

CHAPTER 4

SEQUENCE OF EVENTS

17.1 The conduct and culpability of the protagonists and the architects of the events of the 6th of December 1992 must be understood and analysed not only from the actual events themselves but also from their conduct, speeches and acts of commission as well as acts of omission over a period of time. ...

18. Background

18.5 For centuries this was a local religious issue confined only to Ayodhya, at the most to the Faizabad division. It was to later transform into not only a national political issue but also an internationally communal issue which was to shape the contours of the democracy of India.

18.6 In the year 1528 the Mughal emperor, Babar, ordered his commander, Mir Baqi, to erect a mosque at Ayodhya. Protagonists of the present movement claimed that after demolishing the temple at the birthplace of Ram, Mir Baqi constructed the mosque i.e. the "disputed structure".

18.7 The British rulers of the time later divided the area into two parts, one comprising of the structure described by the VHP as the "Babri structure" and the other comprising of the "Ram Chabutra" and "Sita Ki Rasoii", with a courtyard where Hindus used to perform puja. The structure stood divided into inner and outer courtyards by a railing...

18.8 Worship of idols installed on the Ram Chabutra by Hindu devotees in general was performed for a considerable period. There were no objections from the Muslims staking the counterclaim prior to the shifting of idols into the disputed structure in 1949. ...

21. The events from 1949 onwards

21.1 After the partition of the country in 1947, Mahatma Gandhi was assassinated on the 31st of January 1948 [The correct date is 30th January – CC]. Subsequently and as a consequence, members of the RSS were arrested and the organisation was banned up till 1949. ...

21.3 No noticeable event took place between 1947 and the 23rd of December 1949. On that date idols of Ramchandrajii (Ram Lalla) with the inscription, 'Shri Ram', were installed in the Garbh Griha. As a consequence, an FIR was registered against Abhay Ram, Sideshwar Rao, Shiv Charan Das and 60 others...

21.5 The central government as well as the state government had taken exception to the installing of the idols. Inquiries were made from the then district magistrate and deputy inspector-general [DIG] about their conduct, as to why they were not able to prevent the crowd effectively when it was not so large. ...

21.7 District Magistrate KK Nayyar stated inter alia that there was no forewarning through any intelligence channel...

21.11 Post-1949, interestingly enough, the district magistrate and his wife and even his employee contested elections on the ticket of Hindu organisations.

21.12 The stance adopted at the time, apart from the refusal to remove the idols, would constitute a clear signal that a war had started brewing in the minds of the people and diagonally opposite views had started to be formed on whether the disputed struc-



ture was a mosque or a temple. The seeds of future discord were sown by the district magistrate. ...

21.18 From 1949 to 1961 the only claimants were the pujaris or local sants who were litigating in the civil courts...

21.21 There was neither any agitation nor movement nor any coherent demand projected up till 1975...

21.22 No party or organisation or association other than individuals like Paramhans Ramchandra Das or his *akhada* [order] or the Wakf Board ever approached the court or became a party to the litigations either to defend or to prosecute the same. It is thus abundantly clear, uncontroverted and clearly established that the dispute, if at all there was any, remained confined to Ayodhya or the local vicinity...

22. Emergence of the sangh parivar

22.1 The VHP was constituted in 1964 with the object of consolidating and strengthening Hindu society...

22.2 [It] jumped on the Ayodhya bandwagon sometime in 1980. After the 1980s, calls for various *andolans*, *kar sevas*, were made...

22.3 The RSS and its leadership supported the claim for demolition of the disputed structure and the reconstruction of a temple at Ayodhya issue from the very beginning, directly or indirectly... The BJP joined the bandwagon by passing a resolution at Palampur in 1989 to support the construction of a temple at the disputed structure...

23. The 1960s and later events

23.1 In 1967, with the support and participation of the Jan Sangh, a non-Congress government was formed in Uttar Pradesh. No dispute was raised with respect to the disputed structure...

24. Ayodhya turns into an "issue"; creation of specialised organisations

24.1 The VHP took charge over the management of the dispute and the cause of "liberation" of the alleged temple at Ayodhya in November-December 1983...

24.4 In April 1984 the VHP constituted a Dharam Sansad as the frontal face for the movement. Though devoid of any legal status, the Dharam Sansad was, for reasons of expediency and need, put at the forefront of the movement with respect to the disputed structure... Similarly, a Kendriya Marg Darshak Mandal too was constituted as one of the bodies of the VHP, again with no legal status.

24.5 Another organisational unit [of the VHP] named the Bajrang Dal was constituted... on the 7th of October 1984...

24.6 The Ram Janmabhoomi Mukti Yagna Samiti or Dharam Sthan Mukti Yagna Samiti was formed... in June 1984...

24.7 A Ram-Janaki *rath yatra* was taken out from Delhi via Prayag on the 16th of October 1984, reaching Chitrakoot on the 22nd of October 1984... Vociferous demands for the "liberation" of the disputed structure and opening of its locks were made...

24.10 The movement for the opening of locks by the VHP and the Ram Janmabhoomi Mukti Yagna Samiti continued until February 1985...

24.12 [T]he RSS, VHP and other Hindu organisations and believers in Hinduism were requested to support the movement as... it could not succeed without the support of a party at the national level...

25. Opening of the locks at Ayodhya

25.1 In January 1986 the campaign for opening of the locks formally started...

25.2 [O]n the 1st of February 1986... the district judge directed the opening of the locks... The reason for such an order passed by the district judge, as given in his autobiography, makes interesting reading.

25.3 It narrates the visit of a monkey to his home, then to his courtroom and then back to his house before, during and after the pronouncement of his judgement. The monkey, he said, did no harm. He made an attempt to convey that the monkey inspired or directed him to pass a judicial order in an appeal against the order declining the preponement of the date by the subordinate judicial officer, that too on an application made by a non-party to the suit.

In conformity with the army-like discipline of organisations like the RSS, the manner in which the arrangements and mobilisation was carried out does not corroborate the theory that the convergence or the mobilisation of such a large number of kar sevaks was for symbolic kar seva alone

26. Protests after the opening of the locks

26.1 The Muslims' All-India Babri Masjid Action Committee was constituted on the 15th of February 1986. The opening of the locks was challenged in public meetings and a

"black day" against the opening of the locks was observed on 12th May, 1986 as a protest. Various Muslim organisations like the Babri Masjid Movement [Coordination Committee], Central Action Committee for Restoration of Babri Masjid and various other committees or their affiliates were floated...

26.4 Muslims variously protested between the 1st of January to the 30th of March 1987. Apart from giving calls for boycotting Republic Day (which call was later withdrawn), bandhs were observed and a public rally held at the Boat Club in Delhi. Public threats of violence were made by personalities no less than the shahi imam of the Jama Masjid, Shahabuddin and Sulaiman Sait, etc.

26.5 Protagonists on either side of the dispute mobilised the people, held meetings, gave calls for bandhs, etc, throughout 1987. They gave emotional and provocative speeches and made appeals for their respective claims...

26.8 The Dharam Sansad, in January 1988, at Kumbh at Prayag, declared the details of the programme for *shila* puja with effect from the 9th of October 1989.

26.9 Protagonists of the Masjid group decided to oppose it by taking out a long march while the sants decided to oppose it in their meeting held at Hardwar. ...

26.11 The UP government, on the 15th of December 1987,

made an application to the [Allahabad] high court requesting it to withdraw all pending suits from the subordinate courts to the high court for trial and disposal. ...

26.14 A meeting to review the situation and in order to find a solution and in order to defuse the tension was held by the home minister of India... The leaders of both sides asserted that there was neither any question of negotiation on the Ayodhya issue nor could the problem be solved through the judicial process, as it related to centuries old faiths...

27. Events of 1989

27.2 Leaders of the movement, in a conference at Prayagraj during Kumbh, announced the proposed *shilanyas* to be carried out on the 9th of November 1989. A model of the proposed Ram temple was displayed and approved. ...

27.5 In June 1989 the BJP took a historical decision not only to support the Ayodhya movement but to participate in it...

27.10 Further tension started building up in 1989 with the decision of the VHP to carry consecrated bricks (Ram *shilas*) from all over the country for laying the foundation stone of the temple on November 9th, 1989. ...

27.16 The Allahabad high court, on 14th August, 1989, while declining to injunct the *shilanyas* and the carrying of *shilas* from all over the country for laying the foundation stone of the proposed temple on the 9th of November 1989, directed status quo to be maintained with respect to the disputed site...

27.18 A public meeting was held at the Boat Club, Delhi, on the 22nd of September 1989. Warning was issued for launching a bitter struggle if any impediments or hurdles were placed in [the way of] the *shilanyas* programme or the *shila* puja programme or in the steps declared by the organisers of the temple construction movement... Provocative slogans were raised and provocative speeches were made without any restraint either in the language and tone or texture...

27.22 During the Parliament session, on the 13th of October, all the political parties resolved not to permit or cooperate with the *shilanyas*. The VHP was called upon to cancel the programme; the BJP did not participate in these parliamentary proceedings.

27.23 General elections to the Lok Sabha were announced on the 16th of October 1989. VHP representatives informed the home minister on the 17th of October that the *shilanyas* programme would not be postponed.

27.24 During the general elections of 1989 the issue was brought to the centre stage of national politics by the BJP and RSS. The Janata Dal secured 143 seats while the BJP won 86 seats. A Janata Dal government was formed at the centre with the support of the BJP and Left parties.

27.25 VM Tarkunde [legal luminary and civil libertarian] filed a writ petition in the Supreme Court and sought an injunction against the *shilanyas* programme. The Supreme Court declined to interfere vide its order dated the 27th of October 1989. It was held by the court that the right to conduct religious processions was a fundamental right and therefore the ceremonial carriage of Shri Ram *shilas* to Ayodhya cannot be stopped.

27.26 By a notification, the government acquired the land popularly known as Ram Janmabhoomi...

27.27 On the call of the VHP ostensibly given by the sants, 3,50,000 *shilas* were brought to Ayodhya by the 5th of November 1989, for laying the foundation stones for the proposed temple at Ayodhya, by thousands of sants and priests mounted on *raths* flying flags bearing the Ram monogram...

27.29 *Shilanyas* was carried out on the rectangular platform at the predetermined spot...

27.31 [T]he Marg Darshak Mandal and the Dharam Sansad, etc conceded had no legal status. They were an aggregation of individuals organised by and under the aegis of the VHP. The VHP used to determine their agenda and decide matters for them and then proceed to carry out the "decisions" of those aggregations.

27.32 The VHP in turn was the frontal organisation for the RSS... [There is] no doubt that the author and architect of the movement was the RSS...

27.33 The Marg Darshak Mandal, Kendriya Marg Darshak Mandal, etc were all established only for the sake of expediency and in order to swell the ranks of the sangh parivar by bringing together the masses who were followers of one or the other sect or the followers of diverse sants, sadhus, etc. ...



28. Architects of *shilanyas* and *kar seva*

28.1 I am of the considered opinion that it was commonly believed and accepted that events were being planned and implemented by the VHP according to its convenience and agenda. Whilst the VHP stated and declared that it was only an executor of the programmes given by religious bodies, it was well known and as such perceived [that] everything was being done by the VHP and in its name.

28.2 Though the VHP is ostensibly an independent legal entity, for all intents and purposes, as evidenced from the evidence before the commission and the testimony received, the VHP is yet another organ of the RSS and directly under its influence. In all the negotiations, leaders from the VHP, RSS and BJP alone used to participate. At no point of time did any sadhu or sant participate in any negotiation either with Muslims or the governments of the state or the centre.

28.3 It was only around 1990 that, consequent to suggestions, a crude attempt was made by the leadership to make the general public believe that the call for *kar seva* was given by the Marg Darshak Mandal or the Kendriya Marg Darshak Mandal or sadhus and sants...

29. 1990; Advani's *rath yatra*

29.5 The massive and unprecedented [30th April, 1990] rally at the Boat Club served to hype up religious sentiments and sharpen emotions towards the construction of temple movement as well as the disputed structure. Most of the participants in the rally were BJP leaders... The rally succeeded in its object of rallying around more people to the BJP as well as politically uniting the Hindus thereby creating the vote bank which may not have existed hitherto...

29.4 Insinuations and innuendo against other religions, specifically the Muslims, were made on this public platform. Emotive speeches were delivered; some were articulate while some of the speakers exercised neither reins nor control over their language. Double-meaning slogans were raised in the presence of leaders. Slogans like "*Jo Hindu hit ki baat karega, Wohi Hindustan par raj karega* [Only those who protect Hindu interests must rule India]" were raised and prominently displayed under the rostrum...

29.15 LK Advani announced the beginning of his *rath yatra* from Somnath to Ayodhya on the 25th of September 1990... The *rath yatra* was to reach Ayodhya on the 30th of October 1990, the date fixed for *kar seva* for the construction of a temple at the disputed site...

29.17 LK Advani, accompanied by Pramod Mahajan, commenced his *rath yatra* on the 25th of September 1990 from Somnath... Leaders ranging from the fiery to the violent as well as the peaceful were present along with the *kar sevaks*. Some of them were armed as well... The *rath yatra* was blessed by Morari Bapu and Balasaheb Deoras, the president of the RSS. ...

29.19 LK Advani warned the Janata Dal government [at the centre] on the 14th of September 1990, before the commencement of the *rath yatra*, that the BJP's support to the government would be withdrawn if they tried to stop the *rath yatra*...

29.22 The *rath yatra* entered Delhi on the 14th of October and left for Bihar on the 18th of October 1990. It ended on the 22nd of October 1990 with the arrest of LK Advani and [others] at Samastipur (Bihar), under the orders of Laloo Prasad Yadav, the then chief minister of Bihar...

29.28 [L]akhs of *kar sevaks* reached Ayodhya on 30th October, 1990 and 2nd November, 1990.

29.29 There was indiscriminate firing on the *kar sevaks*, resulting in a large number of casualties, and in view of this development, further activities were suspended...

29.31 An attempt to blow up the disputed structure was made by one Suresh Kumar on the 8th of December 1990. This was however foiled.

29.32 Around 28,000 PAC [Provincial Armed Constabulary] personnel had been deployed in Ayodhya alone. The total number of deployed personnel in UP was 1,00,000, suggesting the strict security measures which had been taken...

30. BJP comes to power in UP (1991)

30.3 Elections were declared in March 1991. The Vishwa Hindu Sammelan was organised at the Boat Club, New Delhi, in the first week of April 1991... [I]n fact, it was a public meeting held in the course of the 1991 elections by the BJP and its allied parties, including the VHP. This was an unprecedented gathering

On October 25, 1992 Bal Thackeray took a decision to participate in the *kar seva*. It was announced that this was not going to be a mere symbolic *kar seva* but the actual *kar seva* at the spot by construction of the temple. It was reported in the media that the IB had, in its dispatches dated November 22, stated that the Sangh intended to demolish the structure

and a large number of people, leaders, associations like the RSS, religious leaders, the Shiv Sena, Bajrang Dal, etc, including the VHP, participated in it. The event served to actively mobilise the people for the upcoming elections, to politically support the BJP or other Hindu-minded parties or protagonists of temple construction or of the Hindu religion.

30.4 Some mahants and sants not only participated but also took an active part in the political rally... All kinds of speeches, ranging from the emotional to the provocative, were delivered at the event and people were exhorted to participate not only in the construction movement but in *kar seva* too, as and when the call for it would be given, as well as extend their support to the BJP as the only political party supporting the temple agenda... Slogans like "*Jo Hindu hit ki baat karega, Wohi desh par raj karega* [Only those who protect Hindu interests must rule the country]" were shouted and displayed. ...

30.5 The BJP presented the idea of Ram Rajya and revealed its manifesto for the construction of the temple at

this meeting. It was declared that any government opposing the Hindus would not be allowed to succeed...

30.6 The BJP and its associates secured about 119 parliamentary seats while the Congress secured 249 seats. In the UP legislature, the BJP secured 211 seats.

30.7 PV Narasimha Rao became the prime minister of the Congress government at the centre. Kalyan Singh became the BJP chief minister of Uttar Pradesh. The BJP formed governments in Rajasthan, Himachal Pradesh and Madhya Pradesh and a coalition government with the Shiv Sena in Maharashtra [The coalition government in Maharashtra was formed in 1995, not 1991 – CC]. ...

30.9 The BJP government as well as the party took its success at the hustings as an electoral mandate for construction of the temple after removing all hurdles...

30.10 Sadhus, sants, the VHP proclaimed the government to be theirs, by them, for them. The VHP asked the government on 20th July, 1991 for clearing the decks for the construction and removing any surviving hurdles... A Ram Janmabhoomi Nyas was constituted for construction of a temple at the disputed site.

30.11 The UP government, under the garb of promoting tourism and providing amenities for visitors, acquired 2.77 acres of land in front of the disputed structure on the 10th of July 1991. Out of this 2.77 acres of land sought to be acquired, the VHP claimed ownership over 2.04 acres. The remaining tiny parcel containing the disputed structure was not acquired.

30.12 The acquisition of the land was judicially challenged on a number of grounds, including that it had been done for extraneous considerations. The Supreme Court, by an order dated the 15th of November 1991, allowed the government to take possession of the land but prevented construction of a permanent nature in the complex...

30.13 The [Allahabad] high court ordered maintaining of the status quo while permitting repairs of the damage done to parts of the structure in 1990; temporary constructions were permitted.

30.14 The UP government and the leaders of the temple construction movement stated that the 2.77 acres of land had been acquired for construction of the temple. The possession of this land was given to the Ram Janmabhoomi Nyas for the construction, on long lease, for a consideration of one rupee. The government itself employed tractors for digging a 12-foot wide area for levelling of the Ram Janmabhoomi-Babri Masjid complex. One wall of the Sankat Mochan temple was removed on the 24th of October 1991 at the instance of Vinay Katiyar despite the clear injunction from the court. Structures like the Sakshiji Gopal Mandir and

a part of Sankat Mochan Mandir, the compound wall around the structure, etc in front of the disputed structure were demolished at the beginning of the *rudra maha* yagna on the 28th of September 1991 despite the [high court's] status quo orders... The government submitted that the acquisition was for construction of a temple through the Ram Janmabhoomi Nyas. The acquisition was quashed by the high court holding it to be for the Mandir – a finding later affirmed by the Supreme Court. It was held that the acquisition was mala fide and for extraneous consideration. ...

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

31. Events of 1992

31.1 The paramilitary forces and other forces expressed concern about the lax security. The principal secretary [home,



UP] in January 1992 reported that the removed barriers could be resurrected immediately as and when the need arose. This was in fact never done. Removal of barriers and fencing commenced in January 1992.

31.2 RC Agarwal [deputy director, operations, CRPF] pointed out to the DGP [director general of police] that security in the isolation cordon had been adversely affected and the forces deployed were likely to be outnumbered by *kar sevaks*, which might result in panic reaction by the forces...

31.6 [U]p to January 1992, security arrangements were made in coordination with paramilitary forces, central and other available intelligence agencies, etc. After January 1992, these agencies were not taken into confidence and were not even informed of the formation of any security plans for the disputed structure...

32. February 1992

32.3 [T]he construction by the UP government of the security wall known as Ram Dewar, measuring eight to 10 feet in height, on three sides of the acquired land at Ayodhya, including the disputed structure, commenced on the 17th of February 1992...

32.4 Not only did the protagonists of the movement name the security wall as the

Ram Dewar, it was so referred to by the public at large, leaders of the movement, the administration, media, etc. It is evident from the oral and documentary testimony, which is too voluminous to reproduce here, that the UP government by its actions and conduct expressly and impliedly accepted it to be the boundary of the proposed Ram temple, including the Ram Janmabhoomi complex. The construction of this wall was hailed as a step towards the ultimate construction of the temple by the members of the political executive and leaders of the BJP and VHP, etc...

33. March 1992

33.13 The central government was getting understandably perturbed by the acts and conduct of the state government...

33.14 Kalyan Singh... on the 24th of March 1992... made a public statement to the effect [that] "Irrespective of the fact that the state government stays or goes, the Mandir must be constructed." ...

34. April 1992

34.2 The [union] home secretary and the [union] home minister expressed concern about the fragile communal situation in the area with the potentiality of serious repercussions. ...

34.7 A meeting was held in which the district magistrate participated. Measures for beefing up the existing security arrangements, especially in the light of the recent demolitions of buildings in the complex, levelling of adjoining land, the forthcoming Ram Navami festival on the 11th of April 1992, were discussed. A request was made for deployment of the paramilitary forces in the inner cordon.

34.8 Subsequent to the visit of the NIC [National Integration Council] comprising of Subodh Kant Sahay, Suresh Kalmadi, MJ Akbar, etc, it was reported in the media on 6th April, 1992 that the Khasa Bara mosque was demolished. ...

35. May 1992

35.6 The home ministry of India sought a report from the state and the district administration about the dilution of security vide its letter dated the 29/30th of May 1992. ...

35.8 Paramilitary forces and others pointed out that security was being diluted...

36. June 1992

36.1 The home secretary of India expressed concern at the fragile communal situation in the area having serious repercussions.

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

36.7 SB Chavan [union home minister] stated that the UP government was fully responsible for the protection of the structure...

36.12 Chaturmas [the four holy months in Hinduism] would

be observed in Ayodhya to propagate the construction of the temple. There were apprehensions of demolition when the Ram Janmabhoomi Nyas requested the state government for permission for puja on

Champat Rai, the local manager for the construction of the Ram temple, issued a statement on November 24 that it had been decided to adopt a guerrilla strategy on December 6. Intelligence agencies reported that the Bajrang Dal and Shiv Sena were vying with each other for the "fame" of blowing up the disputed structure and this fact was within the knowledge of the VHP

the 9th of July 1992. [This was] in view of the apprehensions of the gathering of a large number of Hindu religious leaders and the easy access to the disputed structure in view of the changed circumstances. The need for more security arrangements was acutely felt, especially because of the charged Muslim emotions and their demands, which might have led to communal violence. The government's instructions were further sought in view of the security arrangements for the disputed structure alone. Apprehensions of the possibility of the situation going out of the control of the organisers over the people within the walled area were expressed... The central government continually conveyed its desire for the tightening of security. ...

37. July 1992

37.1 AK Sharan [IG, inspector-general of police, Lucknow zone] made his first visit to the disputed structure in July 1992. The question of deployment of PAC forces for security was considered. At this point of time it was noticed that the coordination between the Intelligence Bureau [IB] and dis-

trict police had broken down. He admitted that security of the disputed structure required beefing up in July 1992. There was a likelihood of the congregation of a large number of *kar sevaks*, sadhus and sants around the disputed structure in the Ram Janmabhoomi-Babri Masjid complex. He admitted that the strength of the PAC was raised from seven to 10 companies in July 1992 along with the posting of SSPs [senior superintendents of police] and district magistrate.

37.2 During July 1992, till the 27th of July 1992 when the *kar seva* was stopped, the print and electronic media covering the temple movement was constantly providing a progress report of the work done on each day and the target for the next day.

37.3 The district magistrate addressed a letter to the chief secretary on the need for discussion of security for the disputed structure, at a higher level, in view of the *kar seva* on the 9th of July 1992... The district magistrate and SSP, Faizabad, also informed the home secretary, UP, about the sant *sammelans* [congregations] for the Sarva Dharma Anushthan on 9th July at Ayodhya, on the acquired land. They reported that they anticipated a formal declaration of the starting of construction...

37.5 Various leaders made varying declarations in or around July...

37.6 Swami Satyanandji [Sant Samaj leader] declared that the sentiments of the people could not survive by the mere passing of resolutions... [He] urged the people for demolition of the structure without bulldozers or permission from the high court even if it resulted in the dismissal of the government...

37.7 Before the commission, it emerged that Mahant Nriyha Gopal Das [of the Ram Janmabhoomi Nyas] exhorted the sants to participate in the *kar seva* programme... commencing on 9th July, 1992, which would later prove to be the backbone of the temple construction campaign. He stated that the Hindu community had been waiting anxiously for construction of the temple. He further exhorted the people to make the further decision towards the second step for the construction of the temple.

37.8 Other leaders of the movement like Paramhans Ramchandra Das urged the commencement of construction of the temple from the Garbh Griha where idols of Ram Lalla were installed. He and all other sants openly expressed the view that the [disputed] structure should be demolished. ...

37.11 Mahant Avaidyanath [Hindu Mahasabha] admitted that had there not been a BJP government [in UP], the VHP by itself would not have succeeded in the construction cam-

paign... He opined that the mere declaration of a date for commencement of the construction would create more problems and without doing so, the success achieved would be redundant...

37.14 It was stated that *kar sevaks* were now ready for the final fight...

37.16 The chief minister expressed his inability to shoot the *kar sevaks* and told the prime minister that he alone could order it if needed. It was further mentioned that only the central government could stop the work.

37.17 The call for *kar seva* was on the 2.77 acres and at the disputed structure, to commence on the 9th of July 1992... Sadhus and sants, *kar sevaks*, started converging on Ayodhya [from] the first week of July for the Chaturmas religious ceremony, Sarva Deva Yagna Avam Anushthan, and for *kar seva* for construction of the platform adjacent to the disputed structure on the 2.77 acres...

37.18 The security forces were under explicit orders from Chief Minister Kalyan Singh not to use force against the *kar sevaks*. The police, administration, thus became a silent spectator and a part and parcel of the *kar sevaks*...

37.25 The chief minister assured the home minister of India that the state government was bound to take all appropriate steps at all costs for the protection of the disputed structure. ...

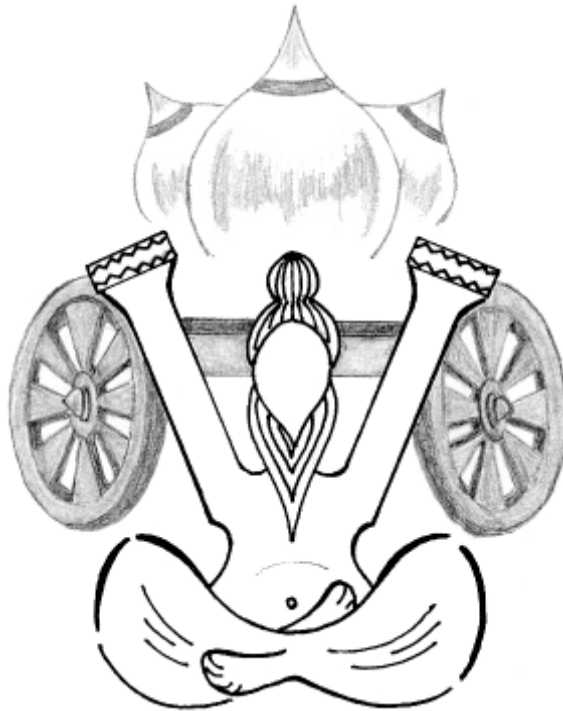
37.28 The VHP started proclaiming by the 7th of July 1992 that the structure would be demolished and a temple would be reconstructed...

37.29 There is overwhelming evidence before the commission from which it can be concluded that *kar sevaks*, sadhus and sants, organisers, leaders of the VHP, Paramhans Ramchandra Das, Vinay

Katiyar, Acharya Giriraj Kishore and other leaders present in Ayodhya in July 1992 were in a defiant, rebellious and aggressive mood...

37.30 The VHP and Ashok Singhal, sadhus and sants or *kar sevaks* gathered at the spot and refused to stop construction of the platform [Chabutra], undertaken from Singh Dewar, or obey the orders of the high court... They refused to own responsibility for the ongoing construction work and the campaign was portrayed as being without any centralised leadership; no one knew who was in charge of the *kar seva*.

37.31 The BJP leadership and the government of UP failed to stop the construction. They chose to be mute spectators. The BJP leadership expressed their lack of capacity to talk to the leaders of the movement and asked the central government or the prime minister to hold discussions with the sadhus and sants and *kar sevaks*.



37.32 [The union home secretary, Madhav Godbole] said that despite the stay [order], construction of the Chabutra was undertaken while the state government disowned responsibility for the ongoing work and further refused to take recourse to stop the work and to disclose the identity of police officers helping *kar sevaks*...

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

37.35 The [union] ministry of home affairs, on the 11th of July 1992, pointed out as many as 12 serious security lapses and deficiencies...

37.36 The [union] home secretary pointed out that 45 companies of paramilitary forces were placed at the disposal of the state government, out of which only three had been deployed. The UP government was requested to place at least five of these companies in Ayodhya itself; five additional companies could be released on the condition that they would be deployed in Ayodhya alone...

37.41 Some noticeable events during the period of 13th to 15th July 1992 were that SB Chavan, the home minister of India, informed the Lok Sabha that the UP government had violated the court's orders. The Allahabad high court refused to stop excavation... The Supreme Court asked for details as to whether any permanent construction had been made...

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

37.47 The publicised attempts of the administration themselves contributed to a surcharged environment. To comply with the court's order was not possible without risking of lives, it was stated. Ashok Singhal [and others] refused to stop the construction work...

37.49 The governor [of UP] asked for a report about compliance of the Supreme Court's order. The home minister of India asked the district magistrate to enforce the court's order. The district magistrate sought directions from the chief secretary, who told the district magistrate to comply with the orders of the Supreme Court. The district magistrate got back with a report on the unwillingness of sadhus to stop construction. ...

37.51 The [union] home minister was informed that there was no danger from the *kar sevaks* to peace and security. Additional forces of 10 companies of the PAC, four companies of the CRPF [Central Reserve Police Force], one CO [circle officer], three DSPs [deputy superintendents of police], 25 subinspectors and 210 constables were deployed...

37.53 The Faizabad administration, on 19th July, 1992, refused to use force to evict the *kar sevaks* for due compliance of the court's orders. Kalyan Singh had already expressly prohibited the use of force or any other coercive process against the *kar sevaks* or their leaders after his taking over as the chief minister, as the temple construction was [part of] the election manifesto of the BJP. The administration therefore now reported that it was not possible to use force, as it would lead to large-scale violence. This report was perfectly in furtherance and in consonance of the election manifesto; the eviction of the *kar sevaks* was now next to impossible. This was reported to the chief secretary.

37.54 Kalyan Singh warned the central government on the 21st of July 1992 against sending central forces or their use against the *kar sevaks*, as it would lead to a law and order crisis. ...

37.57 [On the 21st of July 1992] the prime minister wanted the suspension of the *kar seva*. The [BJP and the] RSS told the prime minister to talk to sants and sadhus for this. It was claimed that no one knew who was in charge of the *kar*

seva. The very leaders of the VHP, BJP and RSS who had made the announcement regarding the *kar seva* now disowned responsibility for it and asked the central government to talk to the sadhus. ...

37.60 The prime minister thereafter held discussions with the sants on the 23rd

of July 1992. They refused to implement the Supreme Court's order and the UP administration refused to use force to implement the same, claiming that it would lead to large-scale violence. It was after the prime minister's intervention that the *kar seva* was finally stopped. The prime minister was given three months to resolve the dispute. ...

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

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

38. August 1992

38.2 The Supreme Court, on the 5th of August 1992, declined to transfer the land acquisition cases to itself and appointed a local commissioner to inspect the sites and report on any violation of its order. ...

The single-minded agenda of the RSS and the VHP and the extremely patient and focused manner in which the handful of ideologues and theologians manipulated the common masses and turned them into a frenzied mob, capable of acts of the greatest depravity agenda, is unparalleled in recent times. The RSS, Shiv Sena, Bajrang Dal, BJP, etc are collectively an immense and awesome entity with a shrewd brain, a wide encompassing sweep and the crushing strength of a mob

38.4 Kalyan Singh... declared on the 23rd of August that "if the decision of the hon'ble Supreme Court with respect to the Ram temple would be against the emotions of Hindus, we will make a separate law for construction of the temple." ...

39. September 1992

39.1 It was announced that *charan paduka* puja would commence from the 26th of September and go on till the 25th of November...

39.2 Mobilisation for the *charan paduka* puja continued in the last week of September. During this process VH Dalmia and Ashok Singhal stated that the temple could not be constructed without demolition of the mosque...

39.3 The UP government issued a press statement stating that so long as the land was in the custody of government, no construction would be done over it...

39.10 The VHP took a decision on the 24th of September that the period of three months given to the prime minister for resolving the dispute would not be extended. The people were asked to be prepared to start the construction work at the direction of sants...

40. October 1992

40.3 Commissioner SP Gaur, Faizabad, was of the perception that the call for *kar seva* given by the VHP was for construction of a temple on the 2.77 acres of acquired land and at the disputed site. He sought appropriate directions for security of the disputed structure in view of these changed circumstances. A reminder was sent by him on the 14th of October. An assurance was given by the state to the Supreme Court that no construction would be carried out on the acquired land. ...

40.5 It was again pointed out that due to inadequate and ineffective regulation of crowds in and around the Ram Janmabhoomi-Babri Masjid complex, batches of 400 to 500 persons were allowed by the local authority to enter the Garbh Griha on Ram Navami Day i.e. 11th April, 1992. As a result of this, the CRPF deployed in the isolation cordon were outnumbered and overwhelmed. They virtually performed an impossible task in manning the isolation cordon. Only a semblance of security of the disputed structure was kept...

40.6 Bal Thackeray took a decision on the 25th of October 1992 to participate in the *kar seva*. It was announced that this was not going to be a mere symbolic *kar seva* but the actual *kar seva* at the spot by construction of the temple.

40.7 The RSS observed on 27th October, 1992 that three months had elapsed and no amicable solution had been found nor any perceptible result [been] achieved by the government. Finally, on 29th October, the negotiations collapsed.

40.8 The VHP called and organised a meeting of the Dharam Sansad on the 30th of October for deciding the future course of action...

40.10 The decision was taken to resume the *kar seva* on the 6th of December 1992...

41. November 1992

41.1 The chief minister refused to associate the CRPF or the IB in reviewing security, asserting that the state government was competent to secure the disputed structure. Nevertheless, the central government stationed 195 companies of paramilitary forces near Ayodhya in case of need. ...

41.7 It was decided [by the UP government] that there was no need to hand over the responsibility of the inner cordon to the paramilitary forces as requested by them. There was no coordination between the CRPF and PAC while deployment of a magistrate and gazetted police officer was already there...

41.8 The CRPF's apprehension regarding recommencement of the construction was brushed aside because it was felt that there was no possibility of anyone defying the Supreme Court's order...

41.10 It was considered that it would be preferable to give up the government rather than to give up the con-



struction of the temple; that Kalyan Singh should continue to press for a speedy disposal of the court cases...

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

41.17 The Supreme Court declined to appoint the central government as the receiver in view of the undertaking that the *kar seva* would be carried out in accordance with the court's orders; and the state government's agreement to stop any construction activity.

41.18 The Allahabad high court concluded hearing the challenges to the acquisition on the 4th of November, and reserved judgement. The judgement was slated to be pro-

nounced on the 29th of November but was later postponed to the 5th of December and to the 11th of December. It was finally pronounced on the 12th of December 1992.

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

41.20 The RSS had made it clear that it considered that a mere symbolic *kar seva* would be a setback to the campaign...

41.28 The Shiv Sena (Tangri group) led by Kikar Singh, president of the UP group, and Ashok Dawra, national president, held a meeting of about 100 *kar sevaks* on the 15th of November at Lucknow where they criticised the BJP and the police. It was decided by them that 500 *kar sevaks* of the Shiv Sena would be called from each division and in case the VHP did not commence *kar seva* on 6th December, the Shiv Sena (Tangri group) would go ahead on its own.

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

41.31 Keeping in view the fast-paced events, a request was made to the state government to make use of the central forces... Kalyan Singh protested against the stationing of paramilitary forces near Ayodhya, being in violation of the federal structure provided by the Constitution of India.

41.32 A veiled threat of serious consequences was held out by [the UP] government and Kalyan Singh in case of any intervention by the central government in the programme scheduled from the 17th till the 28th of November. ...

41.35 The chief minister, on the 17th/18th of November, addressed a letter to the home minister of India, asserting that maintenance of law and order was the responsibility of the state government and that there was no need to review the security. ...

41.42 On the 20th of November, the Supreme Court in its order observed, "Venugopal submitted that the state government is second to none in its anxiety to ensure the enforcement of the orders of this court."...

41.45 The [union] home ministry, through its letter dated the 21st of November, brought to the notice of the state the violent reaction and damage to the disputed structure in July 1991. The home minister further expressed his apprehension about the generation of religious frenzy at the proposed *kar seva* and again held out a veiled threat of the imposition of president's rule.

41.46 It was reported in the media that the IB had, in its dispatches dated the 22nd of November, stated that the Sangh intended to demolish the structure. It was also stated that the dismissal of the Kalyan Singh government after the 22nd/24th of November would mean having to manage an unmanageable number of *kar sevaks*, which would entail arrangements on a massive scale. ...

41.51 On the 28th of November, the UP government undertook to comply with the court's order dated the 25th of November, to the effect that no construction of permanent or temporary nature would take place though to assuage the religious feelings of Ram *bhakts*, construction at some other place would take place. No construction machinery, material, [would] be moved in or around the acquired land...

41.53 The high court's interim orders restraining any construction on the 2.77 acres of acquired land were in force in the acquisition writ petitions...

41.55 The chief minister assured the then home minister of India that the security arrangements would be foolproof. He expressed the hope for a settlement within the following 10 days. It emerges from the evidence and testimony that the security arrangements were being made only in pretence.

41.56 The offer of the chief minister to the home minister, that if the centre allowed the *kar seva*, the BJP government would in turn ensure the safety and security of the structure, by itself speaks about the intentions of the state. ...

41.58 VHP leaders, Chinmayanand and Vijaya Raje Scindia, filed affidavits in the Supreme Court undertaking that neither any construction would be done nor any construction

material would be carried in the Ram Janmabhoomi-Babri Masjid complex. They accepted that the *kar seva* would only be symbolic and only for assuaging the feelings of the *kar sevaks*. ...

41.61 The chief minister accused the central government, in his letter dated the 26th of November, that by sending and stationing the central forces, it had given up the course of amicable solution for a confrontation...

41.64 In view of the threat perception, the central government had, by the 24th of November, stationed 195 companies of paramilitary forces around Ayodhya, anticipating possible deployment by the state government for the security of the disputed structure... [It informed the UP government] that these forces were being stationed at suitable places in UP with an object to make them available at short notice as and when required by the state government for deployment. The forces stationed had been clearly instructed to be available to the state without seeking any further orders. The central forces had started moving to Faizabad on the 19th of November. ...

41.65 The chief minister [on the 25th of November] demanded the withdrawal of the paramilitary forces. In a published statement, Kalyan Singh stated that "The centre is out to create civil war-like situation in the state by sending central forces without our consent. Do they want clash between the central and state forces?"...

41.66 The [sangh parivar] leadership also made irresponsible allegations against the conduct of the forces and protest letters were also sent to the central government. These allegations were later found to be false. ...

Their infiltration of the government and of the administration of the state of UP was complete. Its traces and remnants are still thriving all over the country and still pose as grave a threat as ever. It had and continues to spread in scope to encompass every pillar of the constitutional system

41.67 Champat Rai was the local manager for the construction of the Ram temple. He issued a statement on the 24th of November in a conference at the Bhagwadacharya Smarak in Ayodhya that it had been decided to adopt a guerrilla strategy for the 6th of December. His own words, "*Guerrilla shaily apnayenge kar seva mein [We'll adopt guerrilla tactics during kar seva]*", were published by the media on the 25th of November. There is no reason to disbelieve this part of the statement, specifically when no cross-examination was directed towards these facts.

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

41.69 It was observed that the morale of the *kar sevaks* was low and there was a general sentiment expressed that they had not come there to eat and sleep but had come to construct the temple; they were becoming undisciplined. ...

41.72 The prime minister, who perceived the *kar seva* to be illegal, made it known that the central government would implement the courts' orders.

41.73 Kalyan Singh called an emergency meeting of ministers and directed them to mobilise *kar sevaks* in UP, at least 10 people from each *gram* panchayat of which [there] were 75,000. Thus almost 7,50,000 *kar sevaks* were to be mobilised from UP itself...

41.75 Activists of the Shiv Sena led by Satish Pradhan, MP – Anil Kalia, district chief; Pawan Pandey, MLA; Vijay Raj, district chief; Mahkoo Singh, district secretary; Arvind Kumar, district chief, Student Army [Vidyarthi Sena]; and Shiv Tripathi, chief of the Student Army, met at Faizabad on the 28th of November. The decision to commence actual *kar seva* by demolishing the mosque and undertaking construction of a temple rather than symbolic *kar seva* was taken... They proclaimed that the RSS, VHP and Bajrang Dal were connected with the BJP, which itself came from the Congress, and they all wished to establish a secular state. Only the Shiv Sena wanted to establish a Hindu Rashtra.

41.76 The meeting was reported by intelligence agencies to the higher bureaucracy as well as the political executive

and was even referred to in the report dated the 1st of December 1992. The government did not even pay lip service, much less respond to this threat upon the revelation of this open secret.

41.77 SP Gaur, commissioner, Faizabad, accepted that the security arrangements were constrained by the state government's direction that coercive force must not be used at the disputed structure or the Ram Janmabhoomi-Babri Masjid complex...

41.79 The additional DGP requested instructions in view of the developing situation. He informed the state government that given the failure of the negotiations and the VHP's determination to resume *kar seva* with effect from the 6th of December, there was a likelihood of the situation being vitiated further. It was getting increasingly difficult to predict the turn of events and it was apprehended that they might take an ugly turn. This information and request was faxed to the government and noticed by it but still no substantive action was taken. ...

41.81 Ashok Singhal, etc challenged the undertaking of the UP government and Kalyan Singh to the Supreme Court and the National Integration Council and rhetorically asked, "Who is Kalyan Singh?" The other leaders of the movement also ridiculed and objected to the undertakings...

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

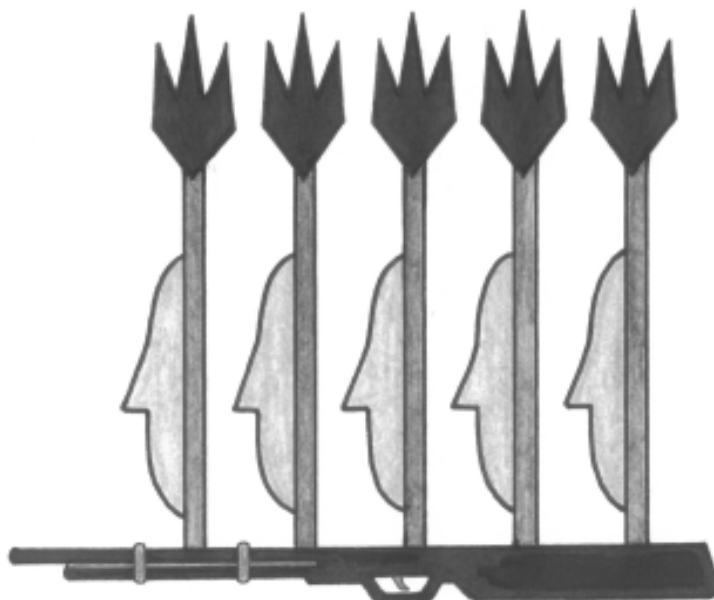
41.84 Godbole [union home secretary] asserted that the law secretary, PC Rao, had opined that it would be incorrect to impose president's rule in view of the fact [that] the hon'ble Supreme Court was seized of the matter.

41.85 It was obvious and categorically admitted that no effort to restrict, check or regulate the number of *kar sevaks* in Ayodhya or Faizabad was made...

41.86 *Kar sevaks* entered the old mosque and stoned the scooter-borne peace rally organised by the Congress. The *mazaar* [tomb] of Maqi Shah, Babri Mazaar and another *mazaar* at Ram Katha Kunj were damaged and graves levelled. I find that these facts are conclusively established. ...

41.88 Narasimha Rao stated that he had to work with the state government, as he had no locus standi otherwise to take direct action. ...

41.90 KS Sudarshan reached Ayodhya on the 30th of November. He denied all knowledge about the damage to graves,



mazaars, etc although this fact was apparently known to one and all. This cannot however be believed, as he was one of the key figures looking after the *kar seva* for 6th December, 1992 at Ayodhya... It is clearly discernable from the statements, and on consideration of the evidence, that the RSS and its leaders were actively and passively conniving at the damage caused to *mazaars* and mosques, graves, and the defiling of graves.

41.91 The fact of the damage to *mazaars* and mosques, graves, and defiling of graves, was not disputed. Even the administration sent a report and an FIR [first information report] was duly registered...

41.92 The [union] home secretary directed the central forces in Ayodhya to be ready and at red alert. ...

41.94 The central government brought to the notice of the state government the inadequacy of security arrangements.

41.95 The *kar sevaks* were threatening to start the *kar seva* from the Garbh Griha and to demolish the disputed structure. The threats and acts of the *kar sevaks* were indicative of their mood and intention to demolish the disputed structure. This apprehension of demolition of the disputed structure was corroborated by the reports of damage to other Muslim properties.

41.96 The resentment against a mere symbolic *kar seva* was apparent and reported to the state government.

41.97 The sifting of the evidence and statements leads to a conclusion that the state government was conscious of the potential disastrous consequences of the call given for *kar seva*...

42. December 1992

42.2 The chief secretary expressed his apprehension about the security arrangements and feared damage to the disputed structure because of the large gathering in and around the disputed structure as well as the Ram Janmabhoomi complex in Ayodhya town. He not only apprised the chief minister about it but held a meeting with him on the 1st of December. Decisions taken were conveyed to officers on the 2nd of December. ...

42.5 Even after the damage to the *mazaars* on the 1st of December, the administration did not become cautious and it appears that the administration consciously took no steps to contain the crowd or their aggressiveness. ...

42.7 The commissioner, Faizabad, showed ignorance about the admitted fact of demolition of *mazaars* and the police's failure to disperse the crowd on the 1st and 2nd of December.

42.8 Akhilesh Mehrotra [additional SP, Faizabad] claimed that during his tenure he was the sole ASP while prior to him, and after the 1st of December, there was one ASP (city)

and another ASP (rural). He was found to be a compulsive liar by me, as observed during the course of his statement and in this report as well. He has had the audacity to deny even admitted and undisputed facts like the BJP's participation in *kar seva* in 1990, the beating of journalists and the riots, etc. He was found by me to be willing to go to the extent of making up false stories to support the state administration...

42.13 Prabhat Kumar [principal secretary, home, UP] admitted that "*kar seva*" was commonly understood to refer to the construction of the temple at the disputed site. Shiv Sainiks and other *kar sevaks* were only too eager to perform this form of *kar seva*, especially since the sadhus and sants were expressing resentment against the idea of a mere symbolic *kar seva*...

42.14 It was reported that there were no barricades towards the 2.77 acres of land on the 1st of December, which made the structure easily accessible. The situation was assessed to be fluid... In a meeting, the *kar sevaks'* aggressive mood was also pointed out.

42.15 The home minister of India expressed his apprehension about the inadequacy of security measures, and the non-existence of any contingency plans, on the 1st of December. He noticed the background and expressed the need for greater security.

42.16 The district magistrate informed the government that between 6:00 hrs and

7:00 hrs on the 1st of December, about 35 unknown people in Ayodhya town damaged three graves situated in Kuber Tila and on the corner of the southern side road of the State Park. At a distance of one furlong from these places, one *mazaar* of Kamli Shah and two *mazaars* of Hazrat Shah Pahar Shah and Hazrat Makki Shah Rahmtullah Alle were damaged...

42.19 LK Advani stated before the commission that he was not informed about the plan made for *kar seva* or about any rehearsal which might have been organised by the *kar seva* organisers... *The Telegraph* newspaper had reported in November that in a meeting of leaders of the sangh parivar, attended by KS Sudarshan, LK Advani, MM Joshi and Ashok Singhal, etc at the RSS office on 2nd November, 1992, logistics and other details had been worked out.

42.20 On the 2nd of December, about 60,000 *kar sevaks* were present in Ayodhya. The district administration asked for more forces to deal with these numbers, which was declined by the state government.

42.21 The DGP, UP, in a meeting with the chief minister on the 2nd of December, 1992, expressed his apprehensions about the security of the disputed structure on account of the large crowd in the vicinity of the disputed structure.

42.22 Mulayam Singh, Subodh Kant Sahay and various

December 6, 1992 saw a state of Uttar Pradesh unwilling and unable to uphold the majesty of the law. The ennuï flowed from the very office of the chief minister downwards and infected the state's minions down till the bottom. The chief minister and his cabinet were the proverbial insiders who caused the collapse of the entire system. Kalyan Singh resisted every attempt at persuading him to act in a responsible manner and to notice the ground realities

other political leaders also expressed their apprehensions about the security of the disputed structure. They told the prime minister that the deployed force was not going to be able to prevent the *kar sevaks* from attacking the disputed structure. Even the leaders would not be able to control the huge congregation of *kar sevaks* on 6th December, 1992 in view of the militant and aggressive posture of the *kar sevaks*. It was pointed out to the prime minister that he should not believe the RSS's claims about their ability to control and discipline the crowds. It was reported that sadhus and sants openly expressed their resentment. JS Bisht, the commandant of the CRPF, expressed concerns about the possibility of demolition of the disputed structure through his letter dated the 2nd of December. ...

42.23 Acharya Dharmendra admitted that on the 4th of December 1992 food arrangement had been made for 50,000 people while the actual numbers were close to 1,50,000.

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

42.30 The apprehension about demolition and the inadequacy of the deployed forces was too obvious and perceivable. The forces were numerically far inferior compared to the number of frenzied *kar sevaks* present for the construction of the temple. There were no intentions or desire to tighten security or control and frisking...

42.31 The chief minister declined to deploy or use the available paramilitary forces and continued with airing his hopes that the organisers would be content with the symbolic and peaceful *kar seva*...

42.32 SC Chaube [IG, CRPF] and the IG, Lucknow zone, confirmed the communication to the government about the militant posture of *kar sevaks* vis-à-vis the paramilitary forces on the 3rd of December. ...

43. December 4, 1992

43.2 Under the leadership of Moreshwar Save [Shiv Sena], Pawan Kumar Gupta of Punjab; Jai Bhagwan Goyal of Delhi; Vinod Vats of Haryana; Ram Khatri; Pawan Kumar Pandey, MLA [and UP chief]; and other prominent leaders of the Shiv Sena reached Ayodhya on 4th December, 1992. They made it known through the media that they would work for the construction of the Mandir despite the decision of the Dharam Sansad and the undertaking given to the Supreme Court for symbolic *kar seva*. ...

43.5 The common intention was that the sadhus' and sants' decision about the *kar seva* would be followed regardless of what the courts might decree. The VHP claimed itself to be the executors of the decision of the sadhus and sants. No decision of conducting only a symbolic *kar seva* was conveyed by the sadhus and sants or their self-proclaimed executors and the act of mobilising and persuading the *kar sevaks* for construction of the temple continued. The *kar sevaks* continued arriving in Ayodhya for construction of the temple at the disputed site and for no other reason. ...

43.7 The additional DGP, law and order, HD Rao; AK Sharan, IG, Lucknow zone; and CK Malik, IG, security, were physically present in Ayodhya on the 4th of December for supervising the security arrangements. [Over] 2,00,000 *kar sevaks* had assembled at Ayodhya by this date. ...

43.8 Ground realities of the belligerent mood of *kar sevaks*, the incidents of demolition, high propensity or potentiality and capability of *kar sevaks* to damage the disputed structure, was well within the knowledge of the authorities.

43.9 Anju Gupta [security officer attached to LK Advani], referring to intelligence reports, stated that it was definite that an attack would be made on the disputed structure on [the morning of] 6th December, 1992, during *kar seva*...

43.11 It was averred before the commission that a rehearsal was carried out for the demolition of the disputed structure. Some photographs too were

placed on record before the commission. It will however not be safe to hazard a finding about training in the absence of conclusive evidence though there is some circumstantial evidence and some statements do point [to] the conclusion that the *kar sevaks* were trained in demolition.

43.12 Admittedly, press passes were issued by the VHP media centre, signed by Ram Shankar Agnihotri and Chauhan, to the photographers and journalists who were present. ...

43.14 The paramilitary forces had on the 4th of December expressed apprehension that the situation was going out of control, observing the huge crowd outside the disputed structure... The district authorities refused to give any specific instructions.

43.15 A German TV crew was attacked at Ram Katha Kunj on the 5th of December for allegedly airing an objectionable news story...

43.16 LK Advani and Murlī Manohar Joshi reached Ayodhya at midnight on the 5th of December 1992, escorted by Anju



Gupta, and stayed at Janaki Mahal Trust. The commissioner; DIG, Faizabad; district magistrate and SSP, Faizabad, called upon them and were assured by them that a peaceful *kar seva* would be carried out. They would ensure that things happened peacefully.

43.17 No similar decision was taken by the organisers or the leaders of the campaign, nor the *kar sevaks* or sadhus and sants or the VHP/BJP/RSS or the Shiv Sena or any other member of the sangh parivar, to carry out symbolic *kar seva* in terms of the orders of the hon'ble Supreme Court or otherwise.

43.18 Even Chinmayanandji, who had given an undertaking to the Supreme Court for symbolic *kar seva*, was publicly proclaiming that construction of the temple would be carried out. A recording of this speech was produced before the commission, where he can be heard denouncing the undertakings as irrelevant.

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

43.24 A small selection of the slogans which became extremely popular and were regularly heard during the campaign at Ayodhya during *kar seva*, especially in December, are: "*Ram Lalla hum aaye hain, Mandir yahin banayenge* [Ram Lalla we are here, We'll build your temple here]"

"*Mitti nahin khiskayenge, Dhancha tod kar jayenge* [We won't just dig up mud, Won't leave till we demolish the structure]"

"*Badi khushi ki baat hai, Police hamare saath hai* [Oh happiness, the police are on our side]"

"*Jab-jab Hindu jaage, Tab-tab mullah bhaage* [When the Hindus awaken, Then the mullahs flee]"

"*Jo roke mandir nirman, Usko bhejo Pakistan* [Whoever blocks temple construction, Send them off to Pakistan]"

"*Jis Hindu ka khoon na khola, Woh khoon nahin pani hai* [A Hindu whose blood does not boil, It is water not blood]". ...

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

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

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

heard on the video recordings produced before the commission and finds corroboration in the statement of [Commissioner] SP Gaur. ...

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

43.32 The [union] home secretary proposed to the chief minister to deploy 133 companies of the central forces for the security of the structure on the 5th of December, since the number of *kar sevaks* was expected to exceed 2,50,000 on the 6th of December. By articulation of the information

available with respect to the potential damage or demolition of the disputed structure by the *kar sevaks*, it was stated that there was information available with respect to extremists and subversive elements likely to cause the damage and therefore he advised the chief minister that the state govern-

ment should use the 133 companies of central forces.

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

43.36 Acharya Dharmendra Dev again declared on the 5th of December that they would follow the instructions of sants and not the Supreme Court. The people were assured that they ought to have faith that their ambitions would be fulfilled. ...

43.38 These speakers addressed the 60,000 to 70,000 *kar sevaks* at Ram Katha Kunj.

The *kar sevaks* were ostensibly told that they were there to construct a temple and not to demolish a mosque. It was said that "As long as Ram idols are there, it is a Ram temple and we will not demolish it." They admitted that the situation could go haywire and deteriorate but that "we have to remain disciplined and under all circumstances keep the peace". Slogans, ostensibly to keep the peace, were mouthed in the meeting.

43.39 RN Srivastava, district magistrate [Faizabad], admitted that on the 5th of December, the whole town, its

The police and the bureaucrats of the state not just turned a blind eye to the misadventures of the polity but actively connived and curried favour with the chief minister and the sangh parivar by systematically paralysing the state machinery. Their sins are highlighted by their being rewarded with plum postings after the demolition as well as tickets for contesting elections

lanes and by-lanes, were full of *kar sevaks* raising slogans. They were in an aggressive, belligerent and demonstrative mood and their ire was directed especially against the Muslim community and the central forces. ...

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

43.42 The commission is of the considered opinion that the security apparatus was non-existent in Ayodhya on the 6th of December 1992...

44. December 6, 1992

44.2 On the 5th of December, a sham paper decision was taken by the Kendriya Marg Darshak Mandal-Dharam Sansad that only a symbolic *kar seva* would be carried out near a platform after performing puja on it at the *mahurat* time of 12:15 p.m. ...

44.5 The BJP firstly issued instructions to its MPs and its MLAs not to participate in the movement on the ground that rulers cannot be seen to be agitators. Despite these instructions, legislators, ministers and the MPs (some of whom had resigned and others without doing so) participated in mobilising *kar sevaks* and in *kar seva*. Later, even these instructions were withdrawn for unexplained reasons.

44.6 The total force deployed in Ayodhya on 6th December, 1992 admittedly consisted of 35 companies of the PAC, four companies of the CRPF, including the women's wing squad, 15 tear gas squads, 15 police inspectors, 30 subinspectors of police, 2,300 police constables, bomb disposal squad, sniffer dog squads, fire brigade and ambulance. The deployed force was under the charge of DB Rai, SSP, Faizabad. The DIG, Faizabad; IG, Lucknow zone; IG, PAC; and commandants of the CRPF were also present in Ayodhya on duty for security of the disputed structure. Magistrates were posted at sensitive places and at the Ram Janmabhoomi complex.

44.7 The entire administration at Ayodhya was controlled by District Magistrate RN Srivastava. He was acting on direct, minute-to-minute control of the chief minister. The home secretary and the chief secretary were directly in touch with the district magistrate and were giving instructions from time to time from Lucknow. The commissioner, Faizabad, was present in Ayodhya on the fateful day without taking any active interest, either for security or for crowd control or guiding the officers under his supervisory control.

44.8 KS Sudarshan admitted that the decision to deploy RSS *swayamsevaks* for the security of the disputed structure and controlling and regulating the crowd had been taken. He stated that the persons deployed were identified by the RSS divisional *pratinidhi* [representative]. In the totality of circumstances, his denial of the deployment of any specific person or institution cannot be accepted.

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

44.10 On the 6th of December, at about 9:30 a.m., the home secretary of India informed the DGP of the ITBP [Indo-Tibetan Border Police] to keep the paramilitary forces ready in case any request for assistance was received from the state government and to deploy the forces without waiting for formal orders from the ministry of home affairs. The home secretary also requested the principal home secretary, Uttar Pradesh, present at the residence of the chief minister as well as the UP DGP, to persuade the chief minister to utilise the central forces. These facts have been admitted and were not in dispute before the commission. VK Saxena [chief secretary, UP] accepted the factum of a fax having been sent to the state by the central government about the availability of the forces stationed and ready for being used at Ayodhya by the state in the eventuality of need. ...



44.12 On the 6th, at 10:30 a.m., LK Advani and MM Joshi accompanied by Vinay Katiyar, along with the sadhus and sants followed by Ashok Singhal, reached the platform meant for the puja and symbolic *kar seva*. On their arrival, a defiant group of *kar sevaks* pushed themselves against the security cordon and despite the resistance offered by the RSS *swayamsevaks*, breached the security cordon and reached the platform meant for puja.

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

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

44.15 LK Advani emphasised on oath that had the organisers not accepted the Supreme Court's order of symbolic *kar seva*, he would not have associated himself with the *kar seva*...

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

44.19 The *kar sevaks'* assault on the disputed structure started around 12:15 p.m. They first entered the Garbh Griha and carefully took the idols and cash box, etc to a safe place. Continuous brickbattling at the security forces gave ample cover to the *kar sevaks* assaulting the disputed structure. This was a planned act in order to give the impression of spontaneous chaos. This is corroborated by admitted facts, including the space available within the cordons. There was no order requiring the movement of the forces from the outside towards the cordons. The whole open area between the cordons was occupied predominantly by the *kar sevaks* and their leaders. The *kar sevaks* on the domes started breaking the upper plaster, etc with hammers.

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

44.21 The *kar sevaks* succeeded in pulling down the first dome at 1:55 p.m. This breakthrough sent the hardcore protagonists like Sadhvi Ritambhara and the other sadhus, sants and leaders into ecstasy.

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

44.23 It was admitted by KS Sudarshan, etc and generally accepted that around 150 *kar sevaks* suddenly broke through the cordons. The evidence presented before the commission suggests that the total numbers present within the corridors was anywhere between 1,000 to 5,000. The presence of another 75,000 to 1,50,000 *kar sevaks* was claimed at Ram Katha Kunj, at a distance of 200 yards from the disputed structure. Ram Katha Kunj was an open area expanding up to Ram Dewar.

44.24 LK Advani, MM Joshi, Ashok Singhal, Vijaya Raje Scindia, HV Seshadri, etc, who were present at the Ram Katha Kunj, made feeble requests to the *kar sevaks* to come down from the disputed structure, either in earnest or for the media's benefit. One could have reasonably perceived that the demolition of the disputed structure was not possible from the top of the domes. No request was made to *kar sevaks* not

to enter the Garbh Griha or not to demolish from inside, under the domes. This selected act of the leaders itself speaks about the hidden intentions of one and all being to accomplish demolition of the disputed structure. The icons of the movement present at the Ram Katha Kunj could just as

The second step after ensuring the presence of a benign police and administrative set-up was to ensure that the hands that wielded the batons and carried the guns were friendly to the *kar sevaks* and did not pose any potential threat to the *kar seva*. This gratuitous dismantling was secured by posting raw untested personnel or trainees and sympathetic provincial armed constabulary in the twin towns

easily have proceeded to the corridors and, utilising the administration's assistance or that of their highly disciplined *swayamsevaks*, prevented the demolition.

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

44.26 This charade by these leaders at the instance of LK Advani is in stark contradiction to their own prior conduct and their public posture, incitement and exhortations to the crowd to build a temple in place of the disputed structure. The demolition of the structure was unavoidable for the construction of the temple.

44.27 *Kar sevaks* and their leadership consistently refused to change their conduct or the stand taken by them. After these initial attempts were made to pacify the *kar sevaks*, nothing was done thereafter to stop the assault, either by the organisers or the sadhus and sants or by the administration and the police.

44.28 *Kar sevaks* assaulted the journalists and photographers present in and around the Ram Janmabhoomi complex and the disputed structure and at Manas Bhavan, etc. The assault coincided with the crowd entering the cordon. In other words, the journalists and the structure were attacked simultaneously. The *kar sevaks* snatched film rolls and smashed cameras and beat up journalists and photographers present in the complex or outside.

44.29 The idols and cash box removed to safe places before the *kar sevaks* went inside the domes were placed at their original place at about 7 p.m. The construction of a temporary, makeshift temple commenced at about 7:30 p.m. through *kar seva*.

44.30 Chief Minister Kalyan Singh announced at 6:45 p.m. that he had resigned. The central government on the other hand claimed that the chief minister, Kalyan Singh, was dismissed.

44.31 A cabinet meeting was called and president's rule imposed in the state at 6:30 p.m. The president of India signed the proclamation of the imposition of president's rule at 9:10 p.m. About two lakh *kar sevaks* in militant and aggressive mood were present in the complex at the time.

44.32 A close examination of the evidence shows that the enthusiastic chanting of inflammatory slogans, including "*Ek dhakka aur do, Babri Masjid tod do* [Give another push, Bring down the Babri mosque]", acted like the proverbial war cry and these were raised to encourage the *kar sevaks* in their dastardly deeds. Slogans against Muslims were also raised. Sarcastic remarks were made against the high court and the Supreme Court...

44.33 The district magistrate, in this chaotic scenario, did nothing. Nor did the galaxy of senior officers named in my report, including AK Sharan, SP Gaur and CK Malik, etc, take any steps to stop the demolition or [the assault on] journalists.

44.34 Only after seeking permission from the chief minister, the district magistrate requisitioned the paramilitary

forces stationed around Ayodhya and Faizabad at about 12:30 p.m. The chief minister had now granted permission to deploy the paramilitary forces subject to the condition that they would not resort to firing, on the persuasion of the UP home secretary, at the stage when he felt assured that the task of achieving the promises made in the election manifesto had been substantially fulfilled and that nothing could be done to undo the demolition or any other act likely to be carried out, like the construction of a makeshift temple at the spot. Secondly, it was ensured through loyal workers that the paramilitary forces did not reach the disputed structure during the period that the demolition was being effected. The organisers, with the benefit of experienced and retired officers, were well aware about the significance of the time factor.



44.35 Requisitioned at 12:45 p.m., the paramilitary forces were unable to reach the disputed structure and faced stiff resistance as well as physical hurdles employed by the *kar sevaks* either of their own volition or on being exhorted by the leadership.

44.36 The district magistrate and DIG, Faizabad, requisitioned from the director general, ITBP, and the deputy inspector-general, CRPF, 30 companies of the paramilitary forces and later, another 50 companies. The director general of the paramilitary forces requested magistrates to accompany the paramilitary forces from their base to Ayodhya. The

[union] home secretary asked the DGP to issue the necessary instructions at 2:30 p.m. and spoke to the chief secretary to the same effect. He also spoke to the defence secretary to provide helicopters for the movement of additional troops if necessary.

44.37 Thereafter three battalions of forces left for Ayodhya, accompanied by magistrates and circle officers, while the rest of the battalions were waiting for the magistrates who never came. The paramilitary forces were not allowed to reach Ayodhya by the *kar sevaks* placing physical hurdles and becoming unwieldy on the way to Ayodhya.

44.38 VK Saxena confirmed that the home department had authorised the district magistrate to utilise the available paramilitary forces. The district magistrate gave a written requisition to the DIG, CRPF, in the control room to

make available 15 companies. The chief minister personally phoned the district magistrate to take all available measures to control the situation without resorting to firing. However, the damage to the disputed structure continued and no action was taken by the police or the IG, DIG, district magistrate or the SSP, Faizabad, present at the spot till 12:50 p.m.

44.39 On the other hand, officers can be seen on video cassettes, saying, "*Kuch toh karo [Do something]*" without in fact doing anything at all.

44.40 At 1:15 p.m. the DGP opined that the situation could not be brought under control without resorting to firing. However, emphasis was placed again on the categorical order prohibiting firing under any circumstances.

44.41 The (union) home minister asked the chief minister about the action taken. The DG, ITBP, informed the home ministry about the resistance being faced and the roadblocks created by the people en route. He stated that they had reached the degree college with much difficulty, to face stone-pelting and resistance and further hurdles and roadblocks.

44.42 Even though the chief minister was informed about this, he gave a written order not to resort to firing under any circumstances and to take any other measures to control the situation. The magistrate ordered in writing for the forces to turn back at about 2:25 p.m.

44.43 The state government and the home secretary were kept informed, from the time the first dome was demolished, that the way could not be cleared without the use of force which neither the chief minister nor the district magistrate permitted. At this stage another interesting fact about the conduct of the chief minister, Kalyan Singh, emerged: that despite [the fact that] the whole world was seeing the happenings at the disputed structure, including the assault on journalists, the chief minister asserted that he would verify the facts brought to his notice by the administration or the media. The whole conduct and acts of the chief minister, Kalyan Singh, was intended to delay the deployment of paramilitary forces or the intervention of the central government before the object of demolition was completely achieved.

44.44 Communal riots had commenced at Ayodhya at about 3:30 p.m. Riots were carried out by another group of *kar sevaks* [different from the] group of *kar sevaks* who were carrying out the demolition. The DGP again informed the chief minister and others in the hierarchy that the situation could not be brought under control without resorting to firing. The central government repeatedly responded to the situation by informing the state government through the ministry of home affairs that officers at any level were free to seek the assistance of the army by approaching the local authority directly, for which instructions had already been issued.

44.45 The director general of the paramilitary forces informed the state government of the availability of two bat-

talions of the Rapid Action Force [RAF] present and their readiness to move to Faizabad. The district magistrate, at about 6 p.m., informed the director general that he was trying to arrange for the magistrates in whose absence the troops could not be deployed.

44.46 The police and the administration was a mute spectator. Their loyalty to the political masters was writ large.

44.47 District Magistrate RN Srivastava spelt out the policy of the state government with respect to the disputed structure and the *kar seva* on the 6th of December. In his own words, "We were told that *kar seva* would be peaceful and *kar sevaks* would not violate any court order but the administration should be prepared to see and ensure that no damage is done to the disputed structure."

44.48 He spelt out various steps taken for security. These included being alert all the time, more touring, more inspections and some more wooden barricading as erected between the night of the 5th and 6th morning for regulating the entry of the *kar sevaks* to the *shilanyas* site.

44.49 District Magistrate RN Srivastava further admitted that no other attempt was made by the administration to regulate, restrict or control the flow of *kar sevaks* in Faizabad and Ayodhya in November or December 1992, as the Supreme Court had permitted the symbolic *kar seva*. No necessity of this was felt till the 6th of December either. He claimed that

The central government was crippled by the failure of the intelligence agencies to provide an analysis of the situation. The Supreme Court was in turn misled by the pretentious undertakings given to it by the UP government and the leadership of the movement and the all-is-well reports by its rapporteur, Tej Shankar

notices were sent to other states to ensure that *kar sevaks* do not come to Ayodhya, as their number had already reached 2.5 lakhs in an area of 50 acres around the disputed structure and Ram Katha Kunj. There was no cor-

roboration to this either factually or through any other means.

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

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

44.52 Kalyan Singh's reaction was, "It was like a badly inflated balloon which burst. All other political parties, particularly centre, are to be blamed for frustration of *kar sevaks*, who forced them to go desperate. They should arrest me

because, after all, I fulfilled one of the major objectives of our party and have redeemed the party's election manifesto." It is an open secret that the leadership of the RSS or BJP asserted that the political gains achieved by the BJP in the process of demolition of the disputed structure, particularly consolidating the Hindus, should not be wasted. It should be assimilated and converged into votes for the BJP or for the political parties reputed to be the protectors of Hindus.

44.53 There were chaotic scenes at the disputed structure, requiring the immediate requisitioning of paramilitary forces; still the chief minister maintained that he was receiving conflicting reports about the entry of *kar sevaks* into the disputed structure or the complex. This information had even been sent to the central government and there was no doubt left that the *kar sevaks* had stormed into the structure and the cordons.

44.54 The chief minister was intentionally and inexplicably complacent even in these circumstances. He informed and assured the home minister of India that he would verify and deal with the matter, when the entire world was physically seeing what was happening at the disputed site, apart from being informed of minute-to-minute happenings by his administration, the media and his loyalist *kar sevaks* or BJP workers.

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

44.56 Before me, the leadership pleaded not only a loss of memory but in some cases, they put forth a total denial even after a lapse of 10 years. They intentionally defended their leaders or the involved organisers in this manner.

44.57 Peeyush Srivastava, additional SSP [Faizabad], stated a deliberate and patent lie before the commission, that the communal frenzy broke out because of the firing from the house of a Muslim on the *kar sevaks*. This was stated in the face of the evidence on record. He knew, of course, that compared to the lakhs of *kar sevaks* present in Ayodhya, the Muslims were in insignificant numbers and that this theory would not even be credible for a moment. The theory for the

cause of the riots stated by Peeyush Srivastava is not only false but consistent with a pattern of behaviour of persons like him seeking to build [personal] defences or for their mentors. ...

45. A brief summation of the factual matrix

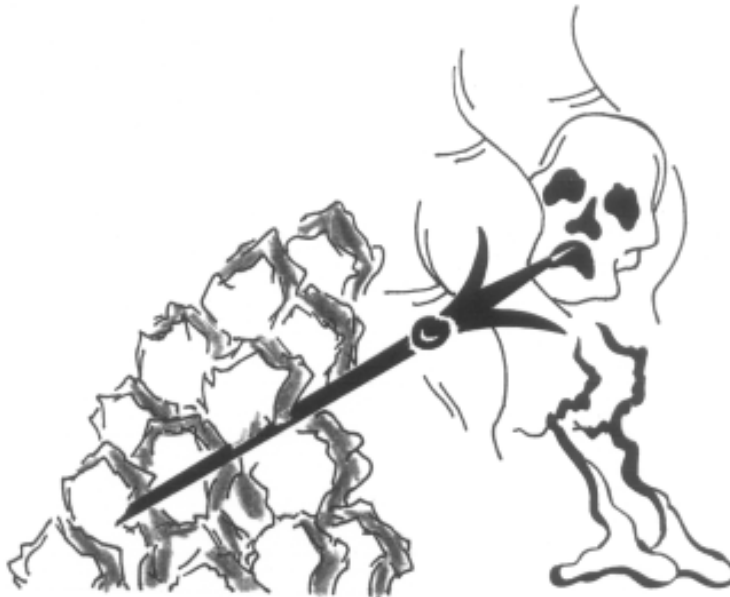
45.1 Unfortunately, in the entire Ayodhya episode, those who know the entire truth have neither bothered to come forth with it nor stopped for a moment to consider any one section of, or society as a whole. One can observe particularly about the members of the bar who proclaim themselves to be social leaders in Parliament and who have been publicly adopting one or the other stance on the issue, and issuing statements criticising the delay in this report in the media, that they did not even care to seek the reasons for the delays nor formally assist the commission in gathering information.

45.2 Kalyan Singh, who at one point of time was proclaimed to be a national hero for the demolition in the media, and which accolade he has never refuted, was the chief minister at the relevant point of time and expected to know everything from the government sources at his command, his own political and private resources and his relations with those who were present at the spot. He has not only consciously attempted to conceal information but also evaded giving the information to me by making all possible attempts, whether through the judicial process or otherwise, till date. After first himself declaring [that he was] aware of the conspiracy for the demolition, [he] later appeared of his own [volition] before the commission and disowned his earlier statement.

45.3 Despite the coercive processes which the commission had to adopt, he has tried to obstruct the inquiry for the truth by this commission consistently...

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

45.5 In essence, it was submitted that the sants spearheading the movement took the decision to do the *kar seva*



on the 9th of July 1992, which was suspended for three months only for resolving the issue, on the direct intervention of the prime minister. Upon its failure, the Dharam Sansad decided to recommence the *kar seva* with effect from 6th December, 1992. It was the sadhus and sants who had decided to build a magnificent Ram temple on the opening of locks in 1986...

45.6 In the arguments, after referring to the statement of

KS Sudarshan, it was admitted that: "We tried to guide the *kar seva* in such a manner that the *kar seva* would start and the structure remain intact, we planned in such a manner. The plan was that the court would pronounce its verdict regarding the disputed structure and there will be some settlement with the Muslim leaders."

Secondly, the *kar sevaks*

who were called in were not skilled workers and their job was in fact to assist the skilled demolition experts. Thus on the 4th of December 1992, at a meeting of the Mandir Jeernodhar Karma Samiti wherein the RSS also participated, four decisions were taken. That the *kar sevaks* would only assist the skilled workers in the task of temple construction; the *kar seva* would start on December 6th, 1992, at 12:15 noon; sand would be brought from the Sarayu river to fill up the pits; and lastly, that no one should be allowed to stay in the Ram Janmabhoomi-Babri Masjid complex. It was hoped that the RSS would inspire all the *kar sevaks* to do *kar seva* peacefully, as they feared an intervention by the central government's paramilitary forces. The whole plan was made in such

Even with the vast resources of the most populous state of the country, the state government did not arrange even for a single video camera to record the events which were unfolding, for posterity... To frustrate the attempts of future investigations, including efforts by commissions like this one, the leadership at the spot had evolved a common strategy to deny the world an accurate record of the unfolding events

a way that December 6th, 1992 would pass peacefully. The Marg Darshak Mandal approved the decisions taken by the Mandir Jeernodhar Karma Samiti on 4th December, 1992.

45.7 Emphasis was laid in the arguments about the role of the administration – civil and police – in the entire arrangements for the stay of *kar sevaks* and no role being assigned to the police and administration; and that the police and administration were only to make

security arrangements to avoid any trouble. RSS workers were standing there and organising the movement.

45.8 It would be unjust and going against the record not to note another important fact admitted by KS Sudarshan and expressly stated as such in the arguments, that it was only 4,000 to 5,000 *kar sevaks* who had gone out of control; some

of them climbed the disputed structure and many others started breaking the barricades around the disputed structure. To answer the question that if this was not part of the plan then what went wrong, it is necessary to ask some more questions. Since when was the RSS associated with the campaign? It was admitted that they joined in, in 1986 when the locks of Ram Janmabhoomi were opened and the RSS passed its first resolution welcoming the unlocking of the Ram Janmabhoomi complex.

45.9 Simultaneously, the RSS had called upon the Hindu samaj and the *swayamsevaks* of the RSS to support the Ram Janmabhoomi movement. It started urging the *swayamsevaks* to go to Ayodhya in 1990 and even to become "martyrs".