is one edited from the estampage

obtained from Sayyid Badru'l Hasan of Fyzabad. Further explanation at note 4 at the bottom at page 59 given by author is as under:

"It may be argued that since this epigraph is not quoted in Fuhrer's SAJ, the slab had already disappeared before he wrote. But that is not the case, since the tablet was found there in 1906-07 A.D. by Maulavi M. Shuhaib of the office of the Archaeological Surveyor, Northern Circle, Agra (Annual Progress Report of the Office of the Archaeological Surveyor, Northern Circle, Agra, for 1906-

07."Appendix-D 1448. The first inscription's text which author has mentioned at plate XVII (b) is as under:

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 fcukbsLr ck&dk[k+ xjnwW eqykdh+A 1/42 1/2 fcuk dnZg bZa egcrs dqnfl;ka jk vehjs  
 lvknr fu'kka ehj ckd+h 1/43 1/2 cqon [kSjs ckd+h o lkys fcukb'k] v;ka 'kqn pwa xqQre  
 cqon [k+Sj ckd+h\*\* (Hindi Transliteration) \*\*1- lezkV ckcj ds vkns'kkuqlkj ftdk U;k;  
 ,d ,slh bekjr gS tks vkdk'k ds egy ls tk feyh gSA 2- HkkX;oku uokc ehj ckd+h us  
 Qfj'rksa ds mrjus ds LFkku dh vk/kkj f'kyk j[khA 3- og [kSj ckdh 1/4lnSo jgus okyk ,d  
 Hkyk dkjukek 1/2 gS vkSj mlds vk/kkj dk o"kZ ;wa Li"V gqvk tc eSaus dgk \*\*coqn [kSj  
 ckd+h^^^A^^ (Hindi Transliteration) "(1) By the order of king Babur whose justice is  
 an edifice, meeting the palace of the sky (i.e. as high as the sky).

(2) This descending place of the angels was built by the fortunate noble Mir Baqi.

(3) It will remain an everlasting bounty, and (hence) the date of its erection became manifest from my words: It will remain an everlasting bounty."

(English Translation by Author) 1449. The Fuhrer's inscription no. XLI which he mentions that the same was found inside the mosque on the mimbar (right hand side of the disputed building) has been turned as second inscription by Maulvi F. Ashraf Hussain. It consists of three couplets arranged in six lines. He (Hussain) clearly admits non existence of the said inscription by observing "the epigraphical Tablet" which was built up into right hand side wall of the pulpit, does not exist now, and, therefore, the text of the inscription is quoted here from Furher's work, for the same reason, its illustration could not be given." Sri Husain/Desai however, did not agree to the reading of the inscription by Fuhrer and observed that Furher's reading does not appear free from mistakes.

1450. About the third inscription, on page 60/61 of the book, the author has given narration as follows:

"The third record of Babur in the Ajodhya mosque, comprising a fragment of eight Persian verses of mediocre quality and a colophon, appears over the central entrances to the prayer-chamber above the chajja. The four-line text is executed in fairly good Naskh characters in relief amidst floral borders, on a slab measuring about 2 m. by 55 cm. The text is fairly well preserved, and Fuhrer must have been misinformed to affirm that 'a few characters of the second and the whole third lines are completely defaced'. The purport of the record is the same as that of the previous epigraphs, but here an additional edifice is also mentioned : In verse six, in line three, a fort-wall (hisar) is said to have been built along with the mosque in A.H. 935 (1528-29 A.D.), by Mir Baqu, who is here called the second Asaf and councillor of the state."

1451. The text of the third inscription is as under :

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 □□□□□\*\*1- nw:ns eqLrQk ckn vt+ luk;'k fd ljoj vafc;k tqCnk tgkuh 2- Qlkuk nj tgka  
 ckcj dyUnj fd 'kqn nj nkSjs xhrh dkejkukh 3- pquka d'k gQ~+r fd'koj nj fxjQ+rk t+eha  
 jk pwa felkys vklekuh 4- njka gt+jr ;ds ehjs eqvTt+e fd uke'k ehj ckd+h vkLQ+ lkuh 5-  
 eq'khjs lyrur rnchj eqyd'k dt+ha efLtnks fglkj gLr ckuh 6- [kqnk;k nj tgka ikbUnk  
 cknk fd fp=ks r[+rks c[+rks ft+Unxkuh 7- fcuk;s vgns t+ha rkjh[+k eSewa fd uqg ln lh  
 iat cqon fu'kkukh rEer gkt+RrkSghnq o ukr o eng o flQ+r uOojYykgq cqjgkugq [kRrs  
 vCnqTt+bZQ+ ughQ+ Q+rgqYykg eksgEen x+kSjhA\*\* (Hindi Transliteration) \*\*1-  
 ml ¼[kqnk½ dh iz'kalk ds ckn eksgEen eqLrQk lYykYykgks vySfg olYye ij n:n gks tks  
 ufc;ksa ds llnkj vkSj nqfu;k ds loZJs"B gSA 2- ckcj dyanj dk pjpk lkjs lalkj esa gS fd og  
 ,d lQ+y lezkV gSA 3- og ,slk lezkV gS fd ftlus lkrksa ns'kksa ij fot; izkIr dj fy;k] vkdk'k  
 ds leku i`Foh dks Hkh vius dCts esa dj fy;kA 4- ml 'kkgh njckj dk ,d fo'kky uokc gS  
 ftldk uke ehj ckdh gS f}rh; vkfLQ ¼vkfLQ+ mikf/k j[krk gS½2S 5- 'kklu dk lykgdkj vkSj  
 mlds ns'k dk iz'kkld tks bl efLtn vkSj fdys dk vk/kkj j[kus okyk gSA 6- ,s! [kqnk lalkj  
 esa mldk rkt] flagklu] HkkX; vkSj thou lnSo ckd+h jgsA 7- bl ;qx ds bl bekjr dh  
 cqfu;kn dh 'kqHk frfFk dh fu'kkukh 935 gSA\*\* (Hindi Translation) "(1) In the name of  
 Allah, the Beneficent, the Merciful.

And in Him is my trust.

(2) In the name of One who is Wise, Great (and) Creator of all the universe (and) is spaceless.

After His praise, blessings be upon the Chosen one (i.e. the Prophet), who is the head of prophets and best in the world.

The Qalandar-like (i.e. truthful) Babur has become celebrated (lit. a story) in the world, since (in his time) the world has achieved prosperity.

(3) (He is) such (an emperor) as has embraced (i.e. conquered) all the seven climes of the world in the manner of the sky.

In his court, there was a magnificent noble, named Mir Baqi the second Asaf, councillor of his government and administrator of his kingdom, who is the founder of this mosque and fort-wall.

(4) O God, may he live for ever in this world, with fortune and life and crown and throne. The time of the building is this auspicious date, of which the indication is nine hundred (and) thirty five (A.H. 935=1528-29 A.D.).

Completed was this praise of God, of Prophet and of king. May Allah illumine his proof. Written by the weak writer and humble creature, Eathu'llah Muhammad Ghori."

(English Translation by Author) 1452. PW-15, Sushil Srivastava in his book "The Disputed Mosque-A Historical Enquiry" published in 1991 by Vistaar Publications, New Delhi has also given text of two inscriptions at page 86 of the book which are as under:

(A) Inscription above the pulpit inside the mosque      □□□□□ □ □□□□;      □□□□□  
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 Qjewn;s 'kkg ckcj fd vny'k] feuk;sLr rk dk[ks xnwZa eqykdhA feuk dnZ bZa eqgers  
 dqnfl;ka] vehjs lvknr fu'kku ehj ckdhA cqon [kSjs ckdh! Pkw lkys feuk;'k] v;ka 'kqn fd  
 xqQ~re cqon [kSj ckdhA\*\* (Hindi Transliteration by Author) \*\*'kkg ckcj ds  
 vkns'kkuqlkj fldk U;k;] ,d ,slh ,ekjr gS tks vkdk'k dh ÅapkbZ rd igqaprh gSA fuekZ.k  
 dj;k;k bl fQfj'rksa ds mrjus ds LFkku dks] lkSHkkX;'kkyh vehj] ehj ckdh us] con [kSjs  
 ckdh ¼4;g lnkpj.k vuUr rd jgs½ tks mlds fuekZ.k dk o"kZ gS-

;g Li"V gks x;k tks eSa dgwa fd ;g lnkpj.k vuUr rd jgsA\*\* (Hindi Transliteration by Author) "(1) By the order of king Babar whose justice is an edifice meeting the pace of sky (i.e. as high as the sky). (2) this descending place of the angels was built by the fortunate noble Mir Baqi.

(3) it will remain an everlasting bounty and (hence) the date of its erection became manifest from my words: it will remain an everlasting bounty." (English Translation by Author) (B) Inscription at the entrance of the mosque i.e. the outer inscription      □□□□□□;      □□□□ □□□ □□□ □□□□□□  
 □□□□□□ □□ □ □□□□□□× □□□□□□□ □□ □□□□□□ □□□□□ □□ □ □□□□ □□□ □□  
 □□□□□□□□□ □□□□□□□ □□ □□□□□ □\*\*cukes vkafd nkuk gLr vde] fd [kkfyd tqeyk vkye  
 ykedkuh nw:ns eqLrQk ckn vt lrk;'k fd ljo] vaf;c;k;s nks tgkuh Qlkuk nj tgka ckcj dyUnj fd 'kqn nj  
 nkSjs xhrh dke]kuh\*\* (Hindi Transliteration) \*\*1- mlds uke ls tks lcls egku cqf}eku gS tks lkjs lalkj  
 dk lz"Vk ,oa LFkku dh dSn ls eqDr gS 2- mldh iz'kalk ds ckn eksgeen eqLrQk lYyYykgks vySfg olYye  
 ij n:n gks tks nksuksa tgka esa ufc;ksa ds l]nkj gSaA 3- ckcj dyanj dk ppkZ lalkj esa gS tks lalkj esa ,d

lQy lezkV gqvk gSA\*\* (Hindi Translation) "1. In the name of One who is Great (and) Wise (and) who is Creator of the whole world and is free from the bondage of space.

2. After His praise, peace and blessings be on Prophet Muhammad, who is the head of all the Prophets in both the worlds.

3. The world has the house of Qalandar Babur, who has been a successful emperor in the world." (E.T.C.) 1453. The text of two inscriptions has also been given in Appendix "Gha" on page 659 and 660, "Mugalkalin Bharat- Babar (1526-1530 AD)" translated by Syed Athar Abbas Rizvi (first published in 1960 and in 2010 published for first time by Rajkamal Prakashan Pvt. Ltd., New Delhi). The photocopy of Appendix D (Parishisht Gha) page 659 and 660 of the above book along with its title page has been filed as Exhibit 91 (Suit-

4) (Register 16, Pages 164-166) and the same reads as under:

[illegible]

;g Li"V gks x;k tks eSa dgwa fd ;g lnpj.k vuUr rd jgsA\*\* (Hindi Translation by Author) "(1) By the order of king Babar whose justice is an edifice meeting the pace of sky (i.e. as high as the sky). (2) This descending place of the angels was built by the fortunate noble Mir Baqi.

(3) It will remain an everlasting bounty and (hence) the date of its erection became manifest from my words: it will remain an everlasting bounty." (E.T.C.) (B)

■■■■■ ° ■■■ ■■ ;  
■■■■■ ■■■■ ■ ■■■■■■x ■■■■■■ ■■ ; ■■■■■■ ■ ■■■ ■■ ■■■■  
■■■° ■■■■■; ■■■■ ; ■■■■■■■ ■ ; ■■■■■ ■^^ cuke vkafd nkuk gLr vdcj] fd [kkfyds  
tqeyk vkye yk edkuhA n:ns eqLrQk ckn vt lrkb'k] fd ljojs vfEc;k;s nks tgkuhA Qlkuk nj tgka ckcyj  
dyUnj] fd 'kqn nj nkSjs xsrh dkejkuhA\*\* (Hindi Transliteration by Author) \*\*mlds uke ls tks fd  
egku~ Kkuh gS] tks leLr lalkj dk l`"Vk vkSj fcuk ?kj dk gSA mldh Lrqfr ds mijUr eqLrQk ij n:n] tks  
nksuksa yksdksa ds ufc;ksa ds ljnkj gSaA lalkj esa ppkZ gS fd ckcy dyUnj] dky pdz esa mls lQyrk izkIrr  
gqbZA\*\* (Hindi Translation by Author) " In His name who is all wisdom, Who is creator of the entire universe and who is abodeless. After His praise peace be on Prophet Mohammad, Who is the head of all the Prophets in both the worlds. It is the talk of the world that Qalandar Babur, Attained success with the movement of the time-wheel." (E.T.C.) 1454.

In another book titled as "Babar" by Dr. Radhey Shyam, first published in 1978 by Janaki Prakashan Allahabad, the text of three inscriptions at the building in dispute in Appendix VI, Item VIII-X at pages 505 and 506 is given as under :

king Babar whose justice is an edifice meeting the pace of sky (i.e. as high as the sky). (2) This descending place of the angels was built by the fortunate noble Mir Baqi.

[illegible]

0000000 0000000000 000 00000 ; 0000000 000000 0000 000000 00  
 0000000, 000 ; 0000000 0000 0 0000 0000000000000000 00 ; 00000000 0  
 ; 00000000 0000 000 0000000000000 00 000000000000000000 0000; 0 00; 00000  
 0000 0 ; 00000 0000 00000000 00000000 ; 0 000000 ; 0 0000000000 00  
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 00000000000000 00? 00 00000000 00 00 00000000 00000000\*\*¼1½  
 felfeYykfgjZgekfujZghe o c&fld+rh ¼42½ cukes vkafd Å nkukLr vdeej & fd [k+kfyd+ tqeyk vkye  
 ykedkuh nw:ns eqLrQk ckn vt+ luk;'k & fd ljoj vafc;k tqCnk tgkuh Qlkuk nj tgka ckejj d+yUnj & fd  
 'kqn nj nkSjs xhrh dkejkuk ¼43½ pquka d'k gQ~Qr fd'koj nj fxjQ+rk & t+eha jk pwa felkys vklekuh  
 njka gt+jr ;ds ehjs eqvTt+e & fd uke'k ehj ckd+h vkLQ+ lkuh eq'khjs lyrur rncnj eqyd'k & dt+ha  
 efLtnks fglkj gLr ckuh ¼44½ [kqnk;k nj tgka ikbUnk cknk & fd fp=ks r[+rks c[+rks ft+Unxkuh  
 fcuk;s vgns t+ha rkjh[k+ eSewa & fd uqg ln lh iat cqon fu'kkuh rEer gkt+RrkSghn o ukr eng o flQ+r  
 uOojYykqg cqjgkugq [+kRrs vCnqTt+bZQ+ ughQ+ Q+ugqYykq eksgEen x+kSjhA\*\* (Hindi  
 Transliteration) \*\*vYyk ds uke ls tks vR;Ur d:.kke; vkSj n;koku gS] vkSj mlds Hkjksls ij 1- mlds uke  
 ls tks lcls egku cdf]eku gS tks lkjs lalkj dk l`"Vk .oa LFkku dh dSn ls eqDr gS 2- mldh iz'kalk ds ckn

eksgEen eqLrQk lYyYykgks vySfg olYye ij n:n gks tks ufc;ksa ds ljdk vkSj lalkj ds loZJs"B O;fDr gSA 3- ckcj dyanj dk pjpk lkjs lalkj esa O;kid gS fd og ,d lQy lezkV gqvk gSA 4- og ,slk lezkV gS fd ftlus lkrksa ns'kksa ij fot; izkIr dj fy;k] i`Foh dks Hkh vkdk'k ds leku dCts esa dj fy;kA 5- ml 'kkg njckj dk ,d fo'kky uokc gS ftldk uke ehj ckdh f}rh; vkfQ gS 6- 'kklu dk lykgdkj vkSj mlds ns'k dk iz'kkld tks bl efLtn vkSj fdys dk f'kykfu;kl djus okyk gSA 7- ,s! [kqnk lalkj esa mldk rkt] flagklu] HkkX; vkSj thou lnSo ckd+h jgsA 8- bl ;qx ds bl bekjr dh cqfu;kn dh 'kqHk frfFk dh fu'kkuh 935 gSA\*\* (Hindi Translation) "In the name of Allah, the Beneficent, the merciful, and in Him is my trust.

(1) In the name of One who is Wise, Great and Creator of all the universe and is spaceless.

(2) After he praise, blessing be upon the Chosen one (i.e. the Prophet) who is the head of the Prophets and best in the world.

(3) The Qalandar like Babar has attained fame in the whole world to the effect that he has been a successful emperor.

(4) He is such an emperor as has conquered all the seven climes of the world and also captured the earth as in case of sky.

(5) In that royal court there was a magnificent noble named Mir Baqi, the second Asaf.

(6) (He is) councillor of the Government and administrator of his kingdom, who is the founder of this mosque and fort- wall.

(7) O! God, may he live for ever in this world, with crown and throne and fortune and life.

(8) The time of this building of this age is this auspicious date, of which the indication is 935." (E.T.C.) 1455. From perusal of the text of the inscription said to be found inside the mosque i.e., the 6-lines inscription it is evident that the text quoted by Fuhrer, Beveridge and Maulvi F. Ashraf Hussain has apparent and demonstrable differences. The first line of the text by the three reads as under:

*cea'kk;s ckcj [kn;w tgka"	(Fuhrer)
**cQjewn&,'kkg ckcj fd vny'k]**	(Beveridge)

\*\*cQjewn&,'kkg ckcj fd vny'k]\*\* (Maulvi F. Ashraf Hussain) 1456. Similarly, we find difference in line 2 which is demonstrated as under:

\*\*c'kkus fd ck dk[k+ xjnwW buk a \*\* (Fuhrer) \*\*fcukbLr ck&dk[k+ xjnwW eqykdh+A\*\* (Beveridge) \*\*fcukbsLr ck&dk[k+ xjnwW eqykdh+A\*\* (Maulvi F. Ashraf Hussain) 1457. The third line is also not the same.

\*\*fcuk dnkZ &,[+k ku&,&ik;sn kj\* \* (Fuhrer) \*\*fcuk dnZ&,&egcrs dqnfl;ka jk\*\* (Beveridge) \*\*fcuk dnZg bZa egcrs dqnfl;ka jk\*\* (Maulvi F. Ashraf Hussain) 1458. The fourth line of Fuhrer is different than what is contained in Beveridge and Maulvi Ashraf Hussain as is evident from the following:

**\*\*vehjs lvknr fu'kka ehj [kka\*\* (Fuhrer) \*\*vehjs lvknr fu'kka ehj ckd+h\*\* (Beveridge)**  
**\*\*vehjs lvknr fu'kka ehj ckd+h\*\* (Maulvi F. Ashraf Hussain) 1459.** Fifth line of all the three is different as demonstrated below:

**\*\*cekun ges' kk pq u k a ckfu;'k\*\* (Fuhrer) \*\*cqon [kSjs ckd+h fd rkjh[+k efLtn]\*\* (Beveridge) \*\*cqon [kSjs ckd+h o lkys fcukb'k]\*\* (Maulvi F. Ashraf Hussain) 1460.** Sixth line of Beveridge and Maulvi F. Ashraf Hussain is the same but different from Fuhrer as seen below:

**\*\*pq u k a 'kgfj;kj s t+e huk s t+e k a \*\* (Fuhrer) \*\*v;ka 'kqn pwa xqQre cqon [k+Sj ckd+h\*\* (Beveridge) \*\*v;ka 'kqn pwa xqQre cqon [k+Sj ckd+h\*\* (Maulvi F.Ashraf Hussain) 1461.** The next inscription which according to Fuhrer was a ten-line Persian poetry, Beveridge could get only three lines thereof and termed incomplete, Maulvi M.Ashraf Husain however found complete and running in about 10/11 lines. The distinction therein are:

Line-1 **^^fclfeYykfgjZgekfujZghe" (Fuhrer)** No such line is found in Beveridge's text.  
**^^fclfeYykfgjZgekfujZghe o fcgh fldrh\*\* (Maulvi F. Ashraf Hussain)** Line-2 **^^cukes vka fd-----^^ (Fuhrer) \*\*cukes vkafd nkuk gLr vdcj\*\* (Beveridge) ^^cukes vkafd Å nkukLr vdcj\*\* (Maulvi F.Ashraf Hussain)** Line-3 **^^dqun [kkfyd+ cdyes tkosnkuh\*\* (Fuhrer) ^^fd [+kkfyd+ tqeyk vkye ykedkuh\*\* (Beveridge) \*\*fd [kkfyd tqeyk vkye ykedkuh\*\* (Maulvi F.Ashraf Hussain)** Line- 4: completely defaced in the text of Furher but Beveridge and Maulvi F.Ashraf have given the following text:

**^^nw: n eqLrQk ckn vt+ lrk;'k\*\* (Beveridge) ^^nw:ns eqLrQk ckn vt+ luk;'k\*\* (Maulvi F.Ashraf Hussain)** Line-5 : Completely defaced in Furher's text but in Beveridge's and Maulvi F.Ashraf's text it is quoted as under:

**^^fd ljoj vafc;k&&nks tgkuh\*\* (Beveridge) ^^fd ljoj vafc;k tqCnk tgkuh\*\* (Maulvi F.Ashraf Hussain)** Line-6 : Completely defaced in Furher's text but in Beveridge's and Maulvi F.Ashraf's text it is quoted as under:

**^^Qlkuk nj tgka ckcj d+yUnj\*\* (Beveridge) ^^lkuk nj tgka ckcj dyUnj\*\* (Maulvi F.Ashraf Hussain)** Line-7 : Completely defaced in Furher's text but in Beveridge's and Maulvi F.Ashraf's text it is quoted as under:

**^^fd 'kqn nj nkSjs xhrh dkejkukh\*\* (Beveridge) ^^fd 'kqn nj nkSjs xhrh dkejkukh\*\* (Maulvi F.Ashraf Hussain) 1462.** After Line-7 Beveridge does not give any further text but has given remark that the inscription was incomplete but Furher and Maulvi F.Ashraf Husain have given the following text:

Line-8 **^^pquka 'kkg'a kg s e'kgwj s vd+y he \*\* (Fuhrer) ^^pquka d'k gQ~+r fd'koj nj fxjQ+rk\*\* (Maulvi F.Ashraf Hussain)** Line-9 **^^t+eha jk pwa fu'kkus 'kknekuh\*\***



(Führer) ^t+eha jk pwa felkys vklekuh\*\* (Maulvi F.Ashraf Hussain) Line-10 ^njka gt++jr ;ds ehjs eqvTt++e\*\* (Führer) ^^njka gt+jr ;ds ehjs eqvTt+e\*\* (Maulvi F.Ashraf Hussain) Line-11 ^^fd [k +k dk + a & nkSyrk s Q+x +Q w j s& lk uh \*\* (Führer) ^fd uke'k ehj ckd+h vkLQ+ lkuh\*\* (Maulvi F.Ashraf Hussain) Line-12 ..... (Führer) \*eq'khjs lyrur rnchj eqyd'k\*^ (Maulvi F.Ashraf Hussain) Line-13 ..... (Führer) ^^dt+ha efLtnks fglkj gLr ckuh\*\* (Maulvi F.Ashraf Hussain) Line-14 ..... (Führer) ^^[kqnk;k nj tgka ikbUnk cknk\*\* (Maulvi F.Ashraf Hussain) Line-15 ..... (Führer) ^fd fp=ks r[+rks c[+rks ft+Unxkuh\*\* (Maulvi F.Ashraf Hussain) Line-16 ^^fcuk;s egns nh a rkjh[+ksa eSewa\*\* (Führer) ^^fcuk;s vgns t+h a rkjh[+k eSewa\*\* (Maulvi F.Ashraf Hussain) Line-17 \*uqg ln lh cqon fgtjr cnkuh\*\* (Führer) \*fd uqg ln lh iat cqon fu'kkkuh\*\* (Maulvi F.Ashraf Hussain) Line-18 ..... (Führer) \*rEer gkt+RrkSghnq o ukr o eng o flQ+r uOojYykqg cqjgkugq [kRrs vCnqTt+bZQ+ ughQ+ Q+rgqYykg eksgEen x+kSjhA\*\* (Maulvi F.Ashraf Hussain) 1463. We are extremely perturbed by the manner in which Ashraf Husain/Desai have tried to give an impeccable authority to the texts of the alleged inscriptions which they claim to have existed on the disputed building though repeatedly said that the original text has disappeared. The fallacy and complete misrepresentation on the part of author in trying to give colour of truth to this text is writ large from a bare reading of the write up. We are really at pains to find that such blatant fallacious kind of material has been allowed to be published in a book published under the authority of ASI, Government of India, without caring about its accuracy, correctness and genuineness of the subject. We have already given write up of Ashraf Husain. Firstly, he said that the mistake was committed in number of inscriptions. He claims that on the eastern façade is a Chhajja below which appears a Quranic text and above thereto an inscription in Persian verse. Then he says that on the central mehrab are carved religious text such as Kalma (First creed), etc. Then he says that on the southern face of the pulpit previously there affixed a stone slab bearing a Persian inscription in verse and another inscription in Persian verse was built up into right hand side wall of the pulpit. Both these inscriptions i.e., the one claimed to be on the southern face of the pulpit and the other on the right hand side wall of the pulpit are said to be non-available by observing "of these the last mentioned two epigraphs have disappeared". The time of disappearance according to Maulvi Ashraf Husain was 1934 A.D. when a communal riot took place at Ayodhya. However, he claimed to have got an inked rubbing on one of the two inscriptions from Syed Badrul Hasan of Faizabad. The whereabouts of Syed Badrul Hasan , who he was, what was his status, in what way and manner he could get that ink rubbing of the said inscription and what is the authenticity to believe it to be correct when original text of the inscription are not known.

There is nothing to co-relate the text he got as the correct text of the inscription found in the disputed building claimed to have lost in 1934.

1464. He also admits that the existing inscription which was restored by Muslim community was 'inlaid nastaliq' character but simultaneously says that the restored inscription is slightly different from the original and this distinction he attributes perhaps to the incompetence of the restorer in deciphering it properly. When the original was already lost and there was nothing to verify the text of restored inscription with the original, neither the restored one can be relied upon nor it is understandable as to how he could have any occasion to compare the restored one with the alleged nonest/lost original one. It appears that the text which he got from Syed Badrul Hasan of Faizabad treated by him to be correct and taking it as the original text he has proceeded accordingly. It is also interesting to note that in the footnote realising this difficulty at item no.4, he has said that this tablet was found in 1906-07 A.D. by Maulvi M. Suhaib of the office of Regional Archaeological Surveyor, Northern Survey (Annual progress report of the office of Archaeological Surveyor, Northern Survey Agra for 1906-1907), Appendix 'D'). We however, find it difficult to understand this reference if the inscription was fixed on the wall of the disputed building, the question of finding tablet by Maulvi M.Ashraf Husain does not arise. If what he intends to suggest is that the inscription was noticed by Maulvi M. Suhaib in 1906-07 and he has made some reference in the annual progress report of 1906-1907, the text of the inscription if was published in the said report, the author ought to have taken material from such report and not from a stranger namely Syed Badrul Hasan of Faizabad whose credentials and authenticity is unknown and whether any such person actually existed or not, even this is doubtful, as has been argued by Sri Mishra and we find substance therein.

1465. The matter does not rest here. Ashraf Husain has critically commented upon the reading of one or two inscriptions as published by Fuhrer and Beveridge stating that "....their readings are so incomplete, inaccurate and different from the text that their inclusion in this article is not only desirable but also imperative."

1466. Once the alleged two inscriptions are lost and one of such inscriptions according to Sri Husain was found by Fuhrer who has published its text, without having either the inscription itself with him (Husain) or the authenticated stampage of the text of such inscription, how there could be any occasion for Husain to claim that the text given by Fuhrer is incorrect. Similarly, he also could not have any occasion to compare that text with that of Beveridge. Admittedly, the date of publication of such inscription by Fuhrer and A.S. Beveridge is before the date of disappearance i.e. 1934 as alleged by Ashraf Hussain. Therefore, so far as Fuhrer and Beveridge are concerned they could have an occasion to peruse the inscription that was installed before 1934 but so far as Maulvi M. Ashraf Husain is concerned, this occasion in his own words, could not have arisen. The text, description and whatever had been set up by Ashraf Husain in respect of the above inscription is unbelievable and lacks trustworthiness. We are constrained to observe at this stage that in the matter of historical events and that too, when it bears a religious importance and the matter has also seen serious disputes between two communities, the persons who are connected with history etc. must behave responsibly and before making any write up, should check up, cross check and verify very carefully what they are writing since the consequences of their write up may be dangerous and irreparable.

1467. We move on to one more aspect. Even the text of the inscription which Ashraf Husain has given in plate 17(b), he says that the same is not what was printed in the existing inscription as restored by Muslim community after 1934 riots but the same is an added version from the stampage

obtained from Syed Badrul Hasan of Faizabad. At this stage, we are unable to compare even the restored text of the inscription as the same is not available and Maulvi M. Ashraf Hussain instead of giving the existing text as it is of the restored inscription has changed it according to his whims and caprices. 1468. Coming to the authenticity of the text of the two inscriptions given by Beveridge, we find that she herself had neither read the said texts nor visited Ayodhya at any point of time. She claims to have received copy of the text through some correspondence made by her husband, Henry Beveridge, an I.C.S. Officer in British India Government. 1469. The text of two inscriptions are the copy which she claims to have received from Deputy Commissioner of Faizabad on an inquiry made by her husband. In this regard at page 656, foot note 3 at the bottom she has said:

"that he spent a few days near Aud (Ajodhya) to settle its affairs. The D.G. Of Fyzbaa (H.E. Nevill) p.173 says "In 1528 AD, Babur came to Ajodhya (Aud) and halted a week. The destroyed the ancient temple" (marking the birth-place of Rama) "and on its site built a mosque, still known as Babur's Mosque..... It has two inscriptions, one on the outside, one on the pulpit; both are in Persian; and bear the date 935 AH." This date may be that of the competition of the building.--(Corrigendum:-On f.339 n. 1, I have too narrowly restricted the use of the name Sarju. Babur used it to describe what the maps of Arrowsmith and Johnson shew, and not only what the Gazetteer of India Map of the United Provinces does,. It applies to the Sarda (f.339) as Babur uses it when writing of the fords."

1470. Perhaps she went through the description of the disputed site in the light of the observations made by Sri Nevill who wrote 1904 -1905 Gazetteer (Supra). Whether the alleged text made available to her by the Dy. Commissioner, Faizabad was an ink stampage of the text of the alleged two inscriptions or it was obtained by him through somebody else by reading the contents or the manner in which the said text was collected, is not known. Rather there appears to be something otherwise. Footnote 2 on page lxxvii , Appendices 'U' of Baburnama (Memoirs of Babur) shows that some changes were made by Beveridge also:

"2. A few slight changes in the turn of expressions have been made for clearness sake."

1471. To what extent the corrections have been made and what was necessity thereof is not ascertainable. Why a verbatim reproduction could not be made is also not understandable. At least there is nothing on record enabling us to examine this aspect of the matter. The second inscription, text whereof is quoted at page lxxviii, Appendices 'U' of Baburnama by Beveridge, we find that the same is incomplete and the reason assigned by Beveridge is that it is not now legible. The text of second inscription was not legible to Beveridge whose book was first published in 1914/1921. We fail to understand how its complete text could be available to Maulvi M. Ashraf Husain after more than forty years thereafter who got it published in Epigraphia Indica -Arabic and Persian Supplement 1965 (supra).

1472. From the text of A. Fuhrer the period of construction of the disputed building is not 1528 AD and it also does not say that the same was built by Mir Baqi. The inscription no. XLI, line four mentions the name of Mir Khan and inscription no. XLII shows the period of construction as Hijra

930. The text given by Sri Sushil Srivastava, PW 15 in his book "The Disputed Mosque-A Historical Enquiry" is based on the text of two inscriptions given by A.S. Beveridge and Prof. Radhey Shyam as is evident from page 78-79 of his statement. Athar Hussain's text is the reproduction from Beveridge. Dr. Radhey Shyam has taken the text of three inscriptions from M. Ashrat Hussain's write-up published in Epigraphia Indica-Arabic and Persian Supplement in 1964-65.

1473. The apparent distinction, as appear from Fuhrer's reading of the inscription, is:

(a) There is no mention of word of "honour" before the name of Babar.

(b) Instead of "Mir Baqi" it mentions "Mir Khan".

(c) There is no use of the word "mosque" but it mentions "lofty building" and also shows no dedication to Almighty.

This is in respect to the first inscription.

1474. Then comes the second inscription, where the marked distinction is the date i.e. 930 A.H. (1523 AD). It is a well known fact that in 1523 AD Babar was not in Hindustan but in Kandhar/Kabul.

1475. Archaeological Survey of India also published a book "The Monumental Antiquities And Inscriptions In The North- Western Provinces And Oudh" described and arranged by A. Fuhrer published by the Superintendent, Government Press, N.- W. Provinces and Oudh, 1891. Copy of the frontispiece as well as pages No.295, 296 and 297 thereof have been filed as Paper No.107C1/33-36 i.e. Ex.9, Suit-5 (Register Vol.20, Pages 67-

73). We have the entire book published in 1967 by Rameshwar Singh, Indological Book House, Varanasi (Book No.94). Pages No.295-297 are verbatim the same filed as paper Nos.107C1/34-

36. About construction of building in dispute, on page 297 it says, "It is locally affirmed that at the Musalman conquest there were three important Hindu temples at Ayodhya; these were the Janamasthanam, the Svargadvaram, and the Treta-ke-Thakur. On the first of these Mir Khan built a masjid, in A.H. 930, during the reign of Babar, which still bears his name." The reference has been made to Archaeological Reports (New Series), Vol.1, page 67.

1476. Ex. 81 (Suit-4) (Paper No. 216C1/1-21) consists of certain pages from book "Babarnama" translated by Yugjeet Navalpuri, first published 1974, third publication 1996, 1998 and reprint 2002 by Sahitya Academy, New Delhi. The Editorial Note says that the book consist of Hindi translation by Navalpuri of F.G. Talbot's Edition of the "Memoirs of Baber".

However, the Chapter "Introduction" running from Page 9 to 18, pages 438 to 456 giving history from AH (1527 AD) and then for the year AH 936, page 510 has been filed. Sri Jilani from the above extract of the book has sought to submit that there is no mention either of entry of Babar to Ayodhya

or any act of demolition of any temple or construction of a Mosque. For the date of construction of the disputed building in 1528 AD, he refers to Footnote 48 on page 447 which refers two inscriptions at the disputed building as under :

^ ^ 48- 1/4 usfoy 1/2 ^ ftyk xtsfV; j Q+Stkckn\* esa fy[kk gS% ^ ^ 1529 bZo esa ckcj v;ks/;k 1/4 vo/k 1/2 vk;k vkSj ,d lIrkj jgkA mlus izkphu eafnj 1/4 jke&tUeLFkku 1/2 rqM+okdj mlds LfKku ij elftn cuokbZA - - \*\* bl elftn ij nks vfHkys[k gSaA 1/4 1 1/2 elftn ds Hkhrj% ^ ^ cQ+jewn;s 'kkfg ckcj fd vny'k cukbZLr rk dkf[k+ xjnwa eqykdh cuk djbZ eqgfers dqnfI; kWA vehjs lvknR&fu'kkWa ehj ckdh cqon [kS+j ckd+h pq lkys cukb'k v;kWa 'kq) fd xqQ~re cqon [kS+j ckd+h! 1/4 ^ ^ xxu&rqax gS U;k; dk lkS/k ftdk mlh 'kkg ckcj dk vkns'k ikdj cuh nsonwrksa dh ;g vorjf.kdk ! fej ehj ckd+h dks lkSHkkX; dk oj ! ^ cqon [kS+j ckd+h !\* & dgk Li"V eSaus% ^ cqon [kSj ckd+h\* gS fuekZ.k&ORlj! \*\* 1/4 v;ks/;k ds ^ fkd+nkj\* 1/2 ehjckdh 1/4 'kd+koqy) ^ ehM~ock'kh\* ;kuh ^ gtkjk\*] 1/4 rk'kdanh 1/2 us ckcj ds vkns'k ij elftn cuk;h FkhA ;gkWa igyk ^ cqon [kSj ckd+h\* 3/4 1/4 1 1/2 ;g vPNkbZ vej jgs\*] 1/4 2 1/2 ^ ckd+h ehj&o\* 1/2 dk dq'ky&{kse fpjLFkk;h gks\* 1/4 dqjku&opu ^ ekuo eR;Z gS] ij mlds 'kqHkdeZ vej gSa\* ds vk/kkj ij 'kqHkdkeuk 1/2 A nwljk 3/4 fuekZ.k &frfFk &o.kkZadA ^ cqon % 1/4 os \$ oko \$ nky 3/4 2 \$ 6 \$ 4 3/4 12] \$ ^ [kSj\* % 1/4 [ks \$ ;s \$ js 3/4 600 \$ 10 \$ 200 3/4 1/2 810] \$ ^ ckd+h\* % 1/4 css \$ vfyQ+ d+kQ \$ ;s 3/4 2 \$ 1 \$ 100 \$ 10 3/4 1/2 113% 3/4 935 1/4 fgo 1/2 A 1/4 2 1/2 elftn ds ckgj% ^ ^ cukes vkaW fd nkuk gLr vdcj fd [k+kfyfd tqeyk vkye ykedkuh nq;ns eqlrQ+k cknt+ flrk; 'k fd ljokj vkSfo;k; s nks&tgkuh Q+lkuk nj tgkWa ckcj d+yanj fd 'kqn nj nkSfj xhrh dkejkua\*\* 1/4 ^ ^ mlh ds uke ij flus pjkpj jpk] tks gS egRre] fdUrQ os& ?kj( fo#n fQj eqlrQ+k dk 1/2 ftds vuqppj mHk; yksdksa ds Ik;x+ecj ijkRij( txr~ esa dhfrZer~ ckcj dyanj ldy ykSfdd&Li`gk&ifjrq"V&varj !\*\* 1/2 Li"V gS fd vfHkys[k viw.kZ gSA ^ eqlrQ+k\* 1/4 ekuo&lgt nqxqZ.kksa ls vNwrk 1/2 eqgEen lkgc dk fo'ks" k.k&uke gSA ckcj ^ dyanj\* 1/4 nso 1/2 blfy, gS fd Hkkjr&lkezkT; &ykHk ds ckn mlds fy, fdlh ykSfdd Li`gk dk vodk'k gh u jgk 1/4 jkx&^ unh ikj djds\* fojkxh gqvk og 1/2 A vFkok 1/4 Q+fj'rk ds vuqlkj 1/2 blfy, fd Hkkjr esa ^ mikftZr\* vikj /kudks" kksa esa ls mlus vius fy, dqN Hkh u j[kkA\*\* 1477. The language of the inscriptions is same as that is quoted in Baburnama by Beveridge (supra) who claimed to have text of the two inscriptions from the Deputy Commissioner of Faizabad and has referred to Nevill's Gazetteer of 1905 on page 556 of the book. Reading of the words "Mir Baqi" as "Shaghawal", "Tashkandi" appears to be the understanding of the author himself inasmuch it is not in dispute that both the names i.e. Baqi Shaghawal and Baqi Tashkandi have been mentioned separately in "Baburnama" and there is nothing to co-relate the two being name of the same person or that to correlate with 'Mir Baqi'. Sri Jilani also could not place anything to co-relate Mir Baqi with Baqi Shaghawal or Baqi Tashkandi to show that they were the names of one and the same person. We also find that on page 11 (Paper No. 216C1/5, the writer has mentioned : ^ ^ 'kdkoqy us11, ,d lkS chl bZxkp12 dh nwjh pkj fnu esa gh r;

dj yh FkhA ^ ^ Statistics 11 has been explained on page 15 (Paper No. 216C1/7) as under :

^^11- csxksa ds uke jkti= fy[kus okyksa dk iz/kku] eq[; lfpo] lapkj&O;oLFkk dk vf/kdkjh rFkk lHkh dkft;ksa ¼U;k;k/kh'kksa½ vkSj eqYykvksa dk izeq[kA ehj&eaq'kh vkSj MkdiqA 1478. In Regular Suit No. 29 of 1945 (Shia Central Waqf Board of Waqf Vs. Sunni Central Board of Waqf), it appears that the Court issued a direction to record the text of the inscriptions found at the disputed building. On 26.3.1946, Sri A.

Akhtar Abbas went to read the inscriptions and noted on his inspection note as under :

"Inspection Notes 26.3.46 Present ... Mussama Khoja M. Yaqub, counsel of parties (besides others) Inspected the mosque in suit & found the following inscriptions on a stone table near the pulpit-

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 □ □□□□; □□□□□□□ □□□□ □\*\*c Qjewn;s 'kkg ckcj fd vny'k] fcuk;sLr rk dk[ks  
 xnwZa eqykdhA fcuk dnZ bZa eqgers dqnfl;ka] vehjs lvknr fu'kku ehj ckdhA cqon  
 [kSjs ckdh! Pkw lkys fcuk;'k] v;ka 'kqn fd xqQ~re cqon [kSj ckdhA\*\* (Hindi  
 Transliteration by Author) \*\*'kkg ckcj ds vkns'kkuqlkj ftldk U;k;] ,d ,slh ,ekjr gS tks  
 vkdk'k dh ÅapkbZ rd igqaprh gSA fuekZ.k dk;k bl fQfj'rksa ds mrjus ds LFkku dks]  
 lkSHkkX;'kkyh vehj] ehj ckdh us] con [kSjs ckdh ¼;g lnkpj.k vuUr rd jgs½ tks mlds  
 fuekZ.k dk o"kZ gS-

;g Li"V gks x;k tks eSa dgwa fd ;g lnkpj.k vuUr rd jgsA\*\* (Hindi Translation by  
 Author) "(1) By the order of king Babar whose justice is an edifice meeting the pace of  
 sky (i.e. as high as the sky).

(2) this descending place of the angels was built by the fortunate noble Mir Baqi.

(3) it will remain an everlasting bounty and (hence) the date of its erection became manifest from  
 my words: it will remain an everlasting bounty."

(English Translation by Author) According to both parties this katba was replaced & new in place of  
 the original tablet which was demolished during the communal riot in 1934.

There is another tablet at the central arch of the mosque facing the court-yard and it contains the  
 following couplets:-

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- (1) In the name of One who is Wise, Great and Creator of all the universe and is spaceless.
- (2) After he praise, blessing be upon the Chosen one (i.e. the Prophet) who is the head of the Prophets and best in the world.
- (3) The Qalandar like Babar has attained fame in the whole world to the effect that he has been a successful emperor.
- (4) He is such an emperor as has conquered all the seven climes of the world and also captured the earth as in case of sky.
- (5) In that royal court there was a magnificent noble named Mir Baqi, the second Asaf.
- (6) (He is) councillor of the Government and administrator of his kingdom, who is the founder of this mosque and fort- wall.
- (7) O! God, may he live for ever in this world, with crown and throne and fortune and life.
- (8) The time of this building of this age is this auspicious date, of which the indication is 935." (E.T.C.) Note: The above inscription was read by Shukh Karamatullah (D.W. 5) who climbed up the arch by means of a ladder and the verses are written in Arabic characters."

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learned author has given, however, totally different reasons and history of the construction of the disputed building. There is nothing to show the basis on which he has written the said history. Sri Jilani has castigated the contents of this entire book of Lala Sitaram contending that neither he was a historian nor there is any authority mentioned in his book to generate confidence for what has been written therein, therefore, this book is not reliable. This author retired from the office of Deputy Collector as appearing from the Forward of his book written by Sri Devendra Swaroop.

1480. The above discussion tells us that basically there are three version in respect to the text or transcript of the inscriptions fixed on the disputed building. The text available to A.Fuhrer says that "a firmament-like lofty strong building was erected by an auspicious noble Mir Khan under the command of Babar in the year 930 AH i.e. 1523 AD and foundation of the said building was laid down by the King of China and Turkey in presence of Babar". The transcript made available to Beveridge reveal that "under the command of Emperor Babar, good hearted Mir Baki built that alighting place of angels in 935 AH i.e. 1528-29". The last one is that of ASI report of 1964-65 edited by Z.A.Desai, the transcript whereof says that "by the order of King Babar that descending place of Angles was built by the fortunate noble Mir Baki". In respect to another inspection, Desai text says that "a lofty building and lasting house (of God) was founded by Mir (and) Khan (Baqi)". The words placed within brackets are that of Mr. Husain or Dr. Desai's own insertion and do not find place in the text of the inscription as such.

1481. The fourth one, which can be said to be very recent and inspire more confidence than other is the one when pursuant to the order of the learned Civil Judge, Faizabad, Sri A. Akhtar Ahasan made inspection of the disputed structure on 26th March, 1946 and obtained text of two inscriptions fixed on the disputed building at that time. This text, as is reproduced in judgment dated 30.03.1946 (Ex. A42, Suit-1) in R.S. No.29/1945 says that in the first inscription the words are "by the order of Shah Babar, Amir Mir Baki built the resting place of angles in 923 A.H. i.e. 1516-17 AD". In respect to second inscription, he says that "Mir Baki of Isphahan in 935 AH i.e. 1528-29 AD". We find that the reading of text of inscriptions by Civil Judge, Faizabad was earlier than Dr. Z.A.Desai's publication yet there is a good variance with the text of the estampage procured and transcribed by Desai.

1482. In the entire Babar-Nama i.e. all the translations made by various writers, we are not informed that the words "Mir Baki Isfahani" has been mentioned at any place. What has been said is Baki Tashkendi and various other Bakis but not Mir Baki Isfahani. We are informed by Sri P.N.Mishra, which is not disputed by other learned counsels, that Taskend is a city of Uzbekistan while Isfahan is a province of Iran. 1483. Sri Mishra, on the basis of the above facts submits that Baki Isfahani and Baki Taskandi cannot be regarded as one and the same person. Baki Isfahani a person not known to Babar having not been mentioned in Babarnama could not have any kind of authority at all in the period of Babar. It is therefore safe to presume that it is fictitious name which adds and fortify the argument that the inscription has been implanted later on with a transcription which is fictitious and false and had no factual authenticity.

1484. The above discussion raises a serious doubt over the genuinity and authenticity of the text or transcript of the inscriptions and the time when they were fixed on the disputed building. To base a finding in a judicial proceeding while adjudicating a dispute of this nature, it would be improper and



against the all cannons of the principles applicable in such matter. However, there are some more facts and material which needs to be considered before recording a final opinion on the matter.

1485. The very first document/historical book in this regard is "Tuzuk-i-babri", i.e., "Baburnama" or "daily diary of Babar" which has been translated and published by several well known authors and some of them are considered to be the authentic work internationally also. Broadly the learned counsels for the parties and the Expert Historians have also not disputed authenticity of such work which we now propose to refer. 1486. Babur-nama (Tuzuk-i-babri) commences its description from 899 Hizra (1493-94 AD). In the total life span of 47 years and 10 months, the description of only 18 years of Babur's life is available and that too in various spans. The period, for which the details are not available, are as under:

1. History from the birth (14th February, 1483 AD) till Singhasanarohan Ramazan 899 Hijri (June 14, 1494 AD)
2. Description from 908 Hijri (1503 AD) till 909 Hijri (1504 AD)
3. Description from 914 Hijri (1508 AD) till 925 Hijri (1519 AD)
4. Description from 4 Safar 926 Hijri(15th January 1520 AD) till 30 Muharram 932 Hijri (16th November, 1525 AD)
5. Description from 13 Rajab 934 Hijri (3rd April 1528 AD) till 2 Muharram 934 Hijri (17th September, 1528 AD)
6. History of following days of 934 Hijri (1528-29 AD):
  - (a) 1, 2 Muharram 934 Hijri (16, 17th September 1528 AD)
  - (b) 21 Muharram 934 Hijri (6th October 1528 AD) to 26 Muharram 934 Hijri (11th October 1528 AD)
  - (c) 6 Safar 934 Hijri (20th October 1528 AD) to 8 Safar 934 Hijri (22nd October 1528 AD)
  - (d) 11 Safar 934 Hijri (25th October 1528 AD) to 20th Safar 934 Hijri (3rd November 1528 AD)
  - (e) 29 Safar 934 Hijri (12th November 1528 AD) to 8 Rabi-ul-Avval (20th November 1528 AD)
  - (f) 15 Rabi-ul-Avval (27th November 1528 AD) to 18 Rabi-ul-Avval (1st December 1528 AD)

(g) 24 Rabi-ul-Avval (7th December 1528 AD) to 28 Rabi-ul-Avval (11th December 1528 AD)

(h) 13 Rabi-ussani (25th December 1528 AD) till 15 Rabi-ussani (27th December 1528 AD)

(i) 6 Jamadi-ul-Avval (16th January 1529 AD) till 9 Jamadi-ul-Avval (19th January 1529 AD)

(j) 19 Shavval (25th June 1529 AD) till 30 Shavval (6th July 1529 AD)

(k) 5 Zikad (11th July 1528 AD) till 11 Zikad (17th July 1529 AD)

(l) 20 Zikad (27th July 1529 AD) till 4 Zilhijja (10th August 1529 AD)

(m) 11 Zilhijja (17th August 1529 AD) till 29 Zilhijja (4th September 1529 AD)

7. 4 Muharram 936 Hijri (8th September 1529 AD) till 6 Jamadi-ul-Avval 937 Hijri (26th December 1530 AD).

1487. In India, Babar came in 1526 AD and the description available of that period till his death is as under:

1. From 1 Safar 932 Hijri (17 November 1525 AD) till 12 Rajab 934 Hijri (2nd April 1528 AD)

2. From 3 Muharram 934 Hijri (18th September 1528 AD) till 3 Moharram 936 Hijri (7th September 1529 AD). In this way the description of only three days of first month of 936 Hijri is available. The description of many days in between 935 Hijri is also not available.

1488. The missing record is of the period 2nd April, 1528 A.D. to 17th September, 1528 A.D. which is crucial for this matter. Out of this period, 2nd April, 1528 to 15th April, 1528 was part of 934 A.H. and 15th September, 1528 to 17th September, 1528 was part of 935 A.H. It means in the crucial year i.e. 935 A.H., the missing record is only of three days. Therefore, non mention of anything about disputed in 935 A.H. building in Babar-Nama does not sound to any reason. 1489. On crossing of the Babar's army led by his commander Sultan Chin Taimur, they found that Bayazid and Biban had already fled away and therefore, no fight at Ayodhya could have occurred. That being so, the question of killing of any Muslim and making of grave at the disputed site does not arise. 1490. The Manuscripts (in short "MS") of Baburnama, as available has been noticed by Mrs. A.S. Beveridge based on the magazine published by Royal Asiatic Society, London in 1900 AD:

1. MS written by Babur

2. MS sent to Khwaja Kalan
3. MS written by Humaun
4. MS possessed by Alphonso
5. MS kept at British Museum, London
6. MS in the India office of British Government
7. MS of Asiatic Society, Bengal
8. MS at Mysore
9. MS of Bibliotheca Lindesiana.
10. MS at Hyderabad
11. MS of St. Petersburg University.
12. MS kept at foreign office of St. Petersburg
13. MS kept at Asiatic Society Museum of St. Petersburg
14. MS of Bukhara
15. MS of Nazerbe Turkistan 1491. It is said that probably Babur got prepared two MS but presently none is available / traceable. Similarly MS sent to Khwaja Kalan, which is referred in his (Babur's) description dated 4th March, 1529 is also not available/traceable. Even otherwise since it is said to have been sent on 4th March, 1529, it could not have been completed after 4th March, 1529. MS of Mysore that is possessed by Tepu Sultan is also not available / traceable.
1492. Alphonso purchased the MS of Babur at Peshawar in 1809 AD, which probably was prepared between 1543 to 1593 AD and the said MS is kept in the Advocate's library, Edinburgh. 1493. Dr. Leyden translated some of the part of Babur's autobiography from the MS of Alphonso and Erskin made corrections in his translation on the basis of the said MS. 1494. MS of Bibliotheca Lindesiana was purchased in 1865 AD and is incomplete.
1495. MS of Hyderabad was made available to Mrs. Beveridge from the library of Sir Salar Jung. It is said to be prepared in 1700 AD. It is most complete available MS, as claimed by Mrs. A.S. Beveridge. She has written her translation of 'Baburnama' on the basis thereof.
1496. MS of St. Petersburg is said to have been prepared from another MS copied in 1617 AD. Dr. George Jaikab Kehar prepared the said MS in 1737 but the MS where from it was prepared is not

traceable. Elminski published Turkish Edition of Baburnama in 1857 AD on the basis of the said MS and French translation of Babur-nama made by Dr. Pevet Kotele was also based on the said MS.

1497. From the reading of translation of 'Babur-nama' we do not find any title thereof. However, now it is commonly known as "Babur-nama" or "Tuzuk-i-babri" by all. 1498. In the earlier part of Babur-nama i.e. upto 1508-09 AD, it is in the form of history where the details have been given of various events occurred in different years but from 1519 AD till end, it is a day to day description. 1499. Baburnama was originally written in Turkish. Initially, it was translated in Persian prose by Sheikh Zain Wafai Kwafi. One of the MS of the said translation is in Raza Library, Rampur, U.P. (India) and another is in British Museum, Landon. Another Persian translation was made by Mirza Payanda Hasan Gajnavi in 1586 AD under the orders of Behroz Khan Gajnavi, who in fact made a partial translation and it was completed by Mohd. Kuli Mugul Hisari. The most universal popular Persian translation was made by Mirza Abdurrahim Khane Khana Bin Bairam Khan (Abul Fazal) in 1589 AD.

1500. The first English translation of Babur-nama was attempted by "Dr. John Leyden" in 1810 AD. However, he could not complete the same and died in August, 1811 AD. At the same time "William Erskine" also commenced his English translation from Persian under the instructions of General Sir John Malcom and Elphinstone and completed his work in 1813 AD. Thereafter he found that there was a lot of differences in the work of Dr. John Leyden. Since Leyden had commenced his translation from Turkish MS, Erskine made corrections in his translation and this work was published in 1826 AD under the title "Memoirs of Zehir-ed-Din Muhammad Babur" by "John Laden and William Erskine".

1501. Another translation was made in English by Mrs. Annette Susannah Beveridge, (hereinafter referred to as "Beveridge") under the title "Babur-nama (Memoirs of Babur)". Initially her translation was published in four parts as under :-

i. History prior to Babur's victory of Kabul (the period relating to Phargana) - published in 1912 AD.

ii. From Kabul Victory till India victory ; published in 1914 AD iii. From India's victory till end ; published in 1917 AD iv. Introduction, Glossary etc. ; published in 1921 AD 1502. The complete four parts in two volumes were published collectively in 1922 under the title "The Babar Nama in English".

1503. French translation was made by Pevet-de-Kotele published in 1871 AD.

1504. The learned counsels for the parties have not disputed that the contents of the book of Beveridge's translation of Babur-Nama available to the Court has no difference with the photocopies of some of the pages filed as Exhibits, detailed above.

1505. The parties agree that amongst various books translating "Babur-nama, Mrs. Beveridge's translation is the most authentic and complete. The 'Affairs of Hindustan' commences from page

439 which says:

"The centre of interest in Babur's affairs now moves from Qandahar to a Hindustan torn by faction, of which faction one result was an appeal made at this time to Babur by Daulat Khan Ludi (Yusuf-khail) and 'Alau'd-din 'Alam Khan Ludi for help against Ibrahim."

1506. The details of meeting of Dilawar Khan and Babur giving an occasion to him to come to India has been written by Mrs. Beveridge on page 440 as under :

"b. Reception of Dilawar Khan in Kabul.

Wedding festivities were in progress when Dilawar Khan reached Kabul. He presented himself, at the Char- bagh may be inferred, and had word taken to Babur that an Afghan was at his Gate with a petition. When admitted, he demeaned himself as a suppliant and proceeded to set forth the distress of Hindustan. Babur asked why he, whose family had so long eaten the salt of the Ludis, had so suddenly deserted them for himself. Dilawar answered that his family through 40 years had upheld the Ludi throne, but that Ibrahim maltreated Sikandar's amirs, had killed 25 of them without cause, some by hanging, some burned alive, and that there was no hope of safety in him. Therefore, he said, he had been sent by many amirs to Babur whom they were ready to obey and for whose coming they were on the anxious watch."

"c. Babur asks a sign.

At the dawn of the day following the feast, Babur prayed in the garden for a sign of victory in Hindustan, asking that it should be a gift to himself of mango or betel, fruits of that land. It so happened that Daulat Khan had sent him, as a present, half-ripened mangoes preserved in honey ; when these were set before him, he accepted them as the sign, and from that time forth, says the chronicler, made preparation for a move on Hindustan."

1507. Babur's expedition to India (Hindustan) this time was the fourth one and commenced in 930 AH i.e. 10th November, 1523 AD. The first battle ensued between Babur and Bihar Khan leaving a section of army of Ibrahim Ludi at Lahor since Daulat Khan had already fled therefrom. Babur defeated Bihar Khan and his troops followed Bihar Khan fugitive men into Lahor, plundered the town and burned some of the bazars. Thereafter Babur moved to Dibalpur and something happened thereat also i.e. it was stormed, plundered and put to the sword. We need not go into further details about other battles except the major battle against Ibrahim Lodi son of Sikundar Lodi (An Afghan) at Panipat which he (Babar) won on 20th April, 1526 A.D. This battle resulted in killing of about 40-50 thousand soldiers. Babur immediately appointed Humayun to reach Agra and take over the palace as also to mount guard over the Treasure. Some of the confidents of Babur were directed to keep watch on the Treasuries at Delhi.

1508. On 21st April, 1526, Babur visited bank of Jumna, on 24th April, 1526 A.D., he visited Sheikh Nizamud-din Auliya's Tomb on the bank of river Jumna at Delhi and also made an excursion into the Fort of Delhi where he spent night. On next day i.e. 25th April, 1526 A.D., he visited Khwaja Qutbud-din's Tomb, and the Tombs and residences of Suleman Ghiyasu'd-din Balban and Suleman Alauud-din Khilji and his Minar, the Hoze- shamsi, Hoze-i-khas and the Tombs and gardens of Suleman Buhlul Ludi and Sikandar Ludi. On page 476, Mrs. Beveridge mention:

"We bestowed the Military Collectorate (shiqdarlighi) of Dihli on Red Wali, made Dost Diwan in the Dihli district, sealed the treasuries, and made them over to their charge."

1509. On 28th April, 1526 A.D. Babur moved on for Agra and also made an excursion to Tughluqabad. He reached near Agra on 4th May, 1526 A.D. and stayed at the mansion of Sulaiman Farmuli in a suburb of Agra and moved on the next day to Jalal Khan's house. At Agra the garrison did not surrender to Humayun, and, therefore he sat down to watch the roads out of Agra till the arrival of Babur. 1510. The king of Gualiar (Gwaliar) had died in the battle of Panipat but his son and other family members were at Agra at that time. When Humayun reached Agra, they tried to flee away, but could not due to the close guard of outside ways by Humayun's army. They offered a mass of jewels and valuables including the diamond Koh-i-nur to Humayun which was offered by Humayun to Babur on his arrival but Babur gave it to Humayun back. It is said that the said diamond weigh about 320 ratis (8 misqals). On 10th May, 1526 AD, Babur entered the fort of Sultan Ibrahim Ludi at Agra.

1511. The biography though said to have been written de die in diem, but the record of some period being not available, the biography in respect to those dates is admittedly missing. Regarding his activities at Ayodhya, from a perusal of Page 602 of the book, it appears that he reached at some distance above the junction of rivers Ghaghara and Saryu on 28.3.1528, i.e., Saturday the 7th Rajab 934 A.H. The area reigned by Shaikh Bayazid Baqi Shaghawal, along with some others crossed the river and conquered the place. Babur stayed on the Bank of Saryu for sometimes. The autobiography contains the date 2nd April 1528 but thereafter there is a break of narrative between 2nd April to 18th September 1528 AD, i.e. Jumada II 12th, 934 A.H. and Moharram III 935 A.H.

1512. What happened at Ayodhya, whether Babur actually visited Ayodhya or not, nothing is mentioned about it in the said autobiography. The contents of his autobiography of dated 28.3.1528 and 2.4.1528 as contained on Page-602 are reproduced as under :

"(March 28th) On Saturday the 7th of Rajab we dismounted 2 or 3 kurohs from Aud above the junction of the Gagar (Gogra) and Sird(a). Till today Shaikh Bayazid will have been on the other side of the Sird(a) opposite Aud, sending letters to the Sultan and discussing with him, but the Sultan getting to know his deceitfulness, sent word to Qaracha at the Mid-day Prayer and made ready to cross the river. On Qaracha's joining him, they crossed at once to where were some 50 horsemen with 3 or 4 elephants. These men could make no stand; they fled, a few having been dismounted, the heads cut off were sent in.

Following the Sultan there crossed over Bi-khub (var. Ni-khub) Sl. and Tardi Beg (the brother) of Quj Beg, and Baba Chuhra (the Brave), and Baqi Shahghawal, Those who had crossed first and gone on, pursued Shaikh Bayazid till the Evening Prayer, but he flung himself into the jungle and escaped. Chin-timur dismounted late on the bank of standing-water, rode on at mid-night after the rebel, went as much as 40 kurohs (80 m.), and came to where Shaikh Bayazid's family and relations (nisba?) had been; they however must have fled. He sent gallopers off in all directions from that place; Baqi Shaghawal and a few braves drove the enemy like sheep before them, overtook the family and brought in some Afghan prisoners.

We stayed a few days on that ground (near Aud) in order to settle the affairs of Aud. People praised the land laying along the Sird(a) 7 or 8 kurohs (14-16 m.) above Aud, saying it was hunting-ground. Mir Muhammad the raftsman was sent out and returned after looking at the crossing over the Gagar-water (Gogra) and the Sird(a)-water (Chauka?).

(April 2nd) On Thursday the 12th of the month I rode out intending to hunt." (emphasis added) 1513. Page 617 of the above book, mentions activities of 22.10.1528 as under :

"(Oct. 22nd) By this time the treasure of Iskandar and Ibrahim in Dihli and Agra was at an end. Royal orders were given therefore, on Thursday the 8th of Safar, that each stipendiary (wajhdar) should drop into the Diwan, 30 in every 100 of his allowance, to be used for war-material and appliances, for equipment, for powder, and for the pay of gunners and matchlockmen."

1514. For the period, i.e., 2.4.1528 to 18.9.1528, the record of biography whereof is not available, during this period of five and half months, the Babur is said to have proceeded to Junpur (Jaunpur), Chausa, Baksara (Baksar) etc. and was ill for 40 days. Beveridge on Pages 603 and 604 of Babur-Nama has said:

"Mr. Erskine note (Mems. p.381n.) that he found the gap in all MSS. he saw and that historians of Hindustan throw no light upon the transactions of the period. Much can be gleaned however as to Babur's occupations during the 5½ months of the lacuna from his chronicle of 935 AH. which makes several references to occurrences of "last year" and also allows several inferences to be drawn. From this source it becomes know that the Afghan campaign the record of which is broken by the gap, was carried on and that in its course Babur was at Jun-pur (f. 365), Chausa (f. 365b) and Baksara (f. 366-366b); that he swam the Ganges (f. 366b) bestowed Sarun on a Farmuli Shaikh-zada (f. 374b and f. 377), negociated with Rana Sanga's son Bikramajit (f. 342b), ordered a Char-bagh laid out (f. 340), and was ill for 40 days (F. 346b). It may be inferred too that he visited Dulpur (f. 353b), recalled "Askari (f. 339), sent Khwaja Dost-i-khawand on family affairs to Kabul (f. 345b), and was much pre-occupied by the disturbed state of Kabul (see his letters to Humayun and Khawaja Kalan written in 935 AH.).

It is not easy to follow the dates of events in 935 AH. because in many instances only the day of the week or a "next day" is entered. I am far from sure that one passage at least now found s.a. 935 AH. does not belong to 934 AH. It is not in the Hai. Codex (where its place would have been on f. 363b), and, so far as I can see, does not fit with the dates of 935AH. It will be considered with least trouble with its context and my notes (q.v. f.363b and ff. 366- 366b)."

1515. From Page 679 of 'Babur-Nama' by Beveridge, it further appears that Babur received message on 27.5.1529 about taking of 'Luknur' by Baqi and one Abdullah (kitabdar). The extract of the autobiography dated 27.5.1529 is reproduced as under :

"(May 27th) On Friday (19th) I rode out to visit Sikandarpur and Kharid. Today came matters written by 'Abdu'l-lah (kitabdar) and Baqi about the taking of Luknur."

(emphasis added) 1516. On 28.5.1529, it is mentioned that the Babur sent one Kuki along with a troop to join Baqi.

1517. At Page 680 the author (Beveridge) has mentioned about a surprise survival of some record of 934 A.H. and has written that this part of the writing appears to be in respect to Aud (Ayodhya) where Babur spent some days in 934 A.H. It reads as under :

"After spending several days pleasantly in that place where there are gardens, running waters, well-designed buildings, trees, particularly mango-trees, and various birds of coloured plumage, I ordered the march to be towards Ghazipur." (emphasis added) 1518. Pages 684 and 685, refer the dates 13th June 1529 A.D., 17th June 1529 A.D. and 20th June 1529 A.D., and say that Baqi joined Babur in pursuit of Biban and Bayazid near Dalmud (Dalmau) and Baqi was given leave along with his army of Aud (Ayodhya) on 20th June 1529 A.D. 1519. "John Layden and William Erskine's" book on "Babar/ Babur-Nama" also does not throw any light on this aspect.

1520. "Lieut.-Colonel F.G. Talbot" in his book "Memoirs of Baber Emperor of India-First of the Great Moghuls", first published in 1909 (first Indian reprint 1974 published by Ess Ess Publications, Delhi) has said that with an intent to set up an Empire in India, he set out on march in 1525 A.D. along with about 12 thousands men. On 29th December, 1525 A.D., he reached at Sialkot. Here he has given his experience with Jats and Gujers in the following words :

"Every time that I have entered Hindustan, the Jats and Gujers have regularly poured down in prodigious numbers, from their hills and wilds, in order to carry off oxen and buffaloes. These were the wretches that really inflicted the chief hardships, and were guilty of the severest oppressions on the country." (Page 174) 1521. Therefrom he proceeded to Panipat where he defeated Ibrahim Lodi, Sultan of Delhi in April 1526 A.D. On page 187 to 188, Talbot has narrated Baber's memoirs after defeating Ibrahim Lodi as under :



"On Thursday, the 28th of Rejeb, about the hour of afternoon prayers, I entered Agra, and took up my residence at Sultan Ibrahim's palace. From the time when I conquered the country of Kabul, which was in the year 1504, till the present time I had always been bent on subduing Hindustan. Sometimes, however, from the misconduct of my Amirs and their dislike of the plan, sometimes from the cabals and opposition of my brothers, I was prevented from prosecuting any expedition into that country, and its provinces escaped being overrun. At length these obstacles were removed. There was now no one left, great or small, noble or private man, who could dare to utter a word in opposition to the enterprise. In the year 1519, I collected an army, and having taken the fort of Bajour by storm, put all the garrison to the sword. I next advanced into behreh, where I prevented all marauding and plunder, imposed a contribution on the inhabitants, and having levied it to the amount of four hundred thousand shahrukhis in money and goods, divided the proceeds among the troops who were in my service, and returned back to Kabul. From that time till the year 1526, I attached myself in a peculiar degree to the affairs of Hindustan, and in the space of these seven or eight years entered it five times at the head of an army. The fifth time, the Most High God, of his grace and mercy, cast down and defeated an enemy so mighty as Sultan Ibrahim, and made me the master and conqueror of the powerful empire of Hindustan."

1522. The Empire of Hindustan on Page 189 of Talbot's Memoirs of Baber (supra) is described in the following words :

"The empire of Hindustan is extensive, populous and rich. On the east, the south, and even the west, it is bounded by the Great Ocean. On the north, it has kabul, Ghazni, and Kandahar. The capital of all Hindustan is Delhi."

1523. He also narrated that on one hand Baber criticised the country he has recently invaded and conquered but simultaneously he has expressed very high opinion. Page 190 of the Book 'Memoirs of Baber' (supra) says:

"Hindustan is a country that has few pleasures to recommend it. The people are not handsome. They have no idea of the charms of friendly society, of frankly mixing together, or of familiar intercourse. They have no genius, no comprehension of mind, no politeness of manner, no kindness or fellow-feeling, no ingenuity or mechanical invention in planning or executing their handicraft works, no skill or knowledge in design or architecture; they have no good horses, no good flesh, no grapes or musk-melons, no good fruits, no ice or cold water, no good food or bread in their bazars, no baths or colleges, no candles, no torches, not even a candlestick.

The chief excellency of Hindustan is, that it is a large country, and has abundance of gold and silver. Another convenience of Hindustan is, that the workmen of every profession and trade are innumerable, and without end. For any work, or any employment, there is always a set ready, to whom the same employment and trade

have descended from father to son for ages."

1524. Though it is not necessary for the present purpose to discuss Babur-nama at great length since we are not concerned with the history of Babur or his invasion to India, laying of empire here-at, and its other political, social and other consequences but in the light of the respective arguments advanced by the parties it may be of some importance to have a bird eye view of some incidental relevant aspects borne out from the description given in Babur-nama. Sri Mishra said that Babar was a thorough religious person. In fact the submission of Sri Misra that Babar was a deeply indulged religious man, had no hatred towards idols, never visited Ayodhya and, therefore, had no occasion to order for construction of any building/disputed building, i.e., mosque at Ayodhya, are duly concurred and in fact in the line of what has been argued by Sri Jilani and other counsels appearing for various Muslim parties.

This however is in direct contradiction to the arguments of Sri H.S.Jain, M.M. Pandey, A.K.Pandey etc. 1525. In Beveridge's Babur-Nama on page 15, the quality and habits of Babar are described:

"He was a true believer (Hanafi mazhablik) and pure in the Faith, not neglecting the Five Prayers and, his life through, making up his Omissions. He read the Quran very frequently and was a disciple of his Highness Khawaja 'Ubaidu'l-lah (Ahrari) who honoured him by visits and even called him son. His current readings were the two Quintets and the Masnawi of histories he read chiefly the Shah-nama. He had a poetic nature, but no taste for composing verses. He was so just that when he heard of a caravan returning from Khitai as overwhelmed by snow in the mountains of Eastern Andijan, and that of its thousand heads of houses (awiluq) two only had escaped, he sent his overseers to take charge of all goods and, though no heirs were near and though he was in want himself, summoned the heirs from Khurasan and Samarkand, and in the course of a year or two had made over to them all their property safe and sound.

He was very generous; in truth, his character rose altogether to the height of generosity. He was affable, eloquent and sweet-spoken, daring and bold. Twice out- distancing all his braves, he got to work with his own sword, once at the Gate of Akhsi, once at the Gate of Shahrukhiya. A middling archer, he was strong in the fist, - not a man but fell to his blow. Through his ambition, peace was exchanged often for war, friendliness for hostility.

In his early days he was a great drinker, later on used to have a party once or twice a week. He was good company, on occasions reciting verses admirably. Towards the last he rather preferred intoxicating confects and, under their sway, used to lose his head. His disposition was amorous, and he bore many a lover's mark. He played draughts a good deal, sometimes even threw the dice."

1526. The treasure, Baber received at Agra was distributed to his son Humayun and other relatives, army men and also sent to his relatives in Samarkand and Khurasan:

"(May 12th) On Saturday the 29th of Rajab the examinations and distribution of the treasure were begun. To Humayun were given 70 laks from the Treasury, and, over

and above this, a treasure house was bestowed on him just as it was, without ascertaining and writing down its contents. To some begs 10 laks were given, 8, 7, or 6 to others. Suitable money-gifts were bestowed from the Treasury on the whole army, to every tribe there was, Afghan, Hazara, 'Arab, Biluch etc. to each according to its position. Every trader and student, indeed every man who had come with the army, took ample portion and share of bounteous gift and largess. To those not with the army went a mass of treasure in gift and largess, as for instance, 17 laks to Kamran, 15 laks to Muhammad-i-zaman Mirza, while to 'Askari, Hindal and indeed to the whole various train of relations and younger children went masses of red and white (gold and silver), of plenishing, jewels and slaves. Many gifts went to the begs and soldiery on that side (Tramontana). Valuable gifts (saughat) were sent for the various relations in Samarkand, Khurasan, Kashghar and 'Iraq. To holy men belonging to Samarkand and Khurasan went offerings vowed to God (nuzur); so too to Makka and Madina. We gave one Shahrukhi for every soul in the country of Kabul and the valley-side of Varsak, man and woman, bond and free, of age or non-age."

1527. The revenue of the country held by Babar in 1528 A.D. from Bhira to Bihar was 52 krurs (judged by Erskine in 1854 A.D. at about Pound 4,212,000).

1528. At the time Babar invaded India, it was governed by five Musalman Rulers and two Pagans which he described as respected and independent Rulers. Besides them, there were many Rais and Rajas in the hills and jungles, held in little esteem. The seven Principle Rulers are described on page 481 to 484 of Babur-Nama by Beveridge:

"At the date of my conquest of Hindustan it was governed by five Musalman rulers (padshah) and two Pagans (kafir). These were the respected and independent rulers, but there were also, in the hills and jungles, many rais and rajas, held in little esteem (kichik karim).

First, there were the Afghans who had possession of Dihli, the capital, and held the country from Bhira to Bihar. Junpur, before their time, had been in possession of Sl. Husain Sharqi (Eastern) whose dynasty Hindustanis call Purabi (Eastern). His ancestors will have been cup- bearers in the presence of Sl. Firuz Shah and those (Tughluq) sultans :they became supreme in Junpur after his death. At that time Dihli was in the hands of Sl. 'Alau'u'-din (Alam Khan) of the Sayyid Dynasty to whose ancestor Timur Beg had given it when, after having captured it, he went away. Sl. Buhlul Lodi and his son (Sikandar) got possession of the capital Junpur and the capital Dihli, and brought both under one government (88I AH.--1476 AD).

Secondly, there was Sl. Muhammad Muzaffer in Gujrat; he departed from the world a few days before the defeat of Sl. Ibrahim. He was skilled in the Law, a ruler (padshah) seeking after knowledge, and a constant copyist of the Holy Book. His dynasty people call Tank. His ancestors also will have been wine-servers to Sl. Firuz Shah and those (Tughluq) sultans; they became possessed of Gujrat after his death.

Thirdly, there were the Bahmanis of the Dakkan (Deccan, i.e., South), but at the present time no independent authority is left them; their great begs have laid hands on the whole country, and must be asked for whatever is needed.

Fourthly, there was Sl. Mahmud in the country of Malwa, which people call also Mandau. His dynasty they call Khilij (Truk). Rana Sanga had defeated Sl. Mahmud and taken possession of most of his country. This dynasty also has become feeble. Sl. Mahmud's ancestors also must have been cherished by Sl Firuz Shah; they became possessed of the Malwa country after his death.

Fifthly, there was Nasrat Shah in the country of Bengal. His father (Husain Shah), a Sayyid styled 'Alau'u'd-din, had ruled in Bengal and Nasrat Shah attained to rule by inheritance. A surprising custom in Bengal is that hereditary succession is rare. The royal office is permanent and there are permanent offices of amirs, wazirs and mansab-dars (officials). It is the office that Bengalis regard with respect. Attached to each office is a body of obedient, subordinate retainers and servants. If the royal heart demand that a person should be dismissed and another be appointed to sit in his place, the whole body of subordinates attached to that office become the (new) officeholder's. There is indeed this peculiarity of the royal office itself that any person who kills the ruler (padshah) and seats himself on the throne, becomes ruler himself;

amirs, wazirs, soldiers and peasants submit to him at once, obey him, and recognize him for the rightful ruler his predecessor in office had been. Bengalis say, "We are faithful to the throne; we loyally obey whoever occupies it". As for instance, before the reign of Nasrat Shah's father 'Alau'u'd-din, an Abyssinian (Habshi, named Muzaffar Shah) had killed his sovereign (Mahmud Shah Ilyas), mounted the throne and ruled for some time. 'Alau'u'd-din killed that Abyssinian, seated himself on the throne and became ruler. When he died, his son (Nasrat) became ruler by inheritance. Another Bengali custom is to regard it as a disgraceful fault in a new ruler if he expend and consume the treasure of his predecessors. On coming to rule he must gather treasure of his own. To amass treasure Bengalis regard as glorious distinction. Another custom in Bengal is that from ancient times parganas have been assigned to meet the charges of the treasury, stables, and all royals expenditure and to defray these charges no impost is laid on other lands.

These five, mentioned above, were the great Musalman rulers, honoured in Hindustan, many-legged, and broad-landed. Of the Pagans the greater both in territory and army, is the Raja of Bijanagar.

The second is Rana Sanga who in these latter days had grown great by his own valour and sword. His original country was Chitur; in the downfall from power of the Mandaus Sultans, he became possessed of many of their dependencies such as Rantanbur, Sarangpur, Bhilsan and Chandiri. Chandiri I stormed in 934 AH. (1528 A.D.) and, by God's pleasure, took it in a few hours; in it was Rana Sanga's great and trusted man Midni Rao; we made general massacre of the Pagans in it and, as will be narrated, converted what for many years had been a mansion of hostility, into a mansion of Islam.

There are very many rais and rajas on all sides and quarters of Hindustan, some obedient to Islam, some, because of their remoteness or because their places are fastnesses, not subject to Musalman rule." 1529. From the above it does appear that Babar's visit to India for its conquest was a well intended plan and fulfillment of a dream which he had. At page 478 Mrs. Beveridge has written:

"From the date 910 at which the country of Kabul was conquered, down to now (932 AH.) (my) desire for Hindustan had been constant, but owing sometimes to the feeble counsels of begs, sometimes to the non accompaniment of elder and younger brethren, a move on Hindustan had not been practicable and its territories had remained unsubdued. At length no such obstacles were left; no beg, great or small (beg begat) of lower birth, could speak an opposing word. In 925 AH. (1519 AD.) we led an army out and, after taking Bajaur by storm in 2-3 gari (44-

66 minutes), and making a general massacre of its people, went on into Bhira. Bhira we neither over-ran nor plundered; we imposed a ransom on its people, taking from them in money and goods to the value of 4 laks of shahrukhis and having shared this out to the army and auxiliaries, returned to Kabul. From then till now we laboriously held tight to Hindustan, five times leading an army into it. The fifth-time, God the Most High, by his own mercy and favour, made such a foe as Sl. Ibrahim the vanquished and loser, such a realm as Hindustan our conquest and possession." (emphasis added) 1530. It also appears therefrom that Babur treated himself to be the third invader who have conquered and ruled Hindustan. First according to him was Mahmud of Ghazni (also called Mahmud Ghaznavi), a "Turk" by race, who invaded India on several occasions and though died in 1030 AD but his descendants set long on the seat of Government in Hindustan. The second was Shihabuddin of Ghur (also known as "Muhammad Ghori") who died in 1206 AD and then the third was Babur.

1531. It thus appear that Babur did not came to Hindustan with an intention to spread Islam religion but he had intention to conquer and rule the country. It is true that Hindustan in the present form under a single hand could not have been there in 1526 AD and on the contrary it was independently ruled by several Rulers treating each part as a country but as a whole also it used to be called by Babar as "Hindustan". This is also evident from page 479 of the aforesaid book where it is mentioned:

"All Hindustan was not under one supreme head (padshah), but each Raja ruled independently in his own country."

1532. It thus cannot be doubted that most of the persons, who ruled Indian sub-continent at that time were followers of Islam with whom Baber fought to set up his empire. 1533. About the construction of buildings in general and the workmen for construction work, on page 520 of "Babur-Nama" by Beveridge, she said:

"Another good thing in Hindustan is that it has unnumbered and endless workmen of every kind. There is a fixed caste (jam'i) for every sort of work and for every thing, which has done that work or that thing from father to son till now. Mulla Sharaf,

writing in the Zafar-nama about the building of Timur Beg's Stone Mosque, lays stress on the fact that on it 200 stone-cutters worked, from Azarbaijan, Fars, Hindustan and other countries. But 680 men worked daily on my buildings in Agra and of Agra stone-cutters only; while 1491 stone-cutters worked daily on my buildings in Agra, Sikri, Biana, Dulpur, Gualiar and Kuil. In the same way there are numberless artisans and workmen of every sort in Hindustan."

1534. There is mention of buildings in Babur-Nama at different places including temple of Gwalior, mosque at Delhi, Agra, Gwalior and other several places but it is true that neither there is mention of demolition of any religious place by Babar in Awadh area nor there is anything to show that he either entered Ayodhya or had occasion to issue any direction for construction of a building and in particular a Mosque at Ayodhya. 1535. The Babar's camping at Ghaghar has also been described by William Erskine in his book "History of India under Baber" (May 1845), though published for the first time in 1854 after his death (Book No. 65) (Published in 1994 by M/s Atlantic Publishers and Distributors). Erskine came to India in 1803 AD as Secretary of Sri James Mackintosh at Bombay and later came to be appointed as Master in equity in the Recorder of Bombay Court but had to leave India in 1823 on suspicion of embezzlement. He was born in 1773 and died in 1852. After return from India he spent rest of his life in Scotland occupying the post of Provost of Saint Andrews in 1837-38 AD. It says:

"Baber, having brought the war of Chanderi to a conclusion, lost no time in marching to meet the danger that threatened him in the East. Having repassed the Jamna, he proceeded without intermission towards Kanauj. On the road, he learned that his suspicions of Sheikh Bayezid's fidelity had not been unfounded. That chief had joined Baban and Maaruf, the leaders of the revolt, with his whole army; so that Baber's troops had been compelled to retreat across the Ganges, to evacuate even Kanauj and to fall back on Raberi, movements that had enabled the enemy to take Shemsabad, a rich town in the Doab, by storm."

1536. In "History of India under Baber" by William Erskine (Supra) on page 87, there is a footnote showing that Mir or Mirza was a title:

"The princes of Taimur's family, even those who held the supreme power, had not yet assumed the title of shah or padshah, king of emperor; they were called Mir or Mirza, and often Sultan. In the text, however, the ruling prince is often called King, for distinction's sake; following the usage of historians in general, and even of Baber himself. The title of Sultan was not confined to the sovereign, many chiefs, and children of chiefs, especially among the Moghul tribes, being called by that name, which is an Arabic term, nearly equivalent to Lord. The titles, Mir, Mirza, and Shah, came also, in process of time, to be very commonly given to religious guides and holy men, or mendicants, and, from a sort of flattery, were often continued to the descendants as part of the family name. The title of Mirza, in later times, has been lavished by common usage on secretaries and clerks; and in general on all who pretend to learning. Mirza is merely mirzadeh, son of a Mir."

1537. The reference of Oudh in the said book of Earskine is on page 406, 443 and 450. Referring Lodhi dynasties expansions on page 406-407 Earskine has written:

"Behlul's son, Sultan Sekander Lodi, a prince of talent, in a reign of thirty years, enlarged the kingdom still farther. In the Est, he subdued Behar, the last province that remained in the possession of the Sherki kings; and even advanced into Bengal, where Sultan Husein Shah had taken refuge. By a convention concluded with Sultan Ala- ed-din of Bengal, it was agreed, that Sekander should retain Behar, Tirhut, Sirkar Saran, and all that he had conquered; that he should not again invade Bengal; and that neither prince should support the enemies of the other. On the west, he gained possession of Dhulpur and Chanderi, and received the submission of the Raja of Gualiar and and other princes; so that, at his death, his kingdom had attained a very great extent, containing the Penjab, the Doab, the provinces of Oud, Laknau, Juanpur and Behar, besides a wide tract of country to the west of the Jamna, from the Satlej to Bandelkand. These extensive possessions, however, though under one king, had no very strong principle of cohesion. The monarchy was a congeries of nearly independent principalities, jagirs and provinces, each ruled by a hereditary chief, or by a zemindar or delegate from Delhi; and the inhabitants looked more to their immediate governors, who had absolute power in the province, and in whose hands, consequently, lay their happiness or misery, than to a distant and little known sovereign. It was the individual, not the law, that reigned. The Lodi princes, not merely to strengthen their own power, but from necessity, had in general committed the government of the province, and the chief offices of trust, to their own countrymen, the Afghans; so that men of the Lodi, Fermuli, and Lohana tribes, held all the principal jagirs; which, from the habitual modes of thinking of their race, they considered as their own of right, and purchased by their swords, rather than as due to any bounty or liberality on the part of the sovereign."

1538. Again on page 441-443 while referring political condition of the area under rule of Ebrahim Lodhi who was defeated by Babar in April 1526 AD, Earskine has said (including the description of political sovereignty on Ayodhya):

"But, though Baber had been victorious in the field, and was in possession of the two great capitals of the kingdom, it soon appeared that his situation, far from being one of safety or ease, was surrounded with difficulty and danger. He and his army were strangers to the people whom he had subdued; and a mutual dislike soon manifested itself between his soldiers and the inhabitants of Agra, his head-quarters. The peasantry, as well as the fighting men of the country, shunned and fled from his followers. The north of India, at the time of Baber's conquest, still retained much of its original Hindu organization; its system of village and district administration and government; its division into numerous little chieftainships, or petty local governments; and, in political revolutions, the people looked much more to their own immediate rulers, than to the prince who governed in the capital. Except at Delhi and Agra, the inhabitants everywhere fortified their towns, and prepared to resist."

The invasion was regarded as a temporary inundation, that would speedily pass off. Every man in authority raised troops, and put himself in a condition to act. Those who held delegated authority or jagirs, being generally Afghans, were consequently hostile to the new state of things. They soon came to an understanding among themselves, and took measures for mutual co-operation. Raja Hasan Khan of Mewat, in the neighborhood of Agra, was the grand instigator of the opposition; which was supported by Nizam Khan, in Biana; Muhammed Zeitun, in Dhulpur; Tatar Khan Sarang-Khani, in Gualiar; Husein Khan Lohani, in Raberi; Kutb Khan, in Etawa; Alim Khana Jilal Khan Jighat, in Kalpi; Kasim Sambhali, in Sambhal; and Marghub, a slave, in Mahawan, within twenty kos of Agra. Indeed, all of these chiefs were immediately around Agra, or close upon its borders. They looked for aid from Rana Sanga, the powerful chief of Cheitur; who, on his part, laid claim to a great part of the right bank of the Jamna. These Western Afghans wished to place Sultan Mahmud Lodi, a Brother of the late Sultan Ibrahim, on the throne of Delhi; and so to preserve the Afghan and the Lodi dynasty.

In the Eastern provinces of Juanpur and Oud, the opposition presented even a more regular form. There, the confederacy of Afghan chiefs, who had been in open rebellion against Ibrahim for two years before his death, still continued. The revolt was originally headed by Nasir Khan Lohani, Maaruf Fermuli, and others. The insurgents, we have seen, had elected Baber Khan Lohani, the son of Deria Khan of Behar, for their king; and proclaimed him, under the name of Sultan Muhamed Shah. They now possessed, not only Behar, but nearly the whole territories of the old Sherki monarchy, especially the country on the left bank of the Ganges; and had even crossed to the right bank of the river, and taken possession of Kanauj, and advanced into the Doab. Sultan Ibrahim had sent an army, under Mustafa Fermuli and Firuz Khan Sarang-khani, to reduce the rebels to obedience. Mustafa had met the revolted chiefs, and defeated them in some well-contested actions. On his death, which occurred some time before the defeat of Sultan Ibrahim, he was succeeded in the command by Sheikh Bayezid, his younger brother. The army under his orders was formidable; and it was naturally to be expected, that, changed as circumstances now were, the two armies opposed to each other in the field, being both Afghans, would lay aside their mutual animosities, and, animated by national feelings, unite to expel Baber, the common enemy."

1539. The Afghan Chiefs who rule in various territories of India without any subordination, when realized that the Babar may settle in India ending their unlimited authority, their further action is described at page 443/444:

"It was clear that the Afghan chiefs, who till now had ruled with nearly unlimited authority both in Delhi and Behar, must be ruined if Baber settled in Hindustan, They, therefore, stirred up, with great success, the apprehensions of the natives, whether Musulman or Hindu, by the most false and groundless reports. The people of the country were told, that they had every thing to dread from their barbarous invaders; that they would be robbed of their property; that their wives and children would be dishonoured; their temples profaned or destroyed. Baber and his army had reached Agra in May, in that climate the hottest season of the year. The inhabitants, in terror, fled before them, and abandoned their dwellings, so that no grain or provender could be procured for man or beast. The villagers fled to the waste, and



infested the highways, plundering and robbing on every side. The roads became impassable. Baber's force was so small that he was unable to send out detachments sufficient to protect the different districts. To add to these difficulties, the heats that year happened to be uncommonly intense, so that many of his men, who were from more temperate climates, unaccustomed to the burning sun of India, dropped down and died on the spot."

1540. However, the manner in which the Babar manage the things has been said on page 446 showing that Awadh was assigned to Bayazid Fermuli. To take possession of the assigned territory, Humayun moved alongwith army and on page 450 it has mentioned:

"Humayun, after putting to fight the Afghan army, crossed the Ganges and took possession of Juanpur. He next marched to Ghazipur, intending to attack Nasir Khan's army, which had retired into that neighborhood. But the Afghans, on his approach, retired behind the Gogra, as it would appear, into the territory of Bengal; and a detachment that he sent to pursue them returned, after plundering the country of Kherid and Behar. Having thus expelled them from the Juanpur territory, he left Shah Mir Husein, in the city of Juanpur, supported by Sultan Juneid Birlas with some of his best troops; and Sheikh Bayezid in Oud, with every means of maintaining the country; and then, in compliance with orders which he received from his father, recrossed into the Doab; and marching back by Kalpi, of which he gained possession by the submission of Alim Khan, rejoined the Emperor at Agra, bringing Alim Khan along with him."

1541. The movement of Babar in the last week of March 1528 AD near Awadh is described on page 487:

"The Emperor sending Sultan Chin Taimur, with a strong force to pursue them, himself advanced and occupied Laknau on the 21st, and passed the Gumti. Moving again in pursuit of the retreating enemy, he encamped, on the 28th, four or five miles above Oud, at the junction of the Gogra and Sirwu. Till then, Sheikh Bayazid had maintained his ground beyond the Sirwu, and had prevented Sultan Chin Taimur, Baber's general, from crossing. Being now reinforced, however, Chin Taimur effected a passage, and found the Afghans in full retreat. He followed them with great alacrity, slew numbers of them, and dispersed their army. Sheikh Bayezid threw himself into a jungle and escaped. Chin Taimur, after a pursuit of sixty miles, reached a spot which the families of the fugitives had left but a short time before. The light force was now divided into several parties, who followed the flying enemy in different directions. Their baggage and families were overtaken and seized; and several Afghans brought in as prisoners. The success was complete."

1542. Here also there is no mention of anyone as Mir Baqi or about entry of Babar in Awadh. It was submitted that there was no occasion for Babar either to demolish a temple or to construct a mosque at Ayodhya in 1528 AD.

1543. On page 443, he has described the state of affairs at Ayodhya in 1526 that the Afghan Chief at Oud revolted against Ibrahim Lodi about two years back his death and the revolt was originally headed by Nasir Khan Lohani, Maaruf Fermuli and others. After the death of Mustafa Fermuli, Sheikh Bayezid succeeded him in his command who was his younger brother. 1544. On page 450, he mentions that Humayun after taking possession of Jaunpur left Shah Mir Husein thereat supported by Sultan Juneid Birlas along with some of his best troops and Sheikh Bayezid in Oud along with every means of maintaining the country and thereafter crossed Doab and marched towards Kalpi of which he gained possession after surrender of Alim Khan and immediately thereafter he rejoined the Emperor at Agra. In 1527, Babar proceeded on his march to fight against Rajputs where he defeated Rana Sanga. This victory has been described on page 473, Erskine's History of India (supra) as under :

"No victory could be more complete. The enemy were quite broken and dispersed. The whole fields around were strewn with the dead, as well as the roads to Biana and Alwar. Among the slain were Hasan Khan Mewati, who fell by a matchlock shot; Raul Udi Singh, of Dongerpur; Rai Chanderbhan Chohan; Manikchand Chohan, and many other chiefs of note. Baber directed a tower of heads to be erected; on a rising ground near the camp; and henceforth assumed the proud title of Ghazi, Victorious in a Holy War.

Rana Sanga himself escaped; it is said by the devotion of some of his followers, who threw themselves in the way of the pursuers, and sacrificed their lives for his safety; and the regret expressed by Baber for not having urged the pursuit in person has reference probably to the escape of his illustrious rival. It is remarkable that, since this defeat of Rana Sanga, no Rana of Cheitur has ever taken the field in person against any of the princes of the House of Taimur. When these princes were along with their armies, the Rana's troops have been entrusted to some eminent Rajput chief, the Rana himself withdrawing to some one of the hill-forts of his country."

1545. Baber returned to Agra on 25th April, 1527 and, thereafter, gained Chandwar, Raberi and Etawa which were surrendered by Kutb Khan who held it. The victory of Babar within a year after defeat of Ibrahim Lodi against Rajputs and others has been described on page 477 of Erskine's History of India (supra) as under :

"That battle has broken the power of the Afghans in India, as that of Kanwa had since broken that of the Hindu confederacy. He had evinced, to every class of men in the country, the decided superiority of his arms; and, with his mental resources, the awe inspired by his hardly northern troops, and his own bravery and conduct, the conquest of every part of India seems to lie open to his arms."

1546. Baber took some rest as mentioned on page 478 of Erskine's History of India:

"During the rains he visited Sikri, Dhulpur, and Bari, proceeding as far as the Chambal; he thence returned to Agra; and went to Kol or Koel in the Doad, and on to

Sambhal, beyond the Ganges, returning by a different route."

1547. He, thereafter, planned to march against Afghans of the East, who still held out, in considerable force, beyond the Ganges and in Behar and some of the Hindu chiefs in the West whose confederacy he had felt to be so formidable, i.e. Medini Rai of Chanderi. After defeating Medini Rai at Chanderi, he proceeded to East, i.e., Kanauj. On page 484, Erskine's History of India, it is said that the Baber got information that his suspicion of Sheikh Bayezid's fidelity are not unfounded. Bayezid had joined Baban and Maaruf, the leaders of the revolt with his whole army. As we have already noticed Sheikh Bayezid was posted at Oudh by Humayun to look after that area but on joining revolt, Baber had to move to Oudh. He reached near Ayodhya (Oudh) on 28th March 1528 A.D. and has narrated the events which took place thereafter as under :

"The light force was now divided into several parties, who followed the flying enemy in different directions. Their baggage and families were overtaken and seized; and several Afghans brought in as prisoners. The success was complete."

1548. Here also we do not find anything so suggest that Baber either entered Ayodhya or gave direction to anyone to construct a Mosque or to demolish a temple so as to construct a mosque.

1549. Lastly, we have Hindi Translation, i.e. "Mughal Kaleen Bharat Baber (1526-1530)" by Sayed Athar Abbas Rizvi (Supra). In the chapter titled as "Review" Rizvi has observed that due to lack of confidence on Afghans, Baber already separated them from his army except a few one of confidence. Commenting on construction activities and available revenue on page 44, Chapter "Review", Rizvi has said:

^ ^ ikuhir ds ;q) ds iwoZ tks dqN Hkh /ku lEifRr izkIr gksrh Fkh mldk vf/kdka'k Hkkx og ykxksa esa ckaV fn;k djrk Fkka 5 ekpZ dks gqek;wW ds gehn ij fot; izkIr djds ykSVus ds mijkUr mlus mls fglkj Q+hjkst+k rFkk mlds v/khuLFk LFkku ,oa ,d djksM+ ud+n /ku iqjLdkj LOk#Ik iznku dj fn;kA vkxjk ds [kt+kus dks Hkh mlus blh izdkj cM+h mnkjrks ls ykxksa dks ckaV fn;k vkSj vius vkidks d+yUnj dgykus esa xoz dk vuqHko fd;k djrk Fkka fgUnqLrku esa Hkh mlus izpfyr 'kklu Ik)fr dk vuqlj.k fd;k vkSj fofHkUu izns'kksa dks iw.kZ #Ik ls vf/kdkj esa djus rFkk ogka 'kkfUr LFkkfir j[kus ds fy, vD+rknkj ,oa f'kd+nkj fu;qDr fd;sa dqN izns'k [kkylk esa lEefyr dj fy;s x;sa fdUr qQj Hkh mlds fuekZ . k dk;k s aZ rFkk nku iq . ; ds dkj.k mls /ku ds vHkko dk loZ n k gh lkeuk djuk iM+k A 22 vDVwcj 1528 bZo dss o`rkUr esa og fy[krk gS fd ^ ^bl chp esa fldUnj rFkk bczkfge ds nsgh ,oa vkxjk ds [kt+kukaas dk vUr gks x;ka vr% c`gLifroKj 8 lQ+j dks ;g 'kkgh vkns'k gqv fd izR;sd otgnkj ;q) dh lkexzh] vL+=&'kL= ,oa cUnwd+ rFkk rksi pykus okyksa ds osru gsrq viuh otg esa ls 100 esa ls 30 nhoku esa nkf[ky dj nsA\*\* 1550. On page 46 Rizvi says :

^ ^ckejukek esa rRdkyhu fofHkUu izkUrksa dh tek ¼jktLoa½ dh Hkh ppkZ dh xbZ gSA bl dkj.k fd vkbus vdcjh ds vfrfjDr vdcj ds iwoZ ds bfrgklksa esa jktLo ds lEcu/k esa bruk Hkh Kku fdLh xzUFk ls ugha izkIr gksrk ckejukek dk ;g o`rkUr vR;Ur egRoiw.kZ gSA ckejukek ls ;g Hkh irk pyrk gS fd ml le; rd fgUnq L rku ds leLr vkfey]

dkjhjxj ,oa Jfed fgUnw gk sr s Fk sA ekyxqtjkh dh olwyh esa rqdksZa ds jkT; esa Hkh cM+h dfBukbZ gksrh FkhA vykmn~nhu ds rREcU/kh dBksj fu;e cM+s izfl) gSaA ckejukek ds o`rkUrkuqlkj fgUnqLrku ds eSnku ds cgqr ls Hkkxksa esa cM+s cM+s dkaVsnkj taxy gksrs Fks tgka ijxuksa ds fuoklh 'kj.k ys ysrs Fks vkSj fonzksf dj nsrs Fks rFkk dj ugha vnk djrs FksA nsygh ds lqYrkuksa ds bfrgklksa esa eokl 'kCn dk blh izlax esa cM+k vf/kd iz;ksx gqvK gS ftldk vFkZ ;gh dkaVsnkj taxy gSA bls vfrfjDr gypy ,oa v'kkafr ds le; Hkh blh izdkj ds lqj{kr LFkkukas dk iz;ksx gksrk FkkA dksVyk dh cM+h >hy dh ppkZ djrs gq, og fy[krk gS fd]^ ^blds ,d vksj ls nwljs vksj ¼dh dksbZ oLrq½ ugha fn[kkbZ iM+rhA bls e/; esa ,d Vhyk gSA bls pkjksa vksj cgqr ls NksVh&NksVh ukSdk;sa FkhA >hy ds lehi ds xzkeksa ds fuoklh gypy rFkk v'kkafr ds le; ukSdkvksa ij cSbdj mlh Vhys ij pys tkrs gSaA gekjs vkxeu ij Hkh ukSdkvksa esa cSbdj dqN yxsx >hy ds e/; esa pys x;sa\*\* ckejukek ls ;g Hkh irk pyrk gS fd lqYrku fldUnj us vius jkT;dky esa /kkSyiqj esa ,d cka/k dk fuekZ.k dkj;k Fkk tgka ÅWapkbZ ij o"kkZ dk ty ,d= gksrk Fkk] ftlls ,d cgqr cM+h >hy cu tkrh FkhA bl >hy ds iwoZ esa ,d m|ku Hkh FkkA^^ 1551. Again on page 48, the Rizvi has mentioned about Baber's observation regarding workmen in India and says:

^^og fy[krk gS fd ^^fgUnqLrku dk ,d cgqr cM+k xq.k ;g gS fd ;gka gj izdkj ,oa gj dyk ds tkuus okys vla[; dkjhjxj ik;s tkrs gSaA izR;sd dk;Z rFkk dyk ds fy, tkfr;ka fuf'pr gSa tks vius firk vkSj firk ds firk ds le; ls ogh dk;Z djrh pyh vk jgh gSaA eqYyk 'kjQ+ us rhewj csx dh iRFkj dh efltn ds fuekZ.k ds fo"ke; esa bl ckr ij cM+k vf/kd tksj fn;k gS fd blesa vt+jckbZtku] Q+kjl] fgUnqLrku rFkk vU; ns'kksa ds 200 iRFkj dkVus okys jksst+kuk dke djrs Fks fdUrQ dsoy vkxjk esas gh blh vkxjk ds iRFkj dkVus okyksa esa ls 680 O;fDr esjs vkxjk ds Hkouksa ds fuekZ.k esa dk;Z djrs FksA esjs vkxjk] lhdjh] O;kuk] nkSyiqj] Xokfy;j rFkk dksy ds Hkouksa ds fuekZ.k esa 1491 iRFkj dkVus okys jkst+kuk dk;Z djrs FksA blh izdkj fgUnqLrku esa izR;sd izdkj ds vxf.kr f'kYidkj rFkk dkjhjxj gSaA\*\* 1552. The construction activities in India have been detailed on page 49-50 by Rizvi in Mughalkalin Bharat as under :

^^fgUnq L rku es a fuekZ . k&dk;Z mls gkSt+] pcwrjs] ugj] cka/k ,oa Hkouksa ds fuekZ.k ls cM+h #fp FkhA dkeqy rFkk x+t+uh esa vkSj fgUnqLrku vkrs gq, mlus fofHkUu LFkkukas ij cgqr lh bekjrsa] pcwrjs bR;kfn cuok;sa fgUnqLrku igaqpdj mlus vkxjk] lhdjh] /kkSyiqj] dksy] Xokfy;j rFkk vU; LFkkukas ij vusd fuekZ.k&dk;Z djok;sa mldh jkt/kkuh vkxjk dk orZeku #Ik lqYrku fldUnj yksnh ds le; ls gh izkjEHk gqvK FkkA bls iwoZ jkt/kkuh nsygh esa jgrh FkhA lqYrku Q+hjkst 'kkg rqx+yqd+ ds jkT;dky ds vfUre o"kksZa ls gh mRrjh Hkkjr ds fofHkUu izns'k Lora= gksus yxs FksA vfUre lSf;n lqYrku dh ckn'kkgh rks nsygh ls ikye rd gh lhfer jg xbZ FkhA lqYrku cgyksy dk vf/kd le; fonzksf;ksa ds neu esa O;rhr gqvKA lqYrku fldUnj yksnh ds le; esa ;|fi cgqr ls Hkkx fonzksf;ksa ls eqDr gks x;s Fks fdUrQ mlds jkT; esa 'kkfUr LFkkfir u gks ldh FkhA vius iwohZ jkT;ksa dks o'k esa j[kus ds fy, rFkk bVkok] Xokfy;j] O;kuk] dkyih ,oa esokr ds vf/kd fudV jgus vkSj ekyok rFkk jktiwrksa ds LOKra= jkT;ksa ij n`f"V j[kus ds mn~ns'; ls lqYrku fldUnj yksnh dks vkxjk dks clkus dh vko';drk iM+h fdUrQ yksfn;ksa ds jkT;dky esa vkxjk dks vf/kd mUufr u izkIr gks ldhA ogka ds Hkou Hkh lEHkor% nsygh ds Hkouksa dh vis{kk lqUnj u Fks vr% ckcj

dh muds izfr ?k`.kk LokHkkfod gh FkhA yksnh lqYrkuksa us mi;ksfxrk dh n`f"V ls tks Hkh fuekZ.k&dk;Z fd;s gksaxs os ckej dks viuh vksj vkd`"V u dj lds vr% mlus vxjyk esa fo'ks" k #Ik ls m|ku] Hkouk s a] gEeke] dq v k s a bR;kfn dk fuekZ . k dj;kA mlus vius fuekZ.k&dk;Z ds fy, fldUnj yksnh ds vxjyk ds fudV gh ;equk ds ml ikj mfpr Hkwfe dh Lo;a [kkst dhA ;|fi tks Hkwfe pquh xbZ og mls ilUn u Fkh fdUrq fdlh vU; vPNh Hkwfe ds vHkko ds dkj.k mls ogh Hkwfe pqquh iM+hA mlus ogka tks pkjckx+ vFkok 'kkgh cks+ yxok;k mldk uke g'r cfg'r jD[kkA vxjyk esa mlus egy cuok;sA gEeeksa ds fuekZ.k ls rks mls cM+h [kq'kh gqbZA og fy[krk gS] ^ ^eq>s fgUnqLrku dh rhu ckrksa ls cM+h ?k`.kk Fkh& xjeh] vka/kh rFkk /kwyA bu rhuksa ls gEeeksa }kjk gh j{kk gks ldrh gSA ;gka /kwy rFkk vka/kh dgWk izos'k\ xjeh esa ;g bruk vf/kd BaMk gks tkrk gS fd yxsx BaMd ds dkj.k dkaius yxrs gSaA \*\*[kyhQ+k] 'ks[k+ tSu] ;wlqQ+ vyh rFkk vU; vehjksa dks Hkh tgka dgha dksbZ vPNh Hkwfe feyh ogha mUgksaus gkSt+ lfgr cM+s lqMkSy rFkk mRre dqvksa ,oa Hkouksa bR;kfn dk fuekZ.k dj fy;kA ykgkSj rFkk nhckiyiqj ds leku jgWaV ;gka Hkh eaxokdj yxok;s x;sA ,d izdkj ds cM+s dq,a ftls ckbZ dgrs gSa] ml le; cM+s izpfyr FksA beus crwrk us dksy ds vfrfjDr tqjQ+Rru dh Hkh ,d ckbZ dk mYys[k fd;k gSA ckej us Hkh vius vxjyk ds pkjckx ds fuekZ.k ds iwoZ gh ,d ckbZ dk fuekZ.k izkjEHk dj fn;k Fkka blesa jgWaV Hkh yxok;k x;k ftlds }kjk ty fd+ys pgkjhokjh ls gksrk gqv Åij ds m|kuksa esa tkrk Fkka /kks y iq j esa mlus 22 vxLr 1527 bZo dks igkM+h dks dVokdj ,d Nrnkj v"Vkdj gkSt+ ds fuekZ.k dk vkns'k fn;kA mlus ogk a ,d efLtn Hkh cuokbZ A 5 vDVwcj 1528 bZo dks og ml Nrnkj gkSt+ dk fujh{k.k djus ds fy, Lo;a igaqpka mldk izos'k }kjk HkyhHkkWafr lh/kk u gqv Fkka mlus dqN iRFkj dkVus okyksa dks cqyokdj vkns'k fn;k fd os gkSt+ ds uhps dh lrg fpduh djds mlesa ty Hkj nsa vkSj ty dh lgk;rk ls nhokj dks ,dlk dj nsaA bl izdkj ckej us LOk;a viuh ns[k&js[k esa nhokjska dks fpduk dj;kA blh izdkj lhdjh esa Hkh mlus vizSy 1527 bZo ds iwoZ gh cks+ yxokus dk vkns'k ns fn;k Fkk fdUrq tc 14 vDVwcj 1528 bZo dks og lhdjh igqapk rks og cks+ dh nhokj rFkk dq,a ds fuekZ.k&dk;Z ls lUrq"V u gqv vr% ftu yxsxksa ds fliqnZ ;g dk;Z fd;k x;k Fkk] mudks mlus rkM+uk Hkh nhA\*\* cks+ksa esa Qy rFkk ikS/ks yxkus ls Hkh mls cM+h #fp FkhA dkcqy esa igqapus ds mijUr mlus ogka vkyw ckyw dh d+yesa yxokbZaA 1523&24bZo esa mlus tc igkM+ [kka dks ijftr djds ykgkSj rFkk nhikyiqj dks fot; fd;k rks cks+s& oQ+k esa] tks mlus dkcqy esa lEHkor% 1508&9bZo esa yxok;k Fkk] dsys ys tkdj yxok;sA bls iwoZ mlus ogka xUUs Hkh yxok;s Fks vkSj mls vius bl iz;kl esa cM+h lQyrk fey pqdh FkhA mlus xUus cq[kkjk rFkk cn['kka esa Hkh fHktok;sA fgUnqLrku esa Hkh mlus dkcqy dh vksj ds Qyksa dks yxokus dk iz;Ru fd;kA mlus cY[k+ ds [kjcwtk cksus okyksa dks cqyokdj vxjyk esa [kjcwts yxok;sA 24 twu 1529 bZo dks tc og dqN [kjcwts ysdj mifLFkr gqv rks ckej cM+k izLUu gqvka blh izdkj izdkj mlus vxjyk ds g'r cfg'r uked m|ku esa mRre vaxwj dh csyska ds yxkus dk Hkh vkns'k fn;k Fkka 24 twu 1529 bZo ds o`rkUr esa og fy[krk gS fd ^ ^ 'ks[k xwju us eq>s Vksdjh Hkj dj vaxwj Hksts tks cqjs u FksA fgUnqLrku esa bl izdkj ds [kjcwts rFkk vaxwj mxkdj eq>s cM+h izLUurk gqbZA\*\* 1553. Rizvi has also not found Babar's entry in Ayodhya or construction of a mosque or direction to anyone including Mir Baqi for construction of any building at Ayodhya.

1554. Some of the authors have appreciated the character of Babar depicting him a holy, religious, kind hearted brave man having respect for all the religions etc. This is placed before us to deny even a possibility that Babar could have ordered to construct a mosque in a religious place of others.

1555. Dr. Radhey Shyam in his book "Babar" (supra) on page 441 has observed that Babar was what his fortune and misfortune, man and environment, his foes and friends, his joys and sorrows had made him. He was a soldier, a born warrior, a seasoned statesman and an accomplished diplomat, a loving husband and a man of many virtues seldom to be found in one single individual. Dr. Radhey Shyam thereafter referred to the comments of Abul Fazl about the qualities of Babar, describing him as "bakht buland, himmat arjumand, Qudarat Kishwar kushai, mulkdai, Koshish dar mamulai balad, Sarfi niyat bar Rifayat abad, Khushdil wakhtan sipahi, zabt ashar az tabahi (Akbar Nama)". This appreciation by Abul Fazl is understandable since he had to show great regards to the grandfather of the Emperor in whose regime, he was employed. 1556. Dr. Radhey Shyam has further referred to the comments of Nizamuddin Ahmad (Tabqat-i-Akbari), translation II, page 40, Mirza Haidar Dughlat, the author of Tarikh-i- Rashidi. Dr. Radhey Shyam proceeded to characterise Babar as charitable, benevolent, liberal, kind, just, adjustable temperament, robust vigour and dynamic personality. On page 443 Dr. Radhey Shyam said that "he was deeply imbued with human feelings." On page 444 Dr. Radhey Shyam said that "he followed his religion like a common man without allowing it to prejudice his mind against the followers of other religions. Even after the conquest of Hindustan he continued to maintain such an attitude." On page 447 he observed that "he never worked under the influence of religion. . . . . To him Shias and Sunnis were all alike."

1557. We would not like to make any comment on the above observations as if we are sitting in appeal over the work of learned author but suffice it to mention that the learned author has ignored what is contained on page 554-555 of Beveridge's Baburnama (supra) where the breaking of the wine couplets in pieces has been compared with the dashing of the God of the idolaters. To the same effect is what has been translated by Rizvi (supra) also.

1558. Besides, we may refer at this stage the own observations of Dr. Radhey Shyam on page 451 of the book:

"As regards the destruction of the Hindu temples there is historical evidence both in Babar's support and against him. During the course of his campaigns or pleasure trips Babar occasionally came across large number of Hindu temples. These temples provoked great interest in him. Some of them he visited and appreciated their architectural beauty. While at Gwalior in 1528 Babar visited the fort, wherein he saw the places of Raja Man Singh and Vikramaditya. On the west of Rahim Dad's garden he saw a "Lofty idol house." This was famous Teli Mandir which is said to have been constructed by Raja Man Singh's Gujarati wife Mrignaini. Then in the Urwa valley he saw the idol statues and he writes, "three sides of the Urwa valley are solid rock, not the red rock of Bayana but one paler in colour. On these sides people have cut out idol - statues, large and small. One large on the south side being perhaps 20 qari (yards) high. These idols are shewn quite naked without covering for the privities, "

writes that, "we rode ....to visit the idol- houses of Gualiar. Some are two, and some are three storeys high, each storey rather low, in the ancient fashion. On their stone plainths are sculptured images.

Some idol-houses in College fashion, have portico, large high cupola. In the lower celles are idols carved in the rock. Except in the case of Jain idols in the Urwa valley, Babar never gave orders for the destruction of the temple of other places. As regards the Jain statutes of the Urwa Valley he himself has mentioned, in his Memoirs that the, "naked idols are its defect, I for my part ordered them to be destroyed." It is rather doubtful whether this order was ever carried out. Mrs. Beveridge in a brief note writes that, "they were already in a mutilated conditions and they continue to be so until the Jains repaired them with coloured plaster." (emphasis added) 1559. Thereafter, he has considered an inscription found at Jami Masjid at Sambhal (in the State of U.P.), which is said to have been constructed by demolishing Hari Mandir out of the debris of that temple:

"It is related that at his orders famous Hari Mandir at Sambhal was demolished and a Jami mosque was constructed out of the debris of that temple by his famous general Hindu Beg. An inscription on one of the walls of the mosque reads :

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"Translation by author"

The Collector of the buildings of grace and beauty the raiser of the standards of rule and faith, the spreader of the wings of peace and tranquillity, the builder of the buildings of knowledge and deed, Muhammad Babar, a Jam in dignity--May God Almighty have him in His protection, Kindled in India the lamp of power, when a ray of it fell upon Sambhal, To build this mosque may it be protected from destruction and decay, He gave orders to his mean slave, who is one of the principal officers, Mir Hindu Beg, the intelligent and wise who is an example to others in polite manners, And when in consequence of the order of the sovereign of the world by guidance of Providence to the mosque was completed."

1560. Its date is first day of the month of Rabi L 933 H. (December 1526 A.D.) 1561. Dr. Radhey Shyam, however, has then doubted correctness of the contents of the said inscription on pages 454-457:

"This inscription clearly mentions that at Babar's orders the mosque was built and completed on the first day of the month of Rabi-ul-Awwal 933 H./6th December 1526 by Hindu Beg. But it is quite surprising that Babar who was quite fastidious in mentioning about everything that concerned him or even others, has not mentioned about the construction of a mosque by Hindu Beg at Sambhal. Nor did he mention that he gave orders to Hindu Beg to demolish any Hindu temple and construct a mosque over it. There is no reference to any order for the destruction of a Hindu temple and construction of a mosque by Hindu Beg at Sambhal in his Memoirs. Babar visited Sambhal in Sept.-Oct. 1527 and stayed there for three days but in his Memoirs he does not say a word about the fanatical activities of Hindu Beg there. His annoyance at the destruction of the Hindu temple by Hindu Beg at Sambhal is reflected in his silence and his indifference towards the whole affair. During the years 1526-27 his position in Hindustan was so precarious that it was not possible for him to take any drastic action against any general, Hindu Beg being one of them; even though they might have continued to commit gruesome acts in the name of their master. However, it is definite that though Babar's name was associated with the construction of the mosque, as was the prevailing practice, the Hindu temple was not demolished at his orders. Hindu Beg might have demolished the temple on his own account and even did not care to refer this matter to his master.

Nevertheless, the whole affair has aroused controversy. Mr. Carlleyle is of the opinion that the Jami mosque which is still standing amidst the beautiful surrounding was not constructed by Hindu Beg and it is of much earlier period. The district Gazetteer of United Provinces (Moradabad) mentions that "Babar's inscription in the mosque is a great historical forgery of all times." And the account of the temple and the mosque given in it is as follows: "The erection of Hari Mandir is variously ascribed to Prithviraj, to a Raja named Jagat Singh and one Nar Singh, the grandson of Raja Vikram Sen one of the Dors of Baran. This temple no longer exists and its place is taken by a striking mosque, which forms the conspicuous feature in the landscape for miles around. This building is mainly of stone, which is certainly the material employed for the great central dome, for the outer walls and porch and for the flooring of the broad courtyard." In 1874 Mr. Carlleyle visited and inspected the mosque and was convinced that the dome was of Hindu workmanship, but the bricks were of Musalman workmanship. The whole of the mosque is coated with plaster so that it is impossible to ascertain the material. The wings are divided by a lateral row of pillars into two aisles and each had three arched openings on the courtyard. A flight of stone steps on either side gives access to the roof of the mosque, from which fine view of the town and the surrounding country can be obtained. Mr. Carlleyle came to the conclusion that the conversion of the temple into a mosque was of very recent date. He based his decision on the fact that there has been recent litigation on the subject of the site between the Musalmans and Hindus and appears to have been influenced by the arguments of the latter to the effect that the old inscriptions on the mosque walls were impudent forgeries. This claim of the Hindus was of course rejected in the civil courts. Mr. Carlleyle could not see the documents going back to the days of Jahangir, now in possession of the guardians of the mosque. General Cunningham has repudiated the suggestion that the inscription were not genuine. The most important of these, states that the mosque was built by Hindu Beg at the orders of Babar in December 1526. It is certainly curious that the temple should have remained till that date, for



Sambhal had long been the seat of the Muslim government, and it is even more surprising that a noted iconoclast like Sikandar Lodi should have allowed a building of such sanctity to stand in his temporary capital. . . . . But the mosque at Sambhal might well be older than Babar, to judge from its appearance. The architecture resembles that of Pathan buildings such as great mosque of Badaon and the huge sloping bastions on the west. The whole structure is very plain, severe, and massive, and if the Hindu materials have been employed the ornamentation has been very effectively concealed, since the only traces of Hindu covering visible are two rosettes on the stone slabs of the steps leading from the eastern gateway to the quadrangle. In the middle of the latter is a tank and fountain, filled from a large well outside the gateway. Whether Babar built it or simply repaired the mosque cannot be positively stated, but it is curious that the *Ain-i-Akbari* has referred to the celebrated temple of Vishnu at Sambhal. An inscription in the south wing states that Rustam Khan Deccani repaired the mosque in 1657, while a similar tablet in the north wing was erected by one Sayyid Qutb in 1626. The two inscriptions above the outer and inner arches of the central chamber record the restorations effected by the Musalmans of the town and district about 1845." Thus Carleyle's report asserts that Jami Masjid of Sambhal is of earlier date (ii) the inscription is fake (iii) that it was constructed much later.

But the arguments given against the construction of the mosque by Hindu Beg are not tenable. Had the mosque been of earlier date there should have been an inscription on it bearing the date of its construction. The grounds on which the inscription which assigns the construction of the mosque to Hindu Beg, has been declared fake, have not been indicated. Then the report itself records that in the mosque at places the use of the debris of a Hindu temple is visible. In addition to it may also be observed that ever since the occupation of Sambhal by the Mughals in December 1526 or a little earlier till the date when it was conferred on Humayun in jagir, the position of the Mughals there had always been very precarious. This is borne out by the fact that after its occupation Ali Yusuf was appointed to hold its charge. After his death Abdullah Kitabdar was sent and thereafter Hindu Beg and both of them returned to Agra after a few days and waited on Babar. Why did they return from there without being summoned to emperor's presence? Babar does not mention the reason which forced them to return from Sambhal. Nor does any other authority. It can however be presumed that the Hindu population which was so hostile to Hindu Beg did not permit him to stay there any longer and to continue to display the zeal of a fanatic. Nor did Babar like to send him again to Sambhal. Even if it is conceded that the mosque is of the earlier date, it can be presumed that its repair by Hindu Beg was not liked by the Hindu population." 1562. In the subsequent part Dr. Radhey Shyam proceeded to consider Ayodhya dispute also as a parallel to the Sambhal's building.

1563. But if we consider what has been written in Babarnama by the Babar in straight words without twisting or mincing them we find that like any other brave, courageous, tactful but brutal warrior, Babar also possess all these qualities. It is true that he was truly religious but it means that he was a complete Islamic person and lacked tolerance atleast to the idol worshippers. He had no hitch in destroying idols worshipped by the inhabitants of India at that time and this we find very visibly from the words which are translated by Mrs. Beveridge from Babar's manuscript of "Tuzuk-i-babri" as is evident from page 554-555 as under:

"And I made public the resolution to abstain from wife, which had been hidden in the treasury of my breast.

The victorious servants, in accordance with the illustratious order, dashed upon the earth of contempt and destruction the flagons and the cups, and the other utensils in gold and silver, which in their number and their brilliance were like the stars of the firmament. They dashed them in pieces, as, God willing! soon will be dashed the gods of the idolaters,--and they distributed the fragments among the poor and needy." (emphasis added) 1564. In respect to the inhabitants of Hindustan, at page 518 of the aforesaid book it says as under:

"Most of the inhabitants of Hindustan are pagans; they call a pagan a Hindu. Most Hindus believe in the transmigration of souls. All artisans, wage-earners, and officials are Hindus. In our countries dwellers in the wilds (i.e. nomads) get tribal names."

1565. Like other invaders whenever he defeated the local Rulers, his army did all such acts of loot, general massacre etc. While conquering Sambhal on page 528 the act of the army of Babur is mentioned as under:

"Malik Qasim cut off the heads of part of his force, took many horses, a few elephants and mass of booty." 1566. After defeating Rana Sanga and his other supporters, at page 576 of the Babarnama by Beveridge it is mentioned that as a trophy of victory an order was given to set up a pillar of pagan heads on the infact-hill (koh-Bacha) between which and his camp the battle had been fought.

1567. Similarly, on page 587 of the aforesaid book on 27th September, 1527 AD he mentions:

"Humayun had left Darwish (-i-ali) and Yusuf-i-ali in Sambal; they crossed one river, fought Qutb Sirwani and a party of rajas, beat them well and killed a mass of men.

They sent a few heads and an elephant into Kul while we were there." (emphasis added) 1568. Though in the army of Babur Hindustani soldiers were also included but it appears that he did not repose much confidence therein as is evident from page 547 of the aforesaid book:

"As little confidence was placed in Hindustani people-----"

1569. As an invader Babar entered the Indian subcontinent, conquered it and did what he could or found necessary to claim victory which nobody can comment atleast today. It is said that all is fair in love and war and laws of war are not set by pen since they are decided in a war field by those who are fighting or by their commanders. Discussion may be held as to whether the manner in which a war took place, fought and the action of the soldiers therein was justified or not but the fact remains that before the matter has been taken in 20th Century by various countries to lay down certain principles to be observed during war and also recognise certain rights of prisoners of war, prior thereto no such principle in general were observed by the Rulers of different countries though at local level some kind of practice with respect to time etc. might have been followed. What had been done several hundreds years back by a king invading a country or between war of two kings is

obviously beyond the pale of judicial review of this Court and of any Court functioning in independent India after the promulgation of our Constitution on 26.01.1950. We have not been shown of any authority by any learned counsels that we can examine the legality, correctness or genuinity of an action of a Ruler prior to the enforcement of British enactments in the subcontinent. 1570. However, the attempt by some of the authors to glorify or justify brutal massacre or action of some of the invaders or Rulers even if they might have conquered the subcontinent, by providing justification, explanation etc. is not understandable for the reason that the things which are evident and straight cannot be clothed with a velvet cover and would not provide a shell to give it a different colour. It shall only mislead the public at large and in particular the students of history. In our view, the historical events must be placed straight without any distortion, without any addition of words and without providing any explanation or justification in the words of the author as the same would be nothing but a sheer conjecture and surmise. If we claim that Babar felt happy having seen the mound of human heads and still we tell somebody that he was a kind hearted religious man, had no love for violence it would be a blatant lie. This kind of attitude on the part of some of authors whose work has been placed before us for our consideration shows that these authors can go to the extent of glorification of any kind of misdeed which in the present day's civilised society can never appreciate or swallow. If innocent persons are killed either in terrorist activities or naxalite activities, in our view the action of these persons ex facie is inhuman, amounts to heinous offence, deserved to be condemned without mincing words so as not to dilute the degree of violence and atrocity committed by them irrespective of the purpose, objective or whatever is behind such activity. Any other view is nothing but a serious contempt to the very mankind and would be a clear disrespect to those innocents who become victim of such incidents. Though the present days activities may not have any comparison with the wars and battles fought hundreds and thousands years back but to find out a positive character in such activities of the the Ruler/Kings under whom the army had done all these kind of brutalities would be a thought of abnormal minds. The lack of respect of Emperor Babar to idols meant for worship has already been demonstrated above and is fortified from what has been mentioned at page 611 of the Book "Baburnama" by Beveridge stating that he did not hesitate in destroying the idols on 28.09.1528 at Uruwa (Gwalior) where he found three sites occupied by a solid rock wherein the people had cut out idols statue large and small and he ordered for destruction thereof. 1571. Ex. 82 (Suit-4) (Paper No. 218C1/1-20) contain certain pages from "Memoirs of Baber- Emperor of India" by Lieut. Colonel F.G. Talbot, first published 1974 by Ess Ess Publications, Delhi. This work is mainly based on the English translation of "Tuzuk-I-Babari" by John Leyden and William Erskine, first published in 1826 and it is said that the book being out of print for many years, therefore the Memoirs of Babar are practically now unknown. The author, however, has also taken help from Stanley Lane-Poole's Introduction to Babar. Pages no. I to XV from Chapter "Introduction", 1 to 3, 46 to 49 and 196 to 213 are before us. The attempt on the part of Sri Jilani is that from no part of the book it does appear that Babar ever encouraged destruction of Hindu temple or religious place of other religions. Sri H.S. Jain, on the contrary, submitted that his disliking to Hindus and other religions is writlarge from the fact that he addressed Hindus as 'Pagans' and declared war against Rana Sanga as 'Holy war' which shows his character and extreme religious fervour towards 'Islam'. He referred to the following passage from page 207 of the book (Paper No. 218C1/16) :

"From the eleventh year of my age till now, I had never spent two festivals of the Ramza in the same place. Last year's festival I had spent in Agra. In order to keep up the usage, on Sunday night the thirtieth, I proceeded to Sikri to keep the feast there. A stone platform was erected on the north-east of the Garden-of-Victory, on which a set of large tents was pitched, and in them I passed the festival.

The night on which we left Agra, Mir Ali departed. He was extremely fond of playing cards, and had asked for some, which I sent him."

1572. The issues need to be decided by this Court does not get any help from the above documents. One thing, however, is clear that the Babar came to India with a clear intention to stay and rule. In furtherance thereof, for keeping the morale of his force high and for other reasons, he took all necessary steps as he found expedient. It is evident from page 208 (Paper No. 218C1/17) and page 210 (Paper No. 218C1/18) :

"Hitherto the peoples of India had regarded Baber as a temporary raider who would depart as soon as he had gathered enough spoil; but when they found he had come to stay they began to consider what policy to pursue, and in weariness of incessant warfare began to see the merits of a master.

Three thousand Afghans from the Doab were the first to come over to him, and were rewarded with territories in Oudh, which was still in revolt.

One of the first acts of the Conqueror was to lay out a road from Agra to Kabul, and the distance having been actually measured, a tower twenty-four feet in height was erected at every fourteen miles, while at every sixteen miles a post-house for six horses was built, and an allowance fixed as a provision for post-house keeper, courier, grooms, and the keep of horses. Where the road lay through a rich man's territory he was made to pay all the costs of maintenance." (Page 208) "The affairs of Hindustan had now been reduced to a certain degree of order. The revenue from land was returned at 4,212,000/-. This was from land alone and by no means represented the total income." (Page 210) 1573. The life of Babar after his conquest was very short inasmuch it is not in dispute that he died on 26th December 1530 AD at Agra. Thereafter in the light of his last wish, he was buried in the garden on the hillside at Kabul. 1574. Ex. 83 (Suit-4) (Paper No. 220C1/1-11) and Ex. 84 (Suit-4) (Paper No. 222C1/1-5) are also the photocopies of certain pages from "Babarnama" translated by Yugjeet Navalpuri Edn. 2002 and nothing has been referred therefrom by the learned Counsels for the parties. We also do not find any thing therefrom which may throw any light for deciding the issues in question.

1575. Next in this context is about the persons whose name is claimed to have been mentioned on the inscriptions at the disputed site, i.e., "Mir Baqi". In the transcript of Fuhrer it mentions "Mir Khan" while in other transcript it is mentioned as "Mir Baqi".

1576. Sri P.N. Misra, Advocate has vehemently argued that the entire Baburnama does not mention any person in the army or otherwise relating to Babar with the name of Mir Baqi. He says that Baqi

was a military decoration in the army of Babar and Mir was a civil honour to the persons of respectability etc. He says that the part of the army sent to Ayodhya was headed with Timur Begh, Baqi Tashkindi etc. but it does not mention any person as Mir Baqi.

1577. Sri P.N. Misra, learned counsel appearing on behalf of defendant no. 20 (Suit-4) supported the above stand and also contended that there is nothing in the said diary maintained by Babar that he ever entered Ayodhya either in March 1528 or in April 1528. It is common ground that the Babar-Nama misses the text between 2nd April to 18th September 1528 AD. The reason we are not concerned. Sri Jilani raised the above argument in order to buttress his submission that the Babar when did not enter Ayodhya himself there was no question of any demolition of a temple by him and construction of mosque. The pleadings of Hindu parties in connected suits to this effect are not correct, is what he tried to persuade us. Sri Mishra, however, agree so far as the former part is concerned that there was no occasion for Babar himself to direct for demolition of any temple and construction of mosque since he did not enter Ayodhya but he tried to explain the things otherwise by submitting that this also shows that the disputed building was not constructed in 1528 AD and there is no historical document of contemporary period to substantiate the above claim of defendants no. 6 to 8 and 10 in Suit-1, the plaintiffs of Suit-4 and all muslim defendants in Suit-3 and 5. Sri Mishra also pointed out that Shaikh Bayazid was then governing Awadh/Ayodhya. The Army Commanders of Babar who crossed the river so as to enter Ayodhya were Tardi Beg of Quj Beg, Baba Chuhra, Baqi Shaghawal and Chin Timur. It is pointed out that there is no person named as Mir Baqi in the entire Babur-Nama. Sri Mishra placed before the Court Babur- Nama by Beveridge to show that it mentions Baqi Beg Chaghaniani; Qib Chaq Turk; Baqi Gagiani Afghan; Baqi Hiz; Kwaja Baqi son of Yahiya son of Ehrari who was murdered in 1500 AD; Baqi Beg Taskindi; Baqi Beg Shaghawal; Baqi Beg Mingbashi; Baqi Takhan. Sri Mishra submitted that there is no mention of any Mir Baqi in Babur-Nama. Our attention was also drew to page 684 of Beveridge's Babur-Nama to show that it is Baqi Tashkindi who came from Awadh (Ayodhya) on 13.06.1529 AD to meet Babar. Page 685 of Babur-Nama shows that Babar sent Baqi Shaghawal on 16.06.1529 while camping near Kalpi to collect information about his enemy, i.e., Biban and Bayazid. On 17.06.1529 AD it is mentioned that one of Baqi Beg's retainers came informing that Baqi had beaten scouts of Biban and Bayazid, killed one of their good men, Mubarak Khan Jalwani and some others, sent in several heads, and one man alive. He says that Baqi Shaghawal has been addressed as Baqi Beg and Baqi Tashkindi who came from Ayodhya has been addressed as Baqi but there is no mention of any of the person addressed as Mir Baqi. It is contended by Sri Mishra, Advocate that the later historians/translators, of their own, identified Baqi Tashkindi as Baqi Shaghawal as well as Mir Baqi though in the entire Babur-Nama, Babar has not addressed anybody or any one as Mir Baqi. He drew our attention to certain persons whose name started with the word Mir, namely, Mir Bujurg Tirmizi; Mir Khurd Bakawal; Mir Mughul son of Abdul Wahab Saghawal; Mir Sang-Tarash; Mir Zadas of Khwast and none of these persons, he submit, can be said to be possibly addressed as Mir Baqi.

1578. In Lieut. Colonel F.G. Talbot's under the title "Memoirs of Baber Emperor of India First of the Great Moghuls" (Supra) on page 90, with respect to the events of the year 1504 AD there is a reference of Baqi Beg and on page 91 for the same period there is reference of Baqi Beg as well as Baqi Chaghiani. The relevant extract whereof are mentioned as under:

"At this same period, Baki Beg repeatedly, and with much earnestness, urged his sentiments, that to have two sovereigns in one country, and two generals in one army, was an unfailing source of confusion and ruin, and inevitably productive of rebellion, mutiny, and finally of dissolution; as the poet says--

"Ten dervishes may repose on one cloak, But two sovereigns cannot be contained in the same climate.

The man of God, when he eats half a loaf, Divides the other half among the poor and needy. If a king subdues a whole kingdom, nay a climate, Still, as before, he covets yet another."

At this period, information arrived that Sheibani Khan had taken Andejan. On hearing this news, Khosrou Shah, unable to support himself in Kundez, took the route of Kabul with his whole force. No sooner had he left Kundez, than one of his old and confidential servants occupied that fortress, and declared for Sheibani Khan. Just as I reached the Red River, three or four thousand heads of houses of the Moghul clans, who had been dependent on Khosrou Shah, came and joined me, with their whole families. Here, in order to gratify Baki Beg, I was obliged to discharge Kamber Ali, the Moghul, who has been so often mentioned. He was a thoughtless and rude talker; and Baki Beg could not put up with his manners.

When Khosrou Shah learned that the Moghul tribes had joined me, he felt his own helplessness; and, seeking no remedy left, sent his son-in-law as his envoy, to make professions of submission and allegiance, and to assure me that, if I would enter into terms with him, he would come and submit himself. As Baki Cheghaniani, a man of much weight, though steadily attached to my service, yet was not without a natural bias in favour of his brother, he recommended a compromise to be made, on condition that Khosrou's life should be spared, and his property left entirely to his own disposal. A treaty was accordingly concluded on these terms."

1579. Another name, namely, Baqi Tarkhan is mentioned at page 11 of Talbot's Memoirs of Baber (supra) and that is also with reference to a much earlier period. The extract wherein the above name is mentioned on page 11 is as under:

"Baki Terkhan was another. In the time of Sultan Ali Mirza, he rose to great consequence, his retainers amounting to five or six thousand. He was far from being in a proper state of subjection or obedience to Sultan Ali Mirza. He was very fond of hawking, and is said to have had seven hundred falcons at one time. His manners and habits were such as cannot well be described; he was educated and grew up in the midst of magnificence and state."

1580. Besides, on page 4 it mentions the name of Mir Ghias Taghai; on page 26 it mentions about Mir Shaha and has appreciated about his gallantries; on page 114 there is a reference of Mir Beder and his dancing in the events relating to the year 1506 AD; on page 116 there is reference of Mir Jaan and his singing; on page 174/175 Mir Miran is mentioned and on page 207 Mir Ali is referred

but there is no reference of any Mir Baqi. Talbot has not said anything about the Ayodhya visit except that of page 208 where he has referred to Awadh once only in the following manner:

"Thee thousand Afghans from the Doab were the first to come over to him, and were rewarded with territories in Oudh, which was still in revolt."

1581. On behalf of plaintiffs (Suit-4) copies of certain pages of "Mughal Kalin Bharat-Babar (1526-1530) by Syed Athar Abbas Rizvi (Supra) have been filed which are marked as Exhibit 85, Suit-4 (paper No. 223C1 and 224C1/1-62). These photocopies are from the 1960 edition of the book. Pages No. 19-20, 49-50, 232-233, 272-281, 310-313, 318-320, 328-341, 353, 375, 380-387 and 420-421 have been filed. We, however, are referring from 2010 reprint since this book in its entirety is available to the Court. On page 272, the book narrates the incidents of 28.03.1528 and 02.04.1528 which is almost similar to what is contained in Beveridge's Babur-Nama for the said date but since it is a translation by a Muslim writer having authority on the subject which is admitted to the plaintiffs of Suit-4 also, we reproduce the same as under:

"vo/k igaqpuk vo/k ls nks ,d iM+ko iwoZ phu rhaewj lqYrku ds ikl ls vkdj fdlh us lwpuk nh fd] " 'k=q ljdk ds ml ikj MVk gqv kS vr% dqed Hskth tk;sa " 1000 ohjksa dks I`kFkd djds d+jkpk ds v/khu dqed gsrq Hkstk A ¼28 ekpZ½& 'kfuokj 7 jtc dks geus vo/k ls 2&3 dqjksq ij xxj ,oa ljdk ds laxe ds Åij iM+ko fd;k A ml fnu rd 'ks[k ck;t+hn ljdk ds ml ikj vo/k ds lkeus jgk gksxk A og lqYrku ds ikl Ik= Hkstrk ,oa ¼4laf/k ds fo"k; esa ½ okrkZ djrk jgk fdUrq lqYrku us mldh /kwrZrk ls voxr gksus ds dkj.k d+jkpk dks e/;kUgksRrj dh uekt+ ds le; lwpuk fHktok;h vkSj unh ikj djus dh O;oLFkk djus yxk A tc d+jkpk lqYrku ds ikl igqp x;k rks mUgksaus rRdky unh ikj dh A ogka yxHkx 50 v'okjksgh rFkk 3 ;k 4 gkFkh FksA os ;q) u dj lds vkSj Hkx [kMs+gq, A dqN yxsxksa dks ?kksM+s ls fxjkdj muds flj dkV Mkys x;s vkSj mUgsa ¼4 esjs ikl ½ Hskt fn;k x;k A lqYrku ds ihNs&ihNs ch[kwc lqYrku] d++wt csx ds ¼4HkbbZ ½ rjnh csx] ckck pqgjk rFkk ckd+h 'kx+k oy us Hkh unh ikj dh A ftu yxsxksa us buds iwoZ unh ikj dh Fkh] mu yxsxksa us 'ks[k ck;t+hn dk lk;adky dh uekt+ rd ihNk fd;k fdUrq og taxy esa ?kqldj Hkx x;k A phu rhewj jkf= esa caWa/ks gq, ty ds rV ij Bgjk vkSj vk/kh jkr esa fonzksfg;ksa ds ihNs jokuk gqv kA og 40 dqjksq dh ;k=k djds ml LFkku ij] tgka 'ks[k ck;t+hn ds ifjokj okys ,oa lEcU/kh Bgjs Fks] igqp x;k A os Hkh Hkx x;s gksaxs A mlus ml LFkku ls nzqrxkeh v'okjksfg;ksa dks izR;sd fn'kk esa mudk ihNk djus ds fy, Hkstk A ckd+h 'kx+k oy us dqN ohjksa lfr 'k=qvksa dks HksM+ ds leku Hkxk fn;k vkSj muds ifjokjksa ds ikl igaqp dj dqN vQx+kuksa dks cUnh cuk fy;k A ge dqN fnu rd vo/k rFkk ml {sk= ds 'kklu izcU/k dks lqO;ofLFkr djus ds fy, ml iM+ko ij Bgjs jgs A vo/k ds 7&8 dksl nwj ljdk unh ds rV ij ,d LFkku Fkk ftlds fo"k; esa dgk tkrk Fkk fd og cM+h vPNh f'kdj&xkg gS A ehj eqgEen tkycku dks bl vk'k; ls Hkstk x;k fd og xxj unh rFkk ljdk unh ds ?kkV dk fujh{k.k djds ykSV vk;sa A ¼42 vizSy½& o`gLifrojk 12 jatc dks geus f'kdj ds mn~ns'; ls izLFkku fd;kA"

1582. The Rizvi's translation has referred to a large number of persons whose names have the title of 'Mir' on pages 716 and 717 as under:

"ehaj vrk mYykg; ehaj vcqy cd+k; ehaj vCnqy x+Q+wj; ehj vykmyeqYd frjfet+h; ehj vyh; ehj vyh csx; ehj vyh 'ksj; ehj vyh 'ksj uokbZ; ehj bczkghe; ehj bczkghe d+kuwuh; ehj [k+yhQ+k; ehj [kqnZ; ehj [kqnZ cdkoy; ehj x+;kl; ehj x+;kl rx+kbZ; ehj x+;klqn~nhu; ehj xslw; ehj tku; ehj tku bZjnh; ehj rhewjh [kjcwt+k; ehj njos'k eqgEen l+kjcku; ehj Q+kft+y; ehj cnz; ehj ehjku; ehj eqx+wy; ehj eqjrkt+; ehj eqgEen; ehj eqgEen vyh taxtax; ehj eqgEen tkycku; ehj eqgEen ukfod; ehj eqgEen c[+'kh; ehj eqgEen ;wlqQ+; ehj 'kkg d+wphu; ehj 'kkg csx; ehj 'ksjhe; ehj laxrjk'k; ehj ljs cjguk; ehj lqYrku vyh [+okcchu; ehj lSf;n vyh genkuh; ehj lSf;n jQ+hmn~nhu eqgfn~nl lQ+oh; ehj geg; ehj gek; ehj gqlsu; ehj gqlsu eqvEekbZ"

1583. On page 659 he has mentioned the words Amir Mir Baqi but that is with reference to his translation of stone inscriptions said to be there on the disputed building with which we have already discussed. In the entire translation of Babur- Nama and other description there is no mention of anyone as Mir Baqi. The aforesaid work also nowhere mention or shows that Babar at any point of time did enter Ayodhya or Awadh after reaching near thereto on 28.03.1528 though it is said that he stayed thereat for about a few days.

Traveller's Account 1584. There are two travellers account which have to be considered at this stage. One that of "William Finch" and another is that of "Father Joseph Tieffenthaler". 1585. William Foster published a book, namely, "Early Travels in India" (1985 First Edition distributed by Munshiram Manoharlal Publishers Pvt. Ltd.) which contains the narratives of seven Englishmen who traveled in northern and western India during the reigns of Akbar and Jahangir. These travelers are Ralph Fitch (1583-91); John Mildenhall (1599-1606); William Hawkins (1608-13); William Finch (1608-11); Nicholas Withington (1612-16); Thomas Coriyat (1612-17) and Edward Terry (1616-19). William Finch came to India in August 1608 and landed at Surat with Capt. Hawkins. With respect to Ayodhya, Finch has written on page 176 of the book as under :

"To Oude (Ajodhya) from thence are 50 c.; a citie of ancient note, and seate of a Potan king, now much ruined; the castle built foure hundred yeeres agoe. Heere are also the ruines of Ranichand(s) castle and houses, which the Indians acknowld(g)e for the great God, saying that he tooke flesh upon him to see the tamasha of the world. In these ruines remayne certaine Bramenes, who record the names of all such Indians as wash themselves in the river running thereby; which custome, they say, hath continued foure Iackes of yeeres (which is three hundred ninetie foure thousand and five hundred yeeres before the worlds creation). Some two miles on the further side of the river is a cave of his with a narrow entrance, but so spacious and full of turnings within that a man may well loose himself there, if he take not better heed; where it is thought his ashes were buried. Hither resort many from all parts of India, which carry from hence in remembrance certaine graines of rice as blacke as gun-powder, which they say have beene reserved ever since. Out of the ruines of this castle is yet much gold tryed. Here is greate trade, and such abundance of Indian asse-horne that they make hereof bucklers and divers sorts of drinking cups. There are of these hornes, all the Indians affirme, some rare of great price, no jewell comparable, some esteeming them the right unicornes horne."



Photocopy of page 176 of the book is Exhibit 19 Suit-5 (Register 21 Page 271) 1586. William Finch who visited Ayodhya between 1608- 1611 AD neither found any building of importance of Muslim nor Muslim population nor any activity of Muslims noteworthy in Ayodhya. Had the building in dispute been constructed in 1528 i.e. just about 80 years back, it is quite difficult to understand that would not have been considered to be a place of importance and could have gone unnoticed by Finch. He has specifically referred to Castle of Lord Ram Chandra Ji which, in his understanding, constructed about 400 years ago. Obviously, it could not be related to the building in dispute as such. Here also what he says that there existed ruins of Ram Chandra's castle and houses which the Indians acknowledge the Great God. He also says that in these ruins certain Brahmins used to record the names of visiting Indians which is a practice still in continuance in various holy places and those Brahmin people are normally called as Panda/Mahraj where one can find the record of hundreds of years back belonging to their predecessors who had earlier visited these holy places. 1587. Sri Jilani sought to argue that write up of William Finch lends no credence for it does not mention very clearly as to which place in Ayodhya he visited. However, Sri Jilani also could not suggest that in Ayodhya there is any place other than that which included the disputed site which may or could be considered to be the fort of King Dashrath or Lord Rama in ancient times. At least this much cannot be disputed that William Finch's travel account did not find mention of any big building known as "Babri Mosque" to have existed in Ayodhya having been constructed just about 80 years ago before his visit. His travel account suggests that the number of Muslim inhabitants in Ayodhya city in earlier 17th Century was negligible.

1588. Next comes another travel account of "Father Joseph Tieffenthaler" who visited India sometime in 1740 and remained here for about 20-25 years. He also visited Ayodhya during his above stay and had written travel account which was written in Latin in the book "DESCRIPTION : HISTORIQUE ET GEOGRAPHIQUE : D E L' I N D E" under the title "TOME 1. NOUVELLE EDITION. Contenant la Geographie de l'Ind-Uftan, avec. 39,. Planches". English translation of which is "HISTORICAL AND GEOGRAPHICAL DESCRIPTION OF INDIA" VOLUME 1 NEW EDITION containing the Geography of Hindustan, with 39 illustrations". The account of Tieffenthaler was translated in French and was published by M. Jean Bernoulli in 1786, photo copy of the first two pages of the French publication as well as pages no. 252 to 255 was provided to this Court which has been marked as Exhibit No. OOS 5-133 (Paper No. 107 C/96-104) (Register 21 page 273-289).

1589. The aforesaid documents were written in French (except of very few words which were in Lati). Since the English translation supplied by plaintiffs (Suit-5) was seriously disputed, we directed the Government of India to get an authenticated English Translation of the aforementioned pages which have been made available to us and after giving opportunity to the parties to file their objection has been admitted vide order dated 10.03.2010. The relevant part in the aforesaid report, i.e., pages 253 is reproduced as under:

"L'empereur Aurengzebe a fait demolir la fortereffe appelee ramcot, & a eleve au meme lieu un temple mahometan, a triple coupole. D'autres difent qu'il a etc confruit par Babor. On y voit I 4 colonnes de pierre noire, hautes de 5 empan, qui occupoient l'emplacement de la fortereffe. Douze de ces colonnes portent maintenant

les arcades interieures de la Mosquee: deux (de ces I 2) font placees a la porte du cloitre. Les deux autres font partie du tombeau d'un certain Maure. On raconte que ces colonnes, ou plutot ces debris de colonnes artitement travaillees ont etc apportees de l'ile de Lanca ou Selendip [appelee Ceylan par les Europeens] par Hanumann, Roi des Singes."

Emperor Aurengzebe got the fortress called Ramcot demolished and got a Muslim temple, with triple domes, constructed at the same place. Others say that it was constructed by 'Babor'. Fourteen black stone pillars of 5 span high, which had existed at the site of the fortress, are seen there. Twelve of these pillars now support the interior arcades of the mosque. Two (of these

12) are placed at the entrance of the cloister. The two others are part of the tomb of some 'Moor'. It is narrated that these pillars, or rather this debris of the pillars skillfully made, were brought from the island of Lanca or Selendip (called Ceylan by the Europeans) by Hanuman, King of Monkeys.

(English transliteration) 1590. Sri Mishra pointed out that there appears to be an English translation also of the travel record of Tieffenthaler. He refers to the English translation of Tieffenthaler in para 5 of his written argument and gave a brief biographical data of father Tieffenthaler in para 6 which read:

"5. Father Josef Tieffenthaler, a Jesuit Missionary and noted geographer on Hindustan visited Ayodhya in 1770 did not find any Inscriptions even that superscription "Allah" mentioned by the Ld. District Judge in 1886.

From Josef Tieffenthaler's description it appears that at that time also Hindus were worshipping inside the Ramjanmasthan Temple alleged to be converted into mosque either by Aurangzeb or by Babar. As he was not only a Missionary but an excellent Historian, Geographer and great linguist having mastery over several languages including Arabic, Persian and Sanskrit, there was no possibility of overlooking the alleged Inscriptions by him as it would have enabled him to tell the people with certainty the name of the Tyrant Emperor who attempted to convert Sri Ramjanmasthan Temple into Mosque. English translation of a portion of his book "Description of India" being description of Oude including the Sri Ramjanmasthan has been published on pages 312 to 317 in the "Modern Traveller, a Popular Description, Geographical, Historical, and Topographical of the Various Countries of the Globe- India. Vol. III" ; London Edn. 1828 published by James Duncan and has been digitalised by Google. Relevant extracts thereof read as follows:

"Its appearance, in 1770, is thus described by Tieffen Thaler: "Avad with Ajudea by the learned Hindoos, is a city of the highest Antiquity." ..... (Ibid. 312) "The most remarkable place is that which is called Sorgodoari, that is to say, the heavenly temple; because they say, that Ram carried away from thence to heaven all the inhabitants of the city. The deserted town was repopled and restored to its former condition by Bikaramajit, the famous King of Oojein. There was a temple here on the high bank of the river; but Aurangzebe, ever attentive to the propagation of faith of Mohammed, and holding the heathen in abhorrence, caused it to be demolished, and replaced it

with a mosque with minarets, in order to abolish the very memory of Hindoo superstition. Another mosque has been built by the Moors, to the East of this near the Sorgodoari in an edifice erected by Nabalroy, a former Hindoo governor. But a place more particularly famous is that which is called Sitha Rassoce, a table of Sitha (Seeta), wife of Ram; situated on an eminence to the south of the city. The emperor Aurangzebe demolished the fortress called Ramcote, and erected on the site of Mohammedan temple with a triple dome. According to others, it was erected by Baber. There are to be seen fourteen columns of black stone, five spans in height, occupied the site of the fortress. Twelve of these columns now support the interior arcades of the mosque: the two other form part of the tomb of a certain Moor. They tell us that these columns, are rather these remains of skillfully wrought columns, were brought from the Isle of Lanca or Selendip (Ceylon) by Hanuman, King of the Monkeys. On the left is seen a square chest, raised five inches from the ground covered with lime about 5 ells in length by not more than four in breadth. The Hindoos call it Bedi. The cradle; and the reason is, that there formerly stood here the house in which Beshan (Vishnoo) was born in the form of Ram, and were also, they say, is three brothers were born. Afterwards, Aurangzebe or, according to others, Baber caused the place to be destroyed, in order to deprive the heathen of the opportunity of practising there their superstitions. Nevertheless, they still pay superstitious reverence to both these places; namely, to that on which the Natal dwelling Ram stood, by going three times around it, prostrate on the earth. The two places are surrounded with a low wall adorned with battlements. Not far from this is a place where they dig up grains of black rice changed into little stones, which are affirmed to have been hidden under ground ever since the time of Rama. On the 24th of the month of Tshet (Choitru), a large concourse of people celebrate here the birth-day of Ram, so famous throughout India." ..... (Ibid. 313- 314)

6. Josef Tieffenthaler was born at Bozen in the Tyrol, on 27th August, 1710 and died at Lucknow on 5 July, 1785. He entered the Society of Jesus 9 October, 1729, and went in 1740 to the East Indian mission where he occupied various positions, chiefly in the empire of the Great Moghul. After the suppression of the Society he remained in India, and on his death was buried in the mission cemetery at Agra, where his tombstone still stands. He was a fine scholar with an unusual talent for languages; besides his native tongue he understood Latin, Italian, Spanish, French, Hindustani, Arabic, Persian, and Sanskrit. He was the first European who wrote an exact description of Hindustan. A brief list of his works is the best proof of his extraordinary power of work and his varied scholarship. In geography, he wrote a "Descriptio Indiae", that is a circumstantial description of the twenty two provinces of India, of its cities, fortresses, and the most important smaller towns, together with an exact statement of geographical positions, calculated by means of a simple quadrant. He wrote a large book on the courses of the Ganga. In history, he wrote many books. He wrote on the origin of the Hindus and their religion in Latin, expeditions of Nadir Shah to India in German, the Deeds of the Mughal Emperor Shah Alam in Persian, Incursions of the Afghans and the Conquest of Delhi in French. He wrote a book on contemporary history 1757-64. In linguistics he prepared a Sanskrit-Parsee Lexicon, treatises in Latin on the language of the Parsees, on the proper pronunciation of Latin, etc.. In the area of religion, he wrote 'Brahmanism' and works on Indian polytheism, Indian asceticism, the religion of Parsee Islam and relations of these religions to one another. In the field of the natural sciences he wrote on astronomical observations on the sunspots and zodiacal light, studies on the Hindu astronomy, astrology and cosmology. In addition, he wrote on the descriptions and observations of the flora and fauna of India. Thus he was an intellectual

giant and a linguistic wizard and not mere a traveller or a merchant who made casual remarks. His published works along with biographical notes can be lucidly gleaned from Catholic Encyclopedia (1913) and 'Christianity in India' through Wikisource and Wikipedia's website respectively. His writings and contributions also find place in the books

-HUONDER, Deutsche Jesuitenmissionäre des 17. und

18. Jahrh. (Freiberg, 1899), 179; NOTI. Jos. Tieffenthaler, S. J., A Forgotten Geographer of India (Bombay, 1906); HOSTEN, Jesuit Missionaries in Northern India (Calcutta, 1907).

1591. Sri P.N. Mishra argued that Father Joseph Tieffenthaler himself was a linguist knowing Persian and Arabic very well. Had the inscriptions two or three, as the case may be, whatever, fixed to the disputed building till the time he visited Ayodhya including the disputed site, he could have himself read the same and would have mentioned categorically that the building in dispute was constructed by Babur. There could not have been any occasion in such a case to mention that there was a demolition by Aurangzeb and construction of mosque by him and thereafter further that some says that it was done by Babur. Sri Mishra suggested that Aurangzeb died in 1707 A.D. and had ruled the most part of the country for about forty-eight years. Whether he himself visited Ayodhya or not is irrelevant for the reason that his Farman (command) for demolition of Hindu temples is referred to in several history books including some of the contemporary Muslim literature written by Muslim authors. He argued that the existing Hindu temple was demolished by Aurangzeb and it is during his regime, the disputed building was constructed but at that time no inscription was installed thereat. These inscriptions did not exist till Father Joseph Tieffenthaler visited Ayodhya including the disputed site between 1740 to 1760-65. He pointed out that the inscriptions on the disputed building came to be noticed for the first time by Dr. Francis Buchanan who was appointed by the Governor General in Council to undergo a survey of the Provinces ruled by the Presidency of Bengal in 1807 AD visited Ayodhya in 1810 AD. 1592. Here it would of some importance to have an idea of biography of Dr. Francis Buchanan. He was borne at Bardowie, Callander Perthshire on 15th February, 1762. His family originated in Spittal and claim the Chieftom of the name of Buchanan. He studied medicines at the University of Edinburgh. He also studied Botany under John Hope in Edinburgh. After several voyages on merchant navy ship to area, he served in the Bengal Medical Service from 1794 to 1815 AD. From 1803 to 1804 AD he was Surgeon to the Governor General of India, Lord Wellesley in Calcutta. There he organised a Zoo, later known as Calcutta Alipore Zoo. He worked on Indian Fish Species entitled "An account of fishes found in the river Ganges and its branches (1822)" which describes over 100 species not formerly recognised scientifically. He also collected and described very new plants in the region and collected a series of Watercolours of Indian and Nepalese plants and animals, probably painted by Indian artists, which they say that they are now in the library of Linnean Society of London. After Tipu Sultan's defeat in 1799 AD he was asked to survey Southern India resulting in a journey from Madras through the countries of Mysore, Canara and Malabar (1807 AD). From 1807 to 1814 AD under the instructions of the Governor General and Council, Bengal he made a survey of the areas within the jurisdiction of the British East India Company, i.e., the provinces subject to the Presidency of Bengal. He became Superintendent of the Calcutta Botanical Garden in 1814 but due to his ill health return to Britain in 1815 AD. In the same year he inherited his mother's estate and in consequence took her surname of

Hamilton, referring himself as "Francis Hamilton, formerly Buchanan" or simply "Francis Hamilton". However, he is variously referred to by others as "Buchanan Hamilton", "Francis Hamilton Buchanan" or "Francis Buchanan Hamilton". He is considered to be Scottish Physician who made significant contribution as a Geographer, Zoologist and Botanist while living in India. He died on 15.06.1829.

1593. Apparently work of Dr. Buchanan could not be given final shape by him. However, it appears that three journals were published by the government of Bihar and Orissa sometime in 1923 AD and onwards. One was published relating to Patna and Gaya districts sometimes in 1923 AD under the editorship of Mr. Jackson, another was published soon thereafter dealing with the district of Sahabad under the care of Mr. Oldham and third one was published narrating the survey of District Bhagalpur conducted in the cold weather of 1810-11 AD edited by Mr. Oldham.

1594. As already said, in 1807 AD under the orders of Governor General and Council, East India Company Dr. Francis Buchanan was directed to conduct survey of all the provinces subject to the Presidency of Bengal. He was required to collect information upon the general topography of each districts; the condition 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 operations of commerce, and every particular that can be recorded, as forming an element, in the prosperity or depression of the people. The survey was pursued for seven years and in 1816 AD the results were transmitted to England. 1595. Due to bad health of Dr. Buchanan the matter could not proceed and it appears that the East India Company thereafter took the help of Mr. Robert Montgomery Martin. The Court of Directors permitted Mr. Martin to inspect the manuscripts with a view to selection for publication. It was sometimes in 1836 or 1838 Mr. Martin was required to study the material collected by Dr. Buchanan, prepare a report so as to place before the British public.

1596. This leads us to look into the biography of "Robert Montgomery Martin". Born in Dublin of Protestant Irish Stock in 1801 AD he spent 10 years in medical practice in Shillong, East Africa and New South Wells and working as journalist in Calcutta. There he helped, found and edit "The Bengal Herald" before he return to Britten. He wrote on the colonies and colonial policy. On return he become embroiled in domestic, political and economic debate. In politics he initially supported Repeal of the Act of Union between England and Ireland but later switched to pro-unionism on religious and economic grounds. In economics he was an opponent of popular recardianism. He called for repeal of the 1819 AD currency legislation; vigorously advocated protectionism for British agricultural; concern himself with the principle of taxation. Due to limited personal finances and an interest in policy matters he sought Government patronage for official employment or financial support.

1597. Buchanan made survey in the then territory of District Behar, Shahabad, Bhagulpoor, Goruckpoor, Dinajpoor, Puraniya, Ronggopoor and Assam. Mr. Martin found that the time when the survey was made and when he was required to inspect the manuscripts has made certain matters irrelevant. He, therefore, in his wisdom confined his views to an examination of the geography and physical aspect of the country; to its traditional or recorded history, to the monuments or relics of

antiquity; physical and moral conditions of the people amounting (according to the survey estimates) to 1.6 crore and to the resources of the soil which they till; the manufactures which carry on; and to the products and profits of agricultural and commercial industry. In his views the survey depicted a painful picture of human poverty, debasement and wretchedness. The report was submitted by Mr. Martin in February' 1838 which was first published in 1838. It has now been reprinted in 1976 in India by Cosmo Publications, Delhi. Martin's report has been published under the title "Eastern India" and is running in six volumes. It is a matter of importance that Martin has not claimed to have visited North West Provinces of India under East India Company. His entire opinion is based only on the perusal of record sent by Buchanan. 1598. In the Chapter "District Gorukhpoor", certain facts about Ayodhya have been given. District Gorukhpoor (now spelt as "Gorakhpur") at that time situated to the left or north of the river Ghoghra. According to survey map published in Vol-2 and printed between page 290 and 291, book titled as "Eastern India" by Mortin, we find that on the western and southern side, the boundary wall is depicted by the rivers Gharghara/Ghaghara and Saryu; and on the northern and western side, the entire area termed as Domain of Nawab Vazir of Oudh. About river Ghaghra, description is on page 297 as under :

"Ghaghra. - The accounts of the great river, which passes the ancient city of Ayodhya, that I have received, differ not only very much from the maps of Danville and Rennell, but disagree very much among themselves. The confusion is increased to the most perplexing degree by very different names being not only given to different parts of the same river ; but even the very same portion by different people and tribes is called by different names.

Finally the native maps, that I have received of the country; through which the remote branches of this river flow, are more imperfect than those of the country either to the east or west, so that what I have to advance on the subject is liable to great doubt ; but as the information, if true is curious, I think, that until more accurate information is obtained, it should not be neglected.

At the city of Ayodhya this great river among the Hindus is usually called Sarayu (Soorjew, Rennell), and this name is in use in their sacred language; but by the Muhammedans it is called Ghaghra, from the Sangskrita word Gharghara. This name Mr. Gladwin (Ayeen Akbery) wrote sometimes Gehgher, sometimes Goghar; and Major Rennell writes it Gogra. The mountaineers from the east side of this river assure me, that neither name is known on the hills, and that the Sarayu celebrated in their legends is formed by the junction of the Bheri river, which I take to be the Soorjew of Major Rennell, with the Karanali Salasu, or Sanbhadrik, which is no doubt the Gogra of that eminent geographer, as the remarkable fountains emitting flame at Dulubasandra are situated near its bank. The inhabitants of the low country also in general agree with Major Rennell, in calling the eastern branch the Sarayu, and the western the Ghaghra, but the western branch which they mean, is quite different from that on which Dulubasandra is situated, and at any rate its principal branch on the mountains is the Kalinadi. Both these authorities therefore, that is, the mountaineers east from the river, and the people of the low country agree, that a great river coming from the west, and named the Ghaghra, unites with the Sarayu, coming from the east, and that this latter among the Hindus is considered as the principal river, and communicates its name to the united stream while the Muhammedans adopt the opposite opinion, and continue the name Ghaghra to the river at

Ayodhya. A learned and intelligent Brahman, however, Hariballabh of Kuman, from the mountains on the west side of the river, and perfectly acquainted both with the country and the legends, says, that the names Sarayu and Ghaghra are applicable to the same river, through the whole length of its course. That it rises by two petty sources in the Pergunahs of Karuvirpoor and Danapoor, on the hills north from Almorha ; but far removed from the snowy peaks of Emodus. These two torrents uniting at Bagheswar form the Sarayu, which continues to run east, receiving the Panar a small channel producing gold, and the Ramagangga of considerable size. Some way east from the junction of the latter, the Sarayu receives a river much larger than itself, which rises from the perennial snows of Emodus, and is called the Kalinadi. The united stream is the Sarayu, or Gharghara, and passes south-westerly towards the plains, nor does my informant know more of its course ; but, that it passes by Ayodhya to join the Ganges at Dadri, he has learned from legend.

The account of the most intelligent boatmen that I could procure at Ayodhya, is as follows. The boats which load timber, can proceed no higher up the Ghaghra than Mundiya ghat, which is in the Bareilly district, about 18 coss, or 27 miles, road measure, from Pilibhit. The channel is there very wide, but the stream is not large, and is not above two cubits deep. The territory of Gorkha commences about seven or eight coss from Mundiya, at a large forest named Langsar, from which much timber comes. About twelve coss below Mundiya the Ghaghra receives from the mountains a branch called Neaula, down which much timber comes from the territory subject to Gorkha. Twelve coss lower down, it receives the Kauriya, and immediately below its mouth a third named the Geruya enters. Timber is brought down both these rivers, and on the latter, in the dominions of Gorkha, are two great forest, Amba and Palamu. I suspect, that the Kauriyar and Geruya, and perhaps even the Neaula are only different mouths of the same river, which in the mountains is called Setigangga, or the white river. The Hindus have given the preference to the Sarayu, which is said to be the smallest, nor is the larger branch any where fordable below the mouth of the Bhakosa. The united channel begins to form the boundary between this district and the territories of the Nawab Vazir, just at the city of Ayodhya, where its channel and stream seem fully larger than that of the Ganges at Chunar. For about 18 miles below Ayodhya its width is from one to three miles, as it surrounds two very large islands, the property of the upper of which is disputed by the landholders of the two governments; but the lower is the undisputed property of the Muhammedan prince. About ten miles above where the Ghaghra comes to be the boundary, it sends off a channel merely called the Sota, or branch, which runs parallel to the main river for above six miles, forming for more than four the boundary between the two governments, when it joins the Teri river. I crossed this branch on the 11th of December, where it was about a quarter of a mile wide, and perhaps a fourth of the channel might be covered with water knee deep, but nearly stagnant.

The Teri comes to the boundary of this district, about 14 miles from where it receives the above-mentioned branch of the Ghaghra, and, at the boundary receives from the north-west a marshy channel called the Nawara jhil, which forms the boundary for about four miles. The united channel called Teri is inconsiderable, and winds much, partly along the boundary, and partly on both sides of it, until about four miles from where it receives the branch of the Ghaghra called Sota. It there joins with a similar branch of that river called Bhagala, which for some way serves as the boundary. The united channel is called the Teri." (pages 297-300) 1599. Dealing with historical and topographical part of District Gorakhpur, on page 325 and onwards it says :

"This district forms a considerable part of the territory, which in ancient legend is called Maha Kosala.

..... This very extensive and fertile region has always been considered as the proper patrimony of the family of the sun, as it is called, which for a very long period governed large portions of India and at times produced its paramount lords." (page 325) 1600. The study which was conducted by Martin, the source of his information etc. in writing this chapter and in particular what he has observed on pages 325 to 337 can not be well understood unless we go through details of his entire discussion on the matter and, therefore, it would be necessary to reproduce the following from his book :

"The history of the Hindus has been thrown into such confusion by an attempt to reconcile the actual succession of their princes with a modern system of astronomy, as most ably explained by Mr. Bentley in the eighth volume of the Asiatic Researches, that the utmost difficulty attends all attempts to reconcile with any thing like reason such ancient accounts as have been preserved in the monstrous and modern legends called the Purans.

The difficulties attending this subject may be fully appreciated by examining the different attempts of Sri William Jones in the second volume, of Major Wilford in the fifth volume, and of Mr. Bentley in the eighth volume of the Asiatic Researches, although in the latter the real source of the difficulties seems to have been fully discovered. Still, however, many great difficulties exist, which these authors have not fully explained, and of which the two first do not seem to have been fully aware. Sir William Jones seems, without examination, to have adopted the account given of the Indian dynasties by Radhakanta, in his *Puranartha-prakasa*, as the doctrine generally received by the Hindus on the subject, and alleges (*Asiatic Researches*, vol. 2, page 26), that it begins with an absurdity so monstrous as to overthrow the whole system, he then endeavours to turn the whole of the early pedigree into an allegory, denying altogether the existence of many princes, because their names signify light, sky, sun, moon and so forth; although he might have considered, that such names are sometimes used for men among ourselves, and among the present Hindus are very common. The grand objection to the system of Radhakanta is, however, his having adopted as a maxim, that there was always a supreme king of each of the families of the sun and moon, so that India, according to him, was governed like Lacedaemon, by two chiefs of two families possessing equal power ; and that each dynasty contained exactly the same number of generations in the respective periods, into which the history is divided. This is a fable like many others, usually called opinions universally received among the Hindus, which Mr. Bantley (*Asiatic Researches*, vol. 8, page 244) so justly exposes. But the receiving it, as an universally acknowledged opinion, led Sir William Jones, from the imperfect lists composed by Radhakanta, to doubt whether any such personages as the Indian princes of the families of the sun and moon existed (*Asiatic Researches*, vol. 2, page 131). Had Sir Willam consulted the various genealogies contained in the different Purans, he would have found, that this opinion, by which he was staggered, rested entirely on the imagination of Radhakanta, or of some person from whom he borrowed it, and could not be supported by the remains of history in the Purans. So far as I can learn from Pandits, that I have employed to extract the Hindu genealogies from their books, there was only one paramount king admitted at a time, and



in general the succession to this power was totally irregular, not only between the tow great families, but among the branches of the same family, and, as I have mentioned in the account of Shahabad, was as irregular as the succession in Ireland during the government of the families descended of Heber and Heremon. It would even appear, that the succession to the supremacy was not strictly confined to the two families of the sun and moon, as Pandu and his successors were in fact descended of Vayasa ; and also that many intervals occurred, in which no one king possessed paramount authority.

The table given by Major Wilford is highly valuable ; although, when he says, that it is extracted from the Vishnu Puran, the Bhagawat, and other Puranas, without the least alteration whatever, we are only to understand, that Major Wilford made no alteration on the table, after it was extracted by his assistants from the Hindu records ; for the genealogies contained in the different books, to which he alludes, differ so much from each other, that no one table could be constructed from them without making numerous alterations. This interesting table is however exceedingly valuable in showing how nearly these genealogies, by taking the human age at a just valuation may be reconciled with the real eras pointed out by Mr. Bentley, on astronomical data. It must however be evident, that both systems are liable to some doubt. In the first place there is a very great difficulty in establishing any calculation upon the number of generations contained in the Hindu genealogies, owing to the very great carelessness, with which they have been constructed. Besides numerous transpositions it would seem, that in many parts, what in one Genealogy is detailed as a succession of several generations, is given in another genealogy as a list of brothers, so that by the former process the length of a dynasty is monstrously enlarged. Again in some genealogies a whole dynasty is represented by a single name, which occasions the most absurd anachronisms to be commonly received as canonical, by such as have studied only a part of these genealogies. These anachronisms are so distressing, that some learned persons have considered as quite vain the attempt of founding any thing like a regular chronology on the Hindu genealogies. I hope however, that this judgement is too harsh, and that a careful perusal of all the remains may lead to something as satisfactory as chronologies of equal antiquity usually admit. So far as I can at present judge, for I have not yet procured any thing like a full copy of the genealogies, the eras, even as curtailed by Major Wilford and Mr. Bentley, would require to be considerably reduced. I consider it necessary to reduce the former from the numerous interpolations of brothers and collaterals in place of sons. The argument of Mr. Bentley goes only to show the manner, in which some former systems of chronology, detailed in the Graha Mangjari, have been deformed by the present system of Varaha Mihira ; but these ancient systems were also mere astronomical fictions, and, although their application to history was not attended with such monstrous difficulties, as the present system, there is nothing in its nature to show, that it is in any degree connected with what actually happened. One great difficulty occurs relative to the deluge, which Mr. Bentley and Major Wilford agree in placing immediately before the government of the family of the Sun in Kosala commenced, so that they consider the government of Swayambhuwa and his successors, kings of Vithora (Betoor Rennell) near Kanpoor, as in the antediluvian age, while Swayambhuwa they call Adam, and Vaiwaswata father of the first king of Kosala, they call Noah. One of the legends, on which this opinion rests has been given by Sir William Jones (*Asiatic Researches*, vol.2, page 117); but this, as explained by the Pandits, whom I have consulted, is not reconcilable with the opinion above mentioned; and these Brahmans insist, that no general deluge (Pralaya) has taken place since the time of Swayambhuwa. The mistake consists in

supposing, that Satyabrata (Satjavrata) and Vaiwaswata are the same person, and that whatever is related of one, may be attributed to the era of the other. But the Brahmans say, that these two personages, although the same soul in different transmigrations, lived at very remote periods, Satyavrata having been saved in an ark by God, when the deluge happened, while in his subsequent birth as Vaiwaswata, after an interval of many ages, he became a law-giver (Manu or Mamu), and founded the city of Ayodhya. It must be farther observed, that although the legend concerning the escape of Satyabrata or Satyarupa has a strong resemblance to the history of Noah, he is far from being considered by the Hindus as being like Noah the second father of the human race ; but he is said to have died without children, and was born again in the family of the Sun ; while Swayambhuwa was created to people the world after the deluge ; and from him were descended the first kings of India, who governed at Vithora, and who were perhaps natives, although it is possible, that they may have been Assyrians. In place therefore of allowing the family of the Sun to have governed from the time of the deluge, and that the Treta yug or silver age extended to that event, we must, I imagine, allow the golden age or Satya yug, and the government of the descendants of Swayambhuwa to be subsequent to that period, and of course must bring the time, when the kingdom of Kosala was founded, much latter than Major Wilford and Mr. Bentley do. Could we depend on the accuracy of the numbers, as Sir William Jones observes, there is circumstance mentioned by Abul Fazil, that could throw much light on this subject. It would appear that, the Brahmans, whom that person consulted, had not always applied to the history of their princes the astronomical fictions of Varaha Mihira, and they placed the birth of Budha, I presume the grandson of Atri, and son in law of Vaiwaswata first king of Ayodhya, in the year 1366 before the birth of Christ (Asiatic Researches vol.

2.p.125). This entirely coincides with the opinion I have above stated, and places the commencement of the historical silver age, commencing with Budha, in the 1366th year before Christ, in place of the 2204th as given by Mr. Bentley from the astronomical systems of the Graha Mungjari. Such a reduction on the era of the silver age, and foundation of the kingdom of Kosala I am far from thinking absolutely necessary; but on the whole I am inclined to believe, that it approaches near the truth than the systems of Major Wilford or Mr. Bentley, although I must confess, as I have mentioned, that the coincidence of the two systems, founded on principles totally different, affords a strong presumption in favour of the result.

In Hindu legend the appearance of certain persons named Brahmadikas created by God, and commonly called the progenitors of every living thing, forms a remarkable era, but the accounts concerning these personages are totally dissonant, as may be seen in the account of Major Wilford (Asiatic Researches, vol. 5, page

246). One authority makes the three sons of Swayambhuwa to have been the Brahmadikas, placing them thus at the commencement of the golden, and not at the beginning of the silver age; and I have already stated my opinion, that these were the aboriginal inhabitants or earliest conquerors of India, but other authority give another class totally different, and always containing Marichi, Atri, Anggirasa, Pulastya, Pulaha, Kritu, and Vasishtha, while others add Daksha, Bhrigu and Narada. The descendants of these personages governed India both in spirituals and temporals from the commencement of the silver age until about the time when the Greeks made their appearance, and

numerous chiefs still claim to be of their family. They are all called Brahmans, either as being created by the God of that name, or perhaps more probably as being persons more intelligent than those who preceded them; far from being all of the sacred order, the greater part of their descendants were princes, statesmen and soldiers, and one in particular is stated to have been a merchant (Vaisya).

We have seen that Swayambhuwa, the founder of the kingdom of Vithora, by the whole of what is called the golden age (Satya yug), preceded Vaiwaswata, the founder of the kingdom of Kosala, and the latter was the great grandson of Marichi, while Budha, who founded the adjacent kingdom of Kuru, and reigned at Pratisthan, opposite to Prayag, about the same time with Vaiwaswata, whose daughter he married, was the grandson of Atri. I look upon these Brahmadias, therefore, as the leaders of a colony, which at the end of the golden age, settled in India, and assumed the name of Brahmans, as being farther advanced in the arts than the descendants of Swayambhuwa, its more early princes. I look upon it also as probable, that these personages came from western Asia, introducing with them the Sangskrita language, generally admitted to be radically the same with the Persian dialect, while the languages spoken among all the rude tribes that inhabit the fastnesses of India, and which are probably remains of its ancient tongue, have no sort of analogy to the languages of the west. In the history of Kasmira, preserved by Abul Fazil, Kasyap, who was the son of Marichi, is said to have introduced the Brahmans (that is, a colony of civilized men) into that country, and the traditions of Behar state, that he there founded a city, of which I was shown some of the remains. These no doubt were of much later date than the time of Kasyap, although he may have been the founder of the city to which they once belonged. One of the sons of Kasyap, named Viwaswa, is supposed to be now the deity presiding over the sun, owing probably to his having introduced from Persia the worship of that luminary, and, from flattery, his descendants were usually called the family of the sun (Suryabangsa). His son Vaiwaswata, who, in a former transmigration, had been Satyabrata (perhaps Noah), founded the kingdom of Kosala, long one of the most powerful in India, and built the city of Kosalapoori, or Ayodhya.

If I am right in supposing that Budha was born about 1366 years before Christ, he being the son-in-laws of Vaiwaswata, it is probable that this prince may have been born about the year 1399, and we may allow him to have been 33 years old when he founded Ayodhya, and the kingdom of Kosala. In the genealogies may be found several different lists of his successors, who are commonly supposed by Pandits to have succeeded each other from father to son, by right of primogeniture, nor did one prince fail to leave his kingdom to his eldest son for many generations (Asiatic Researches, vol. 2, p. 130). This, however, seems to be a mere supposition taken for granted, because in some of the genealogies the names follow each other without any remark, for the direct line failed in Ambarisha, and went to the descendants of his brother; and Bharata usurped the government for 14 years from his elder brother Rama. The genealogies differ so much in the names, number of persons, and order of succession, that without a very careful examination of all that is to be found concerning each person, little reliance can be placed on the particulars, although it is evident, that these genealogies have been taken from some common source; and I have no doubt, that a careful examination would enable the intelligent antiquary to remove many difficulties and contradictions, that now appear.

Far from the princes of Ayodhya having enjoyed an uninterrupted succession of supreme power for numerous ages, and from father to son, very few of them would appear to have been Chhatradharis, or lords paramount of India; and there is even reason to suspect, that the family at different periods was subject to great disasters, and repeatedly lost the dominion of even Kosala. The learned of Ayodhya informed the Pandit of the Mission, that their city had been three times destroyed, and that on these occasions all the people were carried to heaven with their Rajas Harischandra, Ambarisha, and Rama. The successors of these princes again collected people to occupy the city. The Pandits, whom I have employed, have not been able to trace the passages in which the two first catastrophes are mentioned; but the third is known to every one. Several traditions, however, that I have heard, confirm the opinion of Harischandra having been expelled from Ayodhya, as he is said to have removed the seat of government to Ellora, while his son Rohitaswa lived at Rautas, and his grandson founded Champa, at Bhagulpoor in Bengal. That Ambarisha also met with some misfortune is probable; as in the Sri Bhagwat, he is not succeeded by his son, and the line is carried on by Sindhudwipa, his brother, while in the Bangsalata, his immediate successor is Ritaparna, who, according to the Sri Bhagwat was the grandson of Sindhudwipa, and until the time of Ritaparna it is probable that the family did not recover from its misfortune. The severe treatment of his wife Sita, is said to have induced that princes to excite her sons to rebel against their father Rama, and this, more probably than his piety, sent him and his adherents to heaven. Ayodhya, however, was rebuilt by the son Kusha, who left a numerous offspring, that held the until the reign of Vrihadbala. From Vaiwaswata to Rama inclusive, the Sri Bhagwat reckons 55 princes, the Mahabharat reckons 69, and the Bangsalata 78; but the Ramayana of Valmiki reckons only 36. This being it is supposed by far the most ancient account, is probably the most correct, and we may suppose it to be free from the interpolations of collateral successions and dynasties introduced by later writers, and to be the actual succession of the kings of Ayodhya; unfortunately Valmiki gives no list of Rama's successors and the Purans, as usual, are filled with numerous discordance. Vrihadbala, killed by Abhimanaya in the great war at the commencement of the iron age, was one of the most remarkable successors of Rama. According to the Sri Bhagwat, he was the 27th descent from Rama. In the Mahabharat he is the 33rd, and in the Bangsalata he is the 25th. As, owing to similar causes these numbers are probably as much increased as the predecessors of Rama, the number of princes, taking the scale of the Sri Bhagwat reduced by that of Valmiki as a guide, from Rama to Vrihadbala may have been 17, or from the commencement of the silver to the commencement of the iron age, 53 princes, which, they were also generations of 3 to a century, would give a duration of 1766 years. There is no impossibility in admitting such a duration; but I think, as I have said, that in all probability it must be reduced. Major Wilford (table in 5th Vol. of Asiatic Researches ) has found in the Purans. 59 princes from the time of Rama to that of Chandragupta, contemporary nearly with Alexander. Reducing these by the scale of Rama's predecessors, we shall have 31 princes, which added to Rama and his predecessors, will give in all 67 princess, if these commenced their government 1366 years before Christ and ended it 300 years before this event, there will be on an average about 15 1/2 years for each prince which can only be understood of reigns, and not of generations. On these grounds, Vaiwaswata being placed in the year before Christ, 1366, Rama will be placed in 775, and Vrihadbala, or the commencement of the historical iron age in the year

512. But, if the antiquary prefers with Major Wilford to consider these 67 as generations, we must double the length of each period; that is, we must say, that Ayodhya was founded 2732 years before

Christ, that Rama flourished 1550 years before that event, and that Vrihadbala was killed in the 1024.

It must be observed, that in the Purans, little amplification seems to have been made in the family of the moon, as from Budha, one generation after Vaiwaswata to Krishna, contemporary with Vrihadbala, the Sri Bhagwat reckons 55 persons, a difference of only two persons from that which is given by the correction that is required in the list of the family of the sun, by comparing Valmiki with the Sri Bhagwat; and this coincidence, I consider as in a great measure proving, that the nature of the correction which I have adopted is not subject to material error, so far as relates to the number of successions; but it decides nothing as to the points of whether we are to consider these as reigns or as generations.

The people of Ayodhya imagine, that after the death of Vrihadbala, their city was deserted, and continued so until the time of Vikrama of Ujjain, who came in search of the holy city, erected a fort called Ramgar, cut down the forests by which the ruins were covered, and erected 360 temples on the places sanctified by the extraordinary actions of Rama, of his wife Sita, of his brother Lakshman, and of his General Mahavira. The only foundation probably for such a tradition is, that Vikrama may have erected some temples, and that in the Mahabharata the genealogy of the family it continued no lower than the time of Vrihadbala, as being foreign to the subject of the book; but in the Sri Bhagwat Vrihadbala is succeeded by 29 princes, and in the Bangsalata by 24. These, taken according to the scales of Ramas predecessors in Valmiki and the Sri Bhagwat, would give 18 princes, and this will give us 279, or 558 years, according as we call these successions reigns or generations, brining the existence of the family down to the time nearly of Alexander; but none of the latter princes rose to considerable power, and they were vassals of the Kings of Magadha. Their existence, however, throws a great doubt on the whole story concerning Vikrama.

This Vikrama is usually suppose to have been the personage from which the era called Sambat is derived, and, according to the reckoning used in Kosala, this era commences 57 years before the birth of Christ, so that the city had been then deserted about 280 years. How the places remarkable for the actions of the God could be traced after such a long interval, and amidst the forest, seems rather doubtful; and the doubt will be increased, if it supposed that they latter Vikrama, the son in law of the Emperor Bhoja, was the person who constructed the temples at Ayodhya. This I am inclined to think was probably the case, for although Rama was probably worshipped before the time of elder Vikrama, yet his worship as that peculiarly distinguishing a sect of begots, seems to have been first established by Ramanuja about the time of the latter Vikrama, who may from thence be supposed peculiarly eager to discover the traces of the deity of his own sect. Unfortunately if these temples ever existed, not the smallest trace of them remains to enable us to judge of the period when they were built; and the destruction is very generally attributed by the Hindus to the furious zeal of Aurangzebe, to whom also is imputed the overthrow of the temples in Benares and Mathura. What may have been the case in the two latter, I shall not now take upon myself to say, but with respect to Ayodhya the tradition seems very ill founded. The begot by whom the temples were destroyed is said to have erected mosques on the situations of the most remarkable temples; but the mosque at Ayodhya, which by far the most entire, and which has every appearance of being the most modern, is ascertained by an inscription on its walls (of which a copy is given) to have been built by

Babur, five generations before Aurangzebe. This renders the whole story of Vikrama exceedingly doubtful, specially as what are said to be the ruins of his fort, do not in any essential degree differ from those said to have belong to the ancient city, that is consist entirely of irregular heaps of broken bricks, covered with soil, and remarkably productive of tobacco; and, from its name, Ramgar, I am inclined to suppose that is was a part of the building actually erected by Rama.

Although I did not fail to visit the place, and whatever the Hindus reckon remarkable, I did not choose to take any measurements, so as to draw with any accuracy of plan of the space which the ruins occupy, as the doing so might have given offence to government of the Nawab Vazir, in whose territory, separated from this district only by the river Sarayu, they are situated.

I may in a general manner observe, that the heaps of bricks, although much seems to have been carried away by the river, extend a great way, that is, more than a mile in length, and more than half a mile in width; and that although vast quantities of materials have been removed to built the Muhammedan Ayodhya or Fyzabad, yet the ruins in many parts retain a very considerable elevation; nor is there any reason to doubt, that the structure to which they belong, has been very great; when we consider, that it has been ruined for above 2000 years. None of the Hindu buildings at present existing are in the least remarkable either for size or architecture, and they are all not only evidently, but avowedly, quite modern, that is, they have been all erected since the reign of Aurangzebe, or most of them even within the memory of man. Although they are built on what I have no doubt are the ruins of the palace that was occupied by the princes of the family of the sun, their being built on the spots, where the events which they are intended to celebrate, actually happened, would have been extremely doubtful, even had the elder Vikrama built temples on the various places which had been destroyed by Aurangzebe, so that the spots selected by Vikrama might be known by tradition; but the whole of that story being liable to strong suspicion, we may consider the present appropriation of names to different places as no better founded than the miracles, with several of them are said to commemorate.

It is said that in digging for bricks many images have been discover, but the few which I was able to trace were too much broken to ascertain what they were meant to represent, except one at the convent (Akhara) of Guptar, where Lakshman supposed to have disappeared. This represents a man and women carved on one stone. The latter carries somewhat on her head, and neither has any resemblance to what I have before seen. The only thing except these two figures and the bricks, that could with probability be traced to the ancient city, are some pillars in the mosques built by Babur. These are of black stone, and of an order which I have seen nowhere else, and which will be understood from the accompanying drawing. That they have been taken from a Hindu building, is evident, from the traces of images being observable on some of their bases; although the images have been cut off to satisfy the conscience of the begot. It is possible that these pillars have belonged to a temple built by Vikrama; but I think the existence of such temples doubtful; and, if they did not exist, it is probable that the pillars were taken from the ruins of the palace. They are only 6 feet high. There is a Shiva Lingga called Nageshwar, which is called on by all the pilgrims to witness their faith, when they have performed the usual ceremonies; and this supposed to be the oldest image of the place. As Lakshman the brother of Rama is supposed to have founded one of the orders of Yogis, there is a probability that the great God was a principal object of worship at the court of his brother,

and this image may actually have then existed, as from its form, if kept from the weather, it may have lasted from the first origin of things; but it leads to no conclusions, and may be of very modern date. Could we believe what is said of the chief objects of worship now at the place, they would be of singular curiosity. They are images said to the present Rama, Lakshman, and Sita, made by the first personage, and thrown by him into the Sarayu, when he was about to proceed on an expedition to the Indus. In modern times they were divulged to a fortunate merchant by the ordinary course of dreaming. He drew them from the river, and built temple for them, which was destroyed by Aurangzebe, but the images were allowed to escape, and Ahilya, the widow of Holkar, lately built for them a small temple, which is only opened at peculiar times, and only to the faithful. Sitting aside the dream, the escape of the images from Aurangzebe, as they are made of gold, renders the story very problematical. They are about a span high, and were so covered with flowers, and shown in so dark a place, that my people who went to worship could form no opinion either as to their shape or materials.

I procured a good many old copper coins, and many were said to be of the Hindu Kings; but on examination, except two, all appear to contain Arabic inscriptions, but in very old characters, and I had similar ones at Agra. One said to have been found in the Sarayu retains a defaced figure in the human form; and another the figure of a lion. These are probably Hindu coins, but they contain no legend, nor anything to indicate that they belonged to princes of the family of the sun.

The person who finally expelled the family of the sun from Ayodhya, is not stated by tradition, nor, so far as I can learn, in legend, but the learned of this district have heard of the dominion of the Cheros, although this impure tribe has here left no monuments of its power, the place being far removed from the seat of government." (pages 325-337) 1601. What is apparent from the above report of Martin is that he was the first person to tell us about inscriptions on the wall of the disputed building to say that it was built by Babar. We have also noticed that Buchanan must have visited the area between 1807 to 1814, i.e. after about 280 years (if the disputed building was constructed by Babar in 1528 AD). Martin however, has observed that the building appears to be most modern. He also found that locally the people said that after destructing a temple, the Mosque was constructed by Aurangzeb. It is difficult to believe that till 1807 there was no Hindu person capable of reading and writing Persian or Arabic, as the case may be, to find out what was written in the said inscriptions in the Mosque and to tell others that the disputed building was actually constructed by Babar. Buchanan also does not appear to have actually visited the disputed building in order to collect the details as is evident from the next para that he did not do so (collect measurement) for the reason that it might have offended the Government of Nawab Vazir. We may notice hereat that upto 1814 and even thereafter, the entire area of Avadh was within the sovereignty of Nawab Vazir of Lucknow though for some part of defence etc. Nawab Vazir has entered into a treaty with East India Company in 1801 but only the area which was in the territory of Banaras was within the authority of East India Company and rest of the part, particularly Avadh, was not within the reigning territory of East India Company. The text of the alleged inscriptions, the number of inscriptions etc. are not mentioned in the report. The language, however, shows that there was only one inscription which could be seen by Buchanan. The text of the inscription, as existed when Buchanan visited Ayodhya between 1807 to 1814, has not been placed before us in an authentic manner though plaintiffs (Suit-

5) has sought to rely on a text of the inscription which he claims to have collected from British Museum but the same having not been proved in accordance with Evidence Act, we find it difficult to place any reliance thereon. Even if we place reliance thereon, nothing helps us to form an opinion that the building in dispute was actually constructed in 1528 by Mir Baqi under the command of Babar.

1602. The affidavit dated 17th December, 1999 was filed by Sri Deoki Nandan Agarwala plaintiff no.3 (Suit-5) where in para 3, 4 and 5 he said:

"3. That the English documents written in hand script prevalent in the past and Persian/Arabic and Nustalik annexures thereto were obtained by Vishwa Hindu Parishad, New Delhi through the Vishwa Hindu Parishad (U.K.) during the course of negotiations for resolving the tangle relating to the Sri Rama Janma Bhumi, by mutual dialogue through the mediation of the then Prime Minister of India in the year 1992, from the British Library where the original manuscript of the document is lodged. The original letter from the General Secretary of the VHP U.K. Dated 23 Sept. 1992 to the VHP New Delhi is also being filed with this affidavit.

4. That the documents obtained from the British Library U.K. are not available anywhere else and appear to be unpublished. The originals cannot be moved from the Library and cannot therefore be produced. Their copies supplied by the Library are thus admissible in evidence.

5. That the documents in English are in old style hand written script of the early nineteenth century, with which I am well acquainted. I have deciphered them and made a typescript of the same, which is also being filed. I say that the type script of the handwritten documents in English is a correct copy of the same."

1603. The letter dated 23rd September, 1992 referred to in para 3 of the aforesaid affidavit appears to have been sent by one Sri Kishor Ruparelia- Gen. Sec. 48 Wharfedale Gardens, Thornton Heath, Surrey UK addressed to Sri Jashwant Rai Gupta, Vishwa Hindu Parishad, Sankat Mochan Ashram, New Delhi. The relevant extract thereof is as under:

"I am sending herewith photocopies, obtained from the British Library, of the following documents kept under Ref MSS. EUR. E73 and filed as records by Dr Buchanan

1. Pages 1 & 2, written by Dr. Buchanan, heading:

2. Pages 3 & 4, a letter written by Dr Buchanan

3. Page 5, a Sanskrit inscription - this does not seem to relate to Ayodhya, but I am sending this because the page is part of continuation





"By order of King Babur whose Justice is a building reaching to the mansions of heaven, this alighting place of the angels was erected by Meer Baqee a nobleman impressed with the seal of happiness.

N.B. The words ( □□□□ □□□□ □Bavad Khair Baqee) signifying "There is lasting charity" or "good works are lasting" also mean "the charity of Baqee" and form an anagram of the year of the erection viz : 935.

Say, O'Moohammad, that God is one, that God is holy, unbecgetting and unbegotten, and that he hath no equal.

N.B. Sahib i qiran is applied to a Prince who has reigned above 30 years.

From the Tughra In the name of God, most merciful. I testify that there is no God but God- He is one, and without equal- I also testify that Moohummad is his Servant and Prophet.

This was engraced/ upon the propitious date of this noble erection, by this weak slave Moohummud Funa Ullah

- N.B. The words in the parenthesis are not on the Insc., but understood.

Nustalick writing We are informed by the ancients who were acquainted with the these facts that there was formerly a Prince named Tugli Khan Oimyeed throne. His Wuzeer had a daughter betrothed to Moosa Ashiquan. (Lit. The comforter of Lovers). After some time the Wuzeer departed from this dwelling of mortality to the abode of Eternity. --

The king having sent written orders for the purpose of seizing the property in the Wuzeer's house; at that moment Moosa Ashiqan was struck with the reflection that "This World is nothing". He gave orders that all the people should plunder and carry off whatever money and effects were in his house' - The people did as he directed. As soon as the plundering was over, he enquired whether anything remained. The attendants told him that there remained some grain. He directed them to carry off that also. After this he again made enquiry, if anything was yet left. The servants replied that there was only a piece of coarse canvas or Taut, upon which the horses were wont to eat their gram". "That" said he "will be of use to me". In short having taken and torn althrough the middle and threw it over his shoulders (or neck) he became a Durwish. --

Babur one of the Princes, hearing the report of his becoming a Durwish and the other circumstances, privately presented himself before his Highness. Beholding the wretched condition of Babur, he gave him some sweetmeats to eat and (addressing him) "Thou", said his Highness" shalt be King "Babur arose and having made his Salam, was departing. His Highness again said "I am annoyed by the Hindoos who are constantly ringing their Bells- When thou becomest King thou shalt build a Musjid at this place.

Sometime afterwards Babur mounting the royal throne was created King; but forgot His Highness's directions. Moosa Ashiqan sending a person from himself reminded him of it. Upon this the Soobadar received His Majoxty's commands--Meer Buqaoola Khan then Soobedar, and he erected this Massjid."

1607. Sri Ravi Shankar, Senior Advocate, Sri P.N.Mishra, Sri Hari Shankar Jain, Sri R.L.Verma, Advocates, learned counsels for Hindu parties sought to refer to the above documents to show that this is the extract of the report and documents of Dr. Buchanan himself and makes it very clear that the building in dispute was constructed much later what is being claimed as it contains the name of Emperor Alamgir (Aurangzab) also. As we have already said, the above documents were not proved by the concerned party and a properly obtained document from British Library, Oriental and India Office Collections has also not been produced. It is therefore difficult for us to place any reliance on the said documents.

1608. The worship of places by Hindus, however, has been noticed in the History, Antiquities, Topography And Statistics of Eastern India (supra) published in 1838. In Vol. I at page 195, Martin has observed:

"It must be observed, that the Hindus very often worship (Puja) without any temple or images. ... There are places, however, that are reckoned more holy than the house..."

1609. The long passage we have quoted from several pages of Martin's Eastern India, Vol. II above has some reason. We have no bias or prejudice against the agents of East India Company or the then British Government, but the manner in which they have dealt with the Indian ancient scriptures and have written down about its culture, religion, society etc. needs some deeper consideration. In fact, the history of India, which is substantially embodied in ancient religious scriptures, has been initially attempted to be penned down by the western writers after advent of East India Company. In 18th and 19th century a mass of work has been undertaken by them which has aroused anxiety and has drawn attention of the people abroad to know more about India. Before making further comments, one thing which is a matter of appreciation, we cannot forget is that whatever was written by western so called intelligentsia mainly in the two centuries as said above, at least has given a foundation or a point of commencement to others, whether in India or outside, to go for further research in the matter and endeavour to place the correct history of this sub-continent before the world at large.

1610. The ancient scriptures in India was basically written in Sanskrit irrespective of the script. It was not a language of the common man. Therefore, virtually substantial section of the sub-continent comprising Hindustan at that time was in dark about the contents, meaning and the message derivable from those scriptures. It was confined to a particular class, i.e., Brahmans and there also a very few were learned having some deeper knowledge of those scriptures, otherwise general class was more satisfied with the superficial working knowledge sufficient for their day to day earning and survival. 1611. The East India Company after its initial few steps towards India, brought such a huge revenue to England that the people thereat were simply stunned and shocked to find out as to how this part of the Country could muster such a huge wealth. Another surprising aspect was that the Indian sub-continent was under the attack/invasion by outsiders for almost a thousand and more years in the past and had continuously been looted by them. Massive wealth continuously was driven off from the Country, yet when the merchant companies of Britishers in the form of East India Company visited India, in the first one and half decade i.e. upto 1613, it showed remarkable earning to their shareholders and public at large in England. This created great anxiety amongst the Britishers to know more about India. It also inspired other European Countries as we have seen that almost simultaneously the merchant ships travelled India through sea routes from the Countries like Portugal, France and England obvious. Trade from India to other Countries, i.e. Africa, Arab, China etc. had been going on since long and time immemorial as a result whereof merchants were able to garner extraordinary wealth by exporting several things like spices, sandalwood etc. from India. Besides fertile land of this Country also help in producing wealth. They also found that amongst the Hindus, age old traditions, religious faith carried down from generations to generations from time immemorial and had not got diluted despite several religious attacks, conversions, etc. All these

things, which were really surprising, aroused lot of anxiety amongst the Europeans to know more about this Country. 1612. According to their concept, the oldest culture in the world was Roman and Greek and they knew nothing more than that. It was really difficult for them to believe that a much more advanced and that too more ancient culture could have existed in this part of the world for such a long time and has successfully faced all bad times to survive while the Roman and Greek culture has perished long back. With this idea lots of people from Europe came to India and tried to find out the source of its cultural and religious history from the written work whatever was available. Since, the work was mainly in Sanskrit, thus the written material was also available with the selected Brahmans. Several kinds of manuscripts they possessed which were collected by these western people in one or other way. They tried to find out in their own way the most authenticated and original manuscripts on the subject concerned. A language, a culture which was several thousands and more years old, it is surprising that these western intelligentsia class claim to have learnt and understood and that too achieved mastery. They dealt with the above collected material in their own way. Without making any serious comment on this aspect, suffice to mention that the spirit, the context of real intention of a culture which has developed in several thousand years is improbable, if not impossible, to be understood in such a short time. Even today those who are constantly studying and dealing with those matters, are still undergoing rigorous discussion, research and investigation to understand the correct and real intention behind the particular words, sentences, phrases and verses, as the case may be.

1613. The only thing which we really find commendable is that the zeal of the western intelligentsia to know more about the Indian ancient culture brought out the ancient literature from the confines of the Brahmans and as a result of its translation in English and other languages, the things became accessible to the entire lot so that they may also look into the matter, ponder over it so as to appreciate and understand. In fact this translation attracted the world people to go for more indepth research, discoveries and investigation and that is how the things started and today in 21st century we find several new and startling facts which belie a lot of settled concepts of the western writers of 18th or 19th century.

1614. The casual manner in which the long genealogy covering a very long period was found inconceivable by these writers and has been shortened at their whims and conjectures only because they could not have a complete chain is really startling. It means that if I am unable to tell the chain of my ancestors to five or seven or ten generations, that would mean that I have no such past chain of generation or it can be reduced to the extent of missing part. Non-availability does not mean non-existent. No one can accept that merely because somebody could not give the detail of past generations, that would mean that he has no such ancestry. The casual and contemptuous manner in which Dr. Buchanan or Martin in the above work, i.e., Eastern India (supra) have dealt with the things we have quoted give a few example. If some needs a little more can be demonstrated from page 433 and onwards, some part of which we may notice hereunder :

"The highest science is here reckoned the theology of the Vedas, which is more studied, than would appear from the reports of the Pandit of the survey, who like other Bengalese holds this science, if such it can be called, in great contempt. The doctrines of Sangkara are chiefly followed; and the works most commonly studied are

the Vedantasar, composed by a pupil of Awaitananda, a Brahman of the south, who dedicated his life to religion;

the Pangchadasi, and the ten Upanishad Bhashyas of Sangkara. The theologians here insist, that every word, sentence and verse in the Vedas, as they now exist, was formed by Brahma before the earth, and that Vyasa did not alter a syllable; but only arranged the original parts into four books, which previously had been comprehended in one. All mention therefore of events, that have happened since the creation, is supposed to be prophetic. Such, I believe, is the opinion, that very generally prevails among the Brahmans of the south, as well as those here; and, having been communicated to the learned in Europe, was supposed by them to imply, that the books now called the Vedas were the work of a great lawgiver named Brahma, who formed the laws of the Hindu nation, and introduced science. When it was discovered, that these works mentioned many personages, who lived very long after the commencement of the Hindu government, as the power of prophecy could not be received by any one but a Hindu, it was justly concluded, that they were not the works of the lawgiver Brahma, who in fact is a mere creature of imagination; and Mr. Pinkerton is fully justified in calling the Vedas modern forgeries, even had Mr. Colebrooke proved that they were written by Vyasa, and that Vyasa lived 12 centuries before the birth of Christ; for in comparison of the commencement of the Hindu history, before which the Vedas are alleged to have been written, even this distant period of Vyasa is but as yesterday. But that the Vedas, which now exist, were written by Vyasa the son of Parasara, or so early, seems to me completely incompatible with the mention made in them of the success, that had attended the ceremony used at the coronation of Janmejaya the son of Parikshita, by which he had conquered the world; for Janmejaya was grandson of Abhimanya, who was the great grandson of Vyasa the son of Parasara, and it is altogether impossible, that so remote an ancestor should live to celebrate the conquest of the world by his descendant. But besides this conquest is not likely to have been mentioned by any contemporary author; for in all probability the supreme government of India was not then vested in the spurious offspring of Vyasa, but in the house of Jarasandha. Mr. Colebrooke indeed states, that besides the descendant of Vyasa he has heard from the Brahmans of another Janmejaya son of Parikshita; but on a careful examination of the genealogies, extracted from the Purans by Manogyadatta, I can find no such person; nor can that learned Pandit recollect any such, although there are many Janmejayas, especially the son of Puru, kind of Pratishtan, and the names are so alike, that they may readily have misled the Pandits consulted by Mr. Colebrooke, speaking from recollection. If a Vyasa, therefore, was author of the present Vedas, it was not the son of Parasara, but some person, who probably lived shortly before Sangkara Acharya; and many in fact allege, that the instructor of this great doctor was named Vyasa. If so, the author, or compiler, or perhaps rather corrupter of the Vedas, lived about the ninth or tenth century of the Christian era, in the age emphatically called dark, and to judge from the account given of the Vedas by Mr. Colebrooke, the work is worthy of the age.

It is probable, however, that before this time, there existed a system of science (Veda), extending, according to a passage quoted by Mr. Colebrooke, not only to the four kinds of sacred knowledge, detailed in the present Vedas, but to grammar and history, the first of which in the passage alluded to is called the chief of the (Vedas) sciences, although the books now called Vedas do not treat on the subject. The historical part, there is reason to think, was valuable; but being irreconcilable with

doctrines, which the author wished to establish, was totally new modelled in separate works called the Purans. Although all these go under the name of Vyasa, there is certain grounds to doubt of his having composed the whole, as it seems scarcely possible, that any one man in his senses would attempt to pass on the credulity of mankind a number of books, treating on the same subject in manners totally discordant and contradictory, as happens in these works. Many circumstances mentioned in these Purans, would show the time in which Vyasa actually lived, could any of these works be traced with certainty to him; and I suspect, that not only the historical part (Purana) of the ancient system of science, but that written by Vyasa has been new modelled in the various works now called Purans, all probably very modern, and composed by various persons." 1615. The long observations, we have just made are in the context of the fact that the Buchanan's survey relates to the earliest part of 19th century, i.e., 1807 to 1814. Aurangzeb died in 1707 after having ruled for about 50 years. Therefore, the memory of the people in respect to the incidents which took place during Aurangzeb were just 100 to 150 years old in comparison to that of Babar who was there about more than 275 years back. The people's memory is better reliable in respect to the recent incidents in comparison to ancient one. The belief of the local people about the destruction or construction at the disputed site, in the same way noticed by Tieffenthaler about 50 years back from the period of Buchanan and same thing noticed by Buchanan, in our view, ought to have been given more reliability than simply discarding the same on the basis of an inscription, the possibility whereof was always to be installed at any later point of time. In the absence of any material or anything to show that it was fixed almost 272 years back and the belief of the local people was perverse, we find it difficult to rely only on the observations of Buchanan based on inscriptions, the language whereof was not known to him and there is nothing to show that he could read or understood it. 1616. Sri P.N. Mishra, learned counsel further submitted that had the building in dispute constructed in 1528 and that too at the command of Emperor Babar, it would be inconceivable that Abul Fazal Allami in his work "Ain-e-Akbari" would have failed to notice the same though, if correct, it would have been the work of Akbar's grandfather. He refers to the "Ain-e- Akbari" written by Abul Fazal Allami, translated in English by H. Blochmann edited by Leut. Colonel D.C. Phillott, first published 1927-1949 reprint 1989 published by Low Price Publications, Delhi. He pointed out that Abul Fazal Allami has referred to "Ayodhya" and its religious importance for Hindus and also certain religious places of Muslims. Therefore, it is improbable that he would have missed or ignored to mention about a grand mosque constructed by grandfather of Emperor Akbar though has mentioned about other places of Ayodhya. This shows that till the date when the aforesaid work was written by Abul Fazal, building in dispute had not came into existence and it is incorrect to suggest that it was constructed in 1528 AD. He explained that this is the reason why we do not find any such mention in the work of Goswami Tulsidas, a great follower of Lord Ram. From Volume 1 of "Ain-e-Akbari", Sri P.N.Mishra placed certain extracts from page 162 and onwards to show that a large number of places of worship were constructed in 983 AH and onwards (see page 179, "Ain-e- Akbari") and that tax levelled on non-Muslims was abolished in 987 AH. About the abolition of tax on non-Muslims, page 198 of "Ain-e-Akbari" Vol.-1 quote as under :

"In this year the Tamgha (inland tolls) and the Jazya (tax on infidels), which brought in several krors of dam were abolished, and edicts to this effect were sent over the whole empire."

1617. He also referred to pages 201, 202 and 203 to show that the policy of Akbar was not so fanatic and was judicious to Hindus also. Had there been such a construction at the religious place of Hindus, the Akbar would have allowed it to be removed. The various orders and actions as noticed by Allami in "Ain-e-Akbari" Vol.-1 on pages 201 and onwards are as under:

"His majesty was now [990] convinced that the Millenium of the Islamitio dispensation was drawing near.

No obstacle, therefore, remained to promulgating the design which he had planned in secret. The Shaykhs and Ulamas who, on account of their obstinacy and pride, had to be entirely discarded, were gone, and His Majesty was free to disprove the orders and principles of the Islam, and to ruin the faith of the nation by making new and absurd regulations. The first order which was passed was that the coinage should show the era of the Millenium, and that a history of the one thousand years should be written, but commencing from the death of the Prophet. Other extraordinary innovation were devised as political expedients, and such orders were given that one's senses got quite perplexed. Thus the sijda, or prostration, was ordered to be performed as being proper for kings; but instead of sijda, the word zaminbos was used. Wine also was allowed, if used for strengthening the body, as recommended by doctors; no mischief or impropriety was to result from the use of it, and strict punishments were laid down for drunkenness, or gatherings and uproars. ....

"Beef was interdicted, and to touch beef was considered defiling. The reason of this was that, from his youth, His Majesty had been in company with Hindu liberation, and had thus learnt to look upon a cow- which in their opinion is one of the reasons why the world still exists- as something holy. Besides the Emperor was subject to the influence of the numerous Hindu princess of the Harem, who had gained so great ascendancy over him as to make him forswear beef, garlic, onion, and the wearing of a beard, which things His majesty still avoids. He had also introduced, though modified by his peculiar views, Hindu customs and heresies into the court assemblies, and introduces them still, in order to please and win the Hindus and their castes; he abstained from everything which they think repugnant to their nature, and looked upon shaving the beard as the highest sign of friendship and affection for him. Hence this custom has become very general. Pandering pimps also expressed the opinion that the beard takes its nourishment from the testicles; for no eunuch had a beard; and one could not see exactly of what merit or importance it was to cultivate a beard.

Moreover, former ascetics and looked upon carelessness in letting the beard grow as one way of mortifying one's flesh, because such carelessness exposed them to the reproach of the world; and so, at present, the silly lawyers of the Islam looked upon cutting down the beard as reproachful, it was clear that shaving was now a way of mortifying the flesh, and therefore praiseworthy, but not letting the beard grow. (But if any one considers this argument calmly, he will soon detect the fallacy.) Lying, cheating Muftis also quoted an unknown tradition, in which it was stated that 'some Qasis' of Persia had shaved their beards. But the words ka-ma gaf alu ba'z' 'l-quzdt (as some Qasis have done), which occur in this tradition, are based upon a corrupt reading, and should be ka-ma yaf 'a' u ba l-gusat (as some wicked men have done). . .



"The ringing of bells as in use with the Christians, and the showing of the figure of the cross, and . . . . . and other childish anything of theirs; were daily in practice. The words Kufr shay shud, or 'heresy' 'became common', express the Tdrikh (985). Ten or twelve years after the commencement of these doings, matters had gone so far that wretches like Mirza Jani, chief of Tattah, and other apostates, wrote their confessions on paper as follows :- 'I, such a one, son of such a one, have willingly and cheerfully renounced and rejected the Islam in all its phases, whether low or high, as I have witnessed it in my ancestors and have joined the Divine Faith of Shah Akbar, and declare myself willing to sacrifice to him my property and life, my honour and religion'. And these papers- there could be no more effective letters of damnation- were handed over to the Mujtahid ( Abu'l Fazl) of the new creed, and were considered a source of confidence or promotion. The Heavens might have parted as under, and earth might have opened her abyss and the mountains have crumbled to dust! "In opposition to the Islam, pigs and dogs were no longer looked upon as unclean. A large number of these animals was kept in the Harem, and in the vaults of the castle, and to inspect them daily was considered a religious exercise. The Hindus, who believe in incarnations, said that the boar belonged to the ten forms which God Almighty had once assumed.

"God is indeed Almighty- but not what they say." "The saying of some wise men that a dog had ten virtues, and that a man, if he possesses one of them, was saint, was also quoted as a proof. Certain courtiers and friends of His Majesty, who were known for their excellence in every department, and proverbial as court poets, used to put dogs on a tablecloth and feed them, whilst other heretical poets. Persians and Hindustanis, followed this example, even taking the tongues of dogs into their own mouths, and then boasting of it.

"Tell the Mir that thou hast, within thy skin, a dog and a carcass.

"A dog runs about in front of the house; don't make him a messmate.

"The ceremonial ablution after emission of semen was no longer considered binding, and people quoted as proof that the essence of man was the sperma genitale, which was the origin of good and bad man. It was absurd that voiding urine and excrements should not require ceremonial ablutions, whilst the emission of so tender a fluid should necessitate ablution; it would be far better, if people would first bathe, and then have connexion.

"Further, it was absurd to prepare a feast in honour of a dead person; for the corpse was mere matter, and could derive no pleasure from the feast. People should therefore make a grand feast on their birthdays. Such feasts were called Ash i haydt, food of life.

"The flesh of a wild boar and the tiger was also permitted, because the courage which these two animals possess would be transferred to any one who fed on such meat.

"It was also forbidden to marry one's cousins or near relations, because such marriages are destructive of mutual love. Boys were not to marry before the age of 16, nor girls before 14, because the offspring of early marriages was weakly. The wearing of ornaments and silk dresses at the time of prayer was made obligatory.

"The prayers of the Islam, the fast, nay even the pilgrimage, were henceforth forbidden. Some bastards, as the son of Mulla Mubarak, a worthy disciple of Shaykh Abu'l Fazl wrote treatises, in order to revile and ridicule our religious practices, of course with proofs. His Majesty liked such productions, and promoted the authors.

"The era of the Hijrah was now abolished, and a new era was introduced, of which the first year was the year of the emperor's accession (963). The months had the same names as at the time of the old Persian kings, and as given in the Nisab" 's.sibniyan'. Fourteen festivals also were introduced, corresponding to the feasts of the Zoroastrians; but the feasts of the Musalmans, and their glory were trodden down, the Friday prayer alone being retained because some old, decrepit, silly people used to go to it. The new era was called Tdrikh I llahi, or 'Divine Era'. On copper coins and gold muhrs, the era of the Millennium was used, as indicating that the end of the religion of Muhammad, which was to last one thousand years, was drawing near. Reading and learning Arabio was looked upon as a crime; and Muhammadan law, the exegesis of the Quran, and the Tradition, as also those who studied them, were considered bad and deserving of disapproval. Astronomy, philosophy, medicine, mathematics, poetry, history and novels, were cultivated and thought necessary. Even the letters which are peculiar to the Arabic language, ك as the ق and گ and ه were avoided. Thus for ق people wrote ا Abdullah; and for ه Ahadi, ا Ahadi etc. All this pleased His Majesty. Two verses from the Shahnama, which Firdawsi gives as part of a story, were frequently quoted at court-

From eating the flesh of camels and lizards The Arabs have made such progress, That they now wish to get hold of the kingdom of Persia.

Fie upon Fate! Fie upon Fate! "Similarly other verses were eagerly seized, if they conveyed a calumny, as the verses from the ....., in which the falling out of the teeth of our prophet is alluded to.

"In the same manner, every doctrine and command of the Islam, whether special or general as the prophetship, the harmony of the Islam with reason, the doctrines of Ru yat, Taklif, and Takwin, the details of the day of resurrection and judgment- all were doubted and ridiculed. And if anyone did object to this mode of arguing, his answer was not accepted. But it is well known how little chance a man has who cite proofs against one who will reject them, especially when his opponent has the power of life and death in his hands; for equality in condition in a sine quid won in arguing." (Page 201-206) "Here Bada, on mentions the translations from Sanscrit into Persian, which have been alluded to above, p.110. It is not quite certain whether the translation were made from Sanscrit or from Hindi translations, or from both. Bada, on clearly states that for some translations, as at the Atharban, Hindus were used as interpreters. For other works as the Mahabharat, there may have been Hindi translations or extracts, because Akbar himself (vide p.111, note 2) translated passages to Naqib Khan. Abu'l-Fazl also states that he was assisted by Pandits when writing the fourth book of the A-in. Compare Sir H. Elliott's Index to the Historians of India, p. 259." (Page 209) "In these days (991) new orders were given. The killing of animals on certain days was forbidden as on Sundays, because this day is sacred to the Sun; during the first eighteen days of the month of Farwardin; the whole month of Ahan (the month in which His Majesty was born); and on several other days to

please the Hindus. This order was extended over the whole realm, and capital punishment was inflicted on every one who acted against the command. Many a family was ruined. During the time of those fasts, His Majesty abstained altogether from meat, as a religious penance, gradually extending the several fasts during a year over six months and even more, with the view of eventually discontinuing the use of meat altogether." (Page 209-210) "In the same year (991) His Majesty built outside the town two places for feeding poor Hindus and Muhammadans, one of them being called Khayrpura and the other Dharmapura. Some of Abu'l-Fazl's people were put in charge of them. They spent His Majesty's money in feeding the poor. As an immense number of Jogis also flocked to this establishment, a third place was built, which got the name of Jogipura." (Page 210) "His Majesty once ordered that the Sunnis should stand separately from the Shiahs, when the Hindustanis, without exception, went to the Sunni side, and the Persians to the Shiah side." (Page 212) 1618. Vol. 2 "Ain-e-Akbari" Page 181 and onwards deals with "Oudh" and Sri Mishra placed the following part thereof :

"It is situated in the second climate. Its length from the Sarkar of Gorakhpur to Kanauj is 185 kos. Its breadth from the northern mountains to Sidhpur on the frontier of the Subah of Allahabad is 115 kos. To the east is Bihar; to the north, the mountains; to the south, Manikpur, and to the west Kanauj. Its climate is good. Summer and winter are nearly temperate. Its principal streams are the Saru (Sarju), the Ghaghar (Gogra) the Sai and the Godi (Gumti). In the first mentioned, divers aquatic animals and foms of strange appearance show themselves. Agriculture is in a flourishing state, especially rice of the kinds called Sukhdas, Madhkar, and Jhanwan, which for whiteness, delicacy, fragrance and wholesomeness are scarcely to be matched. They sow their rice three months earlier than in other parts of Hindustan. When the drought begins, the Sai and Gogra rise high in flood and before the beginning of the rains, the land is inundated, and as the waters rise, the stalks of rice shoot up and proportionately lengthen: the crop, however, is destroyed if the floods are in full force before the rice is in ear. Flowers, fruits and game are abundant. Wild buffaloes are numerous. When the plains are inundated the animals take to the high ground where the people find sport in hunting them. Some of the animals remain all day in the water and only at night approach the dry ground and breathe in freedom. Awadh (Ajodhya) is one of the largest cities of India. In is situated in longitude 118°, 0', and latitude 27°, 22'. It ancient times its populous site covered an extent of 148 kos in length and 86 in breadth, and it is esteemed one of the holiest places of antiquity. Around the environs of the city, they sift the earth and gold is obtained. It was the residence of Rama Chandra who in the Treta age combined in his own person both the spiritual supremacy and the kingly office.

At the distance of one kos from the city, the Gogra, after its junction with the Sai, [Saraju] flows below the fort.

Near the city stand two considerable tombs of six and seven yards in length respectively. The vulgar believe them to be the resting places of Seth and the prophet Job, and extraordinary tales are related of them. Some say that at Ratanpur is the tomb of Kabir, the assertor of the unity of God." (Page

181-182) 1619. The above contents are published on pages 170-172 of "Ain-e-Akbari" by Abul Fazal Allami, translated by Colonel H.S. Jarrett, Vol. 2, published in 1891 at Calcutta and the photocopy thereof alongwith its frontispiece has been filed as Exhibit T6 (Suit-4) (Paper No. 43A-1/25-28) (Register 18, pages 51-57).

1620. He also referred to the two footnotes one of which is with respect to Ram and another with respect to Sant Kabir and read as under : .

"The 7th avatar, who in this capital of the solar dynasty founded on the chariot wheel of Brahma, consummated the glories of sixty generations of solar princes and as the incarnate Rama, i.e. the hero of the famous epic that bears his name." (Page 182)  
"His doctrines were preached between A.D. 1380 and 1420 and attempted the union of Hindu and Muhammadan in the worship of one God whether invoked as Ali or Rama.

On his deceased both these sects claimed the body and while they contested it, Kabir suddenly stood in their midst and commanding them to look under the shroud, vanished. A heap of beautiful flowers was there discovered, which, divided among the rival worshippers, were buried or burnt according to their respective rites. Pilgrims from upper India to this day beg a spoonful of rice water from the Kabir Monastery at Puri in Orissa." (Page 182) 1621. He also pointed out to page 184 which gives certain other statistics of Oudh showing that main castes residing therein were "Brahmans" and "Kumbi". Then on page 311 of Vol. 2 Sri Mishra says that Abul Fazal has also taken note of various incarnations of Lord Vishnu in the form of Varahavatara or Boar-Incarnation, Nara-Sinha or Man-Lion Incarnation, Vamana or Dwarf-Incarnation, Parasurama or Incarnation of Ram with axe, then Ramavatara or Ram Incarnation, Krishnavatara or Incarnation as Krishna, Buddhavatara or Buddha Incarnation, Kalkyavatara or Kalki Incarnation. On pages 316-317, Ramavatara has been described as under :

"They relate that Ravana one of Rakshasas two generation in descent from Brahma, had ten heads and twenty hands. He underwent austerities for a period of ten thousand years in the Kailasa mountain and devoted his heads, one after another in this penance in the hope of obtaining the sovereignty of the three worlds. The deity appeared to him and granted his prayer. The gods were afflicted by his rule and as in the former instances, solicited his dethronement which was vouchsafed, and Rama was appointed to accomplish this end. He was accordingly born during the Treta Yuga on the ninth of the light half of the month of Chaitra (March-April) in the city of Ayodhya, of Kausalya wife of Raja Dasaratha. At the first dawn of intelligence, he acquired much learning and withdrawing from all worldly pursuits, set out journeying through wilds and gave a fresh beauty to his life by visiting holy shrines.

He became lord of the earth and slew Ravana. He ruled for eleven thousand years and introduced just laws of administration." (Page 316-317) 1622. Chapter IX Vol. 2 of "Ain-e-Akbari" deals with sacred places of pilgrimages and it includes a number of rivers as well as several places including Ayodhya as under :

"CHAPTER IX SACRED PLACES OF PILGRIMAGE Although profound and enlightened moralists are convinced that true happiness consists in the acquisition of virtue and recognise no other temple of God but a pure heart, nevertheless the physicians of the spiritual order, from their knowledge of the pulsation of human feeling, have bestowed on certain places a reputation for sanctity and thus rousing the slumberers in forgetfulness and instilling in them the enthusiastic desire of seeking God, have made these shrines instruments for their reverencing of the just, and the toils of the pilgrimage a means of facilitating the attainment of their aim.

These holy places are of four degrees.

The first is termed deva or divine and dedicated to Brahma, Vishnu and Mahadeva. The greatest among these are twenty-eight rivers in the following orders:- [P.177] (1) Ganges, (2) Sarasvati, (3) Jamuna, (4) Narbada, (5) Vipasa, Known as Biah (Hyphasis), (6) Vitasta (Hydaspes or Bidaspes) known as the Bihat, (7) Kausiki, a river near Rhotas in the Panjab, but some place it in the neighborhood of Garhi in the eastern districts (8) Nandavati (9) Chandrabhaga, known as the Chenab, (10) Sarayu (Sarju) known as the Sarau, (11) Satyavati, (12) Tapi known as Tapti upon the (north) bank of which is Burhanpur. (13) Paravati, (14) Pasavati (15) Gomati (Gumti) near Dvaraka. (16) Gandaki, upon the banks of which is Sultanpur of the Subah of Oudh, (17) Bahuda, (18) Devika (Deva or Gogra). (19) Godavari, called also Banganga. Pattan of the Dekhan is situated on its bank. (20) Tamraparni at the extremity of the Dekhan. Here pearls are found. (21) Charmanvati (22) Varana, near Benares (23) Iravti, known as the Ravi (Hydraotes), Lahor is on its bank. (24) Satadru (the hundred-Channelled), known as the Sutlej. Ludhiana is upon its bank. (25) Bhimarathi, [178] called also the Bhima, in the Dekhan. (26) Parnasona. (27) Vanjara, in the Dekhan, (28) Achamiyya, Some include the Indus, but it is not of the same sanctity.

Each of these rivers as dedicated to one of these deities, has peculiar characteristics ascribed to it: Some of the places situated on their banks are esteemed holy, as, for example, the village of Soron on the Ganges, to which multitudes flock on the twelfth of the month of Aghan (Nov- Dec). Some regard certain cities as dedicated to the divinities. Among these are Kasi, commonly called Benares. The Adjacent country for five kos around the city is held sacred. Although pilgrimages take place throughout the year, on the Siva-ratri multitudes resort thither from distant parts and it is considered one of the most chosen places in which to die. Final liberation is said to be fourfold: (1) Salokya passing from the degrees of paradise to Kailasa. They say that when a man goes to heaven through good works, he must return to earth, but when after various transmigrations, he attains that region, he returns no more (2) Sarupya (assimilation to the deity); when a man partakes of the divine elementary form, he does not revisit the earth. (3) Samipya (nearness to the deity) is when a man after breaking the elemental bonds, by the power of good works is admitted into the presence of God's elect, and does not return to earth. (4) Sayuiya (absorption into the deity); after passing through all intermediate stages, he obtains the bliss of true liberation. They have likewise divided the territory of Benares into four kinds. The characteristic of two parts is that when a being dies therein, he attains the fourth degree of Mukti; if he dies in one of the others, he reaches the third degree, and if in the remaining one, the second degree.

Ayodhya, commonly called Awadh. The distance of forty kos to the east, and twenty to the north is regarded as sacred ground. On the ninth of the light half of the month of Chaitra a great religious festival is held.

Avantika, Ujjain. All around it for thirty-two kos is accounted holy and a large concourse takes place on the Siva-ratri.

Kanchi (Conjervaram) in the Dekhan. For twenty kos around it is considered sacred. On the eighth of every Hindu month that falls on a Tuesday, there is a great concourse of pilgrims.

Mathura is sacred for forty-eight kos around, and even before it became the birthplace of Krishna, was held in veneration. Religious festivals are held on the 23rd of the month of Bhadra (Aug-Sept) and the 15th of Karitika (Oct- Nov).

Duaraka. The country for forty kos in length and twenty in breadth is esteemed holy. On the Diwali festival, crowds resort hither.

Maya, known as Haridvra (Hardwar) on the Ganges. It is held sacred for eighteen kos in length. Large numbers of pilgrims assemble on the 10th of Chaitra. These seven are called the seven (sacred) cities.

Prayaga now called Illahabas. The distance for twenty kos around is venerated. They say that the desires of a man that dies here are gratified in his next birth. They also hold that whoever commits suicide is guilty of a great crime except in this spot where it meets with exceeding reward. Throughout the year it is considered holy, but especially so during the month of Magha (Jan-Fab).

Nagarkot For eight kos round it is venerated. On the eighth of the months of Chaitra and Kartika, many pilgrims assemble.

Kashmir is also accounted of this class and is dedicated to Mahadeva. Many places in it are held in great veneration.

The second are the shrines of the Asuras, which are temples dedicated to the Daitya race. In many things they share the privileges of the devatas; but the latter are more pure, while the others are filled with the principle of tamas (darkness). Their temples are said to be in the lower regions (Patala).