

Facts of Sri Ram Janma Bhumi struggle

01. Points of dispute

(i) The Ayodhya dispute is not any ordinary temple-mosque dispute as the Temple of Nativity of Sri Ram is not just any other temple!

(ii) It is a struggle to reclaim and regain the haloed Native Land/Birthplace of Bhagwan, and this Native Land is a Deity in itself and there can be no splitting up or division of the Deity. Ramlala Virajman (seated) at His Native Land – is a perpetual minor and a juridical person – a legal entity – having a distinct identity and legal rights and obligations under the law. None else can have ownership rights over Bhagwan's property.

(iii) The birthplace is non-exchangeable. It cannot be swapped, bartered, sold or donated!

(iv) The entire dispute is over about 1460 square yards (1209.026 Square Meter) of land – the length-width of which is maximum 140 X 100 feet. The 70 acres of land acquired by the Government of India is separate from it and is with the Government of India over which no lawsuit is pending in court.

(v) The entire site under consideration in the court is that of Ramlala (Infant Ram) Virajman. It is the Place of Birth, Place of Pastimes, playing field and recreational area of Bhagwan. Describing the significance of this place, the Skanda Purana, written thousands of years ago, says that the Darshan (discerning/sighting) of the haloed birthplace of Sri Ram is liberating.

(vi) Temples of adorable Deities of any community can be built at many places in the country, statues of great men can be put up at many places, but their place of manifestation/birth would be located at one place and that can never be dislocated or put out of place. The birthplace is irreversible, permanent, irrevocable, immutable, invariable, irreplaceable, unchallengeable, incontrovertible, indisputable, undeniable and not able to be forfeited!

(vii) Ayodhya is to Hindus what Mecca is to Muslims. No new mosque / monument / Islamic cultural center can be built in Ayodhya, which would remind the politico-Jihadi statement and humiliation of 1528 CE.

02. History of conflicts and movements

(i) The struggle to get back the birthplace continues unabated since 1528 CE (since the day invader Babur ordered demolition of the temple and superimposition or parking of the triple-domed Jihadi structure over it).

(ii) The entire Hindu society has incessantly been waging this fight. The saint fraternity of Ayodhya and the kings-emperors of the areas around have had special contributions in this fight back.

(iii) The pages of history record details of 76 battles.

(iv) The history of battles speaks volumes about the fact that Hindus never ever gave up their claim over this place.

(v) These battles and struggles show that the occupation of this place by the Muslim invader and his descendants was never peaceful, continuous, uninterrupted.

(vi) In 1885 CE, an application was moved before the then government official on behalf of Nirmohi Akhara with a request to permit replacement of the thatched canopy by a concrete one above the Ramchabootra (raised-platform) located in the outer courtyard of the birthplace complex. On this subject, the British Judge Colonel FEA Chamier (Faizabad District Judge) declined permission, but in his verdict admitted that **“...It is most unfortunate that a masjid should have been built on the land specially held sacred by the Hindus...”**

(vii) At the Hindu Conference held at Muzaffarnagar in Uttar Pradesh in March 1983, the late Dau Dayal Khanna, a former Congress minister and legislator, called upon the Ram devotees to "liberate the places of Ayodhya, Mathura and Kashi and bring back the glory of Hindustan."

(viii) On April 07 and 08, 1984, a conference of saints took place at Vigyan Bhawan, New Delhi (First Dharma Sansad/Parliament). It was resolved to liberate the Sri Ram Janma Bhumi. Thus, with the order of the Sant Fraternity, the Vishva Hindu Parishad started the 77th edition of the five centuries old struggle.

(ix) Firstly, public awareness campaign was decided to open the locks on the birthplace. Ram-Janaki chariot was consecrated at Sitamarhi. On October 07, 1984, the Ram- Janaki Rath arrived at the banks of the Holy Saryu River in Ayodhya. Thousands of Ram devotees took Saryu Maharani's sacred waters in hand and vowed to liberate the Sri Ram Janma Bhumi.

(x) From October, 1985, public awareness campaign started again in Uttar Pradesh by 6 chariots. As a result, the locks put on the Sri Ram's Birthplace in the year 1949 CE was opened on 1 February 1986 by order of the court. There were several attempts made to stop public worship and prayers to Ramlala, but the court did not accept it.

(xi) After this, a series of public awareness campaigns started. The Shilapujan (consecration of clay, stone or marble bricks) programmes were organized in about 300,000 villages across the country. Consecrated bricks from across the country and abroad reached Ayodhya. In the presence of the revered saints and sages, the first foundation stone was laid for the grand Ram temple as per Hindu aspirations by Shri Kameshwar Chowpal, a Karyakarta/worker from amongst the Scheduled Castes brethren. This event was a wonderful example of the united strength of the Ram devotees as well as that of social harmony.

(xii) Many programs like Ram Jyoti, Ramcharan Paduka Pujan, Vijay Mantra Jaap Abhiyan led to a unique awakening in the country.

- (i) In July 1989, a case was filed on behalf of Bhagwan Ramlala Virajman and the Native Land Janma Bhumi making them party to the case; the Lord Himself presented His side. This is the fourth lawsuit of this place.
- (ii) In 1989, the above four suits were transferred from the lower court to the Lucknow Bench of Allahabad High Court for a collective hearing.
- (iii) The government was too late in appreciating the feelings of the public. As a result, the pent up feelings of the society burst out on December 06, 1992. Everyone knows the result.
- (iv) After the collapse of the structure, the so-called disputed land, and the 67 acres of land of Hindu society spread around it, was acquired by the Government of India by a law (Act 33/1993) on 07th January, 1993. In this acquired 67 acres of land, not even one inch of land is the property of any Muslim.
- (v) Against the said takeover, a Muslim gentleman named Ismail Faruqi went to the Supreme Court in 1993 and demanded that the mosque site could not be acquired. On January 07, 1993, the then President of India referred a question to the Supreme Court of India under Article 143 of the Constitution for consideration and opinion thereon. The question was: "WHETHER A HINDU TEMPLE OR ANY HINDU RELIGIOUS STRUCTURE EXISTED PRIOR TO THE CONSTRUCTION OF THE RAM JANAM BHUMI-BABRI MASJID (INCLUDING THE PREMISES OF THE INNER AND OUTER COURTYARDS OF SUCH STRUCTURE) IN THE AREA ON WHICH THE STRUCTURE

- STOOD?” (vide 1994 (6) SCC p. 360 Ismail Faruqi vs. Union of India).
- (vi) A constitution bench of five judges was set up in the Supreme Court to find an answer to the petition challenging the takeover and the President's question. After about 22 months of hearing, the Constitution Bench returned the President's question respectfully, without answering it, and wrote that the situation obtaining at the site prior to 1528 CE could be answered only on the basis of science and archaeology.
 - (vii) At the same time, the Supreme Court, by a majority verdict, cancelled the acquisition of the disputed land and ordered the resumption of all the cases related to the disputed land. It also said that the Government of India would maintain the status quo of the disputed land and would protect it. The Supreme Court accepted the acquisition of the entire 67 acres of land by the Government of India except the disputed land. This lawsuit is known as Dr. M. Ismail Faruqi Etc, Mohd. ... vs Union Of India And Others, which was decided in October 1994.
 - (viii) In 1995 CE, in the Lucknow Bench of Allahabad High Court, a bench of three judges was constituted to hear all the suits related to Sri Ram Janma Bhumi. The bench acted like a trial court for 15 years.
 - (ix) To know the situation prior to 1528 CE, the Hon'ble Full Bench of Lucknow High Court, after hearing the parties, suo-moto ordered for Geo-Radiological Survey (Ground Penetrating Radar Survey) by Canadian experts on 01.8.2002 and subsequently on the basis of GPRS Report passed order for excavation by the Archaeological Survey of India (ASI of GOI) on 23.10.2002 to verify the truth of GPR Survey results.
 - (x) The Geo-Radiological Survey Report, the ASI Excavation Report, and the 30th September, 2010 verdict of the Lucknow Bench of Allahabad High Court demolished the Muslim claim that the triple-domed structure sat on a virgin land. It was, in fact,

- parked/superimposed on a pre-existing Hindu temple as part of wicked and spiteful Jihadi statement and agenda of Ghazwa-e-Hind.
- (xi) The High Court, while outrightly dismissing the suits of the Nirmohi Akhara and the Sunni Waqf Board, wrote that no relief could be given to them. On the contrary, it accepted the suit of Ramlala Virajman, but ordered equal distribution of the disputed land among the three parties which was not justifiable. Due to this unjudicious move, it became necessary to move an appeal in the Supreme Court.
 - (xii) All appeals were filed in December 2010. Till July 2017, the turn to hear appeals did not come. When the Supreme Court saw the case for the first time in August 2017, it was found that the documents in Hindi, Sanskrit,

Persian, Urdu and French languages needed to be translated into English. The Uttar Pradesh government got about 14,000 pages translated into English in 4 months.

- (xiii) During the hearing of the appeal in the Supreme Court on October 29, 2018, the court remarked that there were many more cases in their priority. Having said that, the trial was deferred till January 2019. At the same time, the court ordered that the trial be heard by a five-judge bench.

03. Present Context of Court Process

- (i) In February 2019, the court expressed the desire that all parties find a solution to the dispute on the basis of mutual negotiations. By its order, the court declared a three- member mediation committee. The Mediation Committee held separate talks with all the parties in seven rounds between March 13, 2019 and August 01, 2019. All the talks were kept confidential. The mediation finally ended on August 01, 2019 undecided and unsuccessful.
- (ii) On 02 August, 2019 the Mediation Committee's letter of termination of mediation was presented before the Constitution Bench of the Supreme Court. As a result, the Constitution Bench passed the order for regular hearing of appeals from 6th August, 2019. It also ordered that appeals would be heard from Monday to Friday 5 days a week and daily from 10.30 am to 4.00 pm. Verbally informally it said that they could hear also on Saturdays as per requirement or can hear for an extra hour after 4.00 pm.
- (iii) A total of 40 days of arguments were heard from August 6, 2019 till October 16. During the last 11 business days everyday they heard for an additional hour.
- (iv) During the debate in September, 2019, the subject spontaneously came up before the court that the Muslim and Hindu parties were getting ready for a solution by negotiation. The court ordered that the parties interested in the negotiation might appear before the mediation committee, but the court proceedings would continue as before. On behalf of Ramlala Virajman, it was immediately given in writing to the Registrar of the Supreme Court that we were not part of any negotiation. After a few days, the senior advocate of Ramlala Virajman stood in front of the bench and put this fact verbally. In October, again a stir was made in the court on this matter. On October 2, the Chief Justice was again given in writing on behalf of Ramlala Virajman, and again on October 10, a letter was given that we were not part of any negotiation.

- (v) On 16th October evening, the Constitution Bench declared the hearing complete. Simultaneously, there was a written order that all parties should give their positions in

writing in the next three days on alternate relief or moulding of relief sought by them. The final decision in the Supreme Court was declared reserved.

The world is now waiting for the verdict in the world's greatest historical (491 years) case. The verdict is likely to come by mid-November, 2019.

(5) History of Hindu-Muslim Talks on Sri Ram Janma Bhumi

- (i) Many intellectuals of the country have been of the opinion that the matter should be resolved by mutual talks or judicial process. Therefore, the Vishva Hindu Parishad tried through all the media of talks that the Muslim leaders of India should know, understand, appreciate and respect the feelings, sentiments and beliefs of the Hindu society. But the experience was that the Muslim leadership was not interested in ending this age-old struggle and starting a new era of mutual trust and harmony.
- (ii) During the period of Late Prime Minister Shri Rajiv Gandhi, Sri Buta Singhji and Mrs. Sheila Dixit used to mediate. In Delhi itself, they held several meetings with the Vishva Hindu Parishad and the Babri Masjid Action Committee officials sitting across the table. Once Ven. Swami Satyamitranand ji Maharaj was also in the meeting! It was noon time and a Friday – the sixth and most important day in Islamic week – and it was time to offer the Prayer of Jummah. When the gentlemen of the Muslim side returned after offering Namaz, Ven. Swami Satyamitranand ji Maharaj stood up and spreading his monk's robe said: 'Salat (prayer/namaz) is followed by Zakat (alms-giving). I beg of you Sri Ram's birthplace as alms!' The Namazis kept their mouths shut and their total silence spoke volumes about their intentions. Maharajshree sat down. The Government of India in its White Paper (para No. 2.3) regarding the Ram Janma Bhumi/Babri Masjid issue published in 1993, records the proceedings of another round of mediatory talks as follows: "During the negotiations aimed at finding an amicable solution to the dispute, one issue which came to the fore was whether a Hindu temple had existed on the site occupied by the disputed structure and whether it was demolished on Babur's orders for the construction of the Masjid. It

was stated on behalf of the Muslim organizations as well as by certain eminent historians that there was no evidence in favour of either of these two assertions. It was also stated by certain Muslim leaders that if these assertions were proved, the Muslims would voluntarily handover the

disputed shrine to the Hindus.” Naturally this became the central issue in the negotiations between the Vishva Hindu Parishad (VHP) and the All India Babri Masjid Action Committee (AIBMAC). (This Para No. 2.3 of White Paper is quoted / mentioned in Ismail Faruqi judgment as 2.8, which is wrongly typed.)

(iii) This ‘voluntary handover’ promise was particularly made by late Syed Shahabuddin – a leading figure of the AIBMAC. But this promise was never ever honoured.

(iv) Bilateral talks started on the initiative of the Government of India during the tenure of Shri Chandrashekhariji as Prime Minister. The then GOI Minister of State for Home, Shri Subodh Kant Sahai, the then Chief Ministers of Uttar Pradesh, Maharashtra and Rajasthan, Mr. Mulayam Singh Yadav, Mr. Sharad Pawar and Mr. Bhairon Singh Shekhawat respectively also used to remain present in these meetings. On December 01, 1990, representatives of the Vishva Hindu Parishad held talks with members of

the All India Babri Masjid Action Committee. On behalf of the VHP, Shri Vishnu Hari Dalmia, Shri Badriprasad Toshniwal, Shri Srish Chandra Dixit, Shri Moropant Pingle, Shri Kaushalkishore, Shri Bhanupratap Shukla, Shri Acharya Giriraj Kishore and Shri Suryakrishna were present.

(v) Sri Moropant Pingle had suggested that in the next meeting, three or four experts from both sides should be included, so that they could present authentic evidence of their side. The Chief Minister of Rajasthan, Shri Bhairon Singh Shekhawat had suggested that experts of both sides should exchange their evidences and verify. On this, Mr. Jilani Saheb said that members of the committee should first verify the evidences among themselves, then seek the cooperation of experts. Sri Pingale ji suggested that a time limit be set for amicable resolution of this dispute. It was then decided that:-

01. Both parties should provide their respective evidences to the Minister of State for Home by 22 December, 1990.

02. The Hon’ble Minister would make copies of the

evidences available to all concerned by 25 December, 1990.

03. After verification of these evidences, the two sides again would meet on 10th January, 1991 at 10.00 a.m.

- (vi) A formal document of the bilateral talks was prepared in the office of the Minister of State for Home Affairs.
- (vii) The evidences of each other were to be responded/rejoinded to by January 06, 1991. The Vishva Hindu Parishad responded by dismissing the claims of the Babri Masjid Action Committee. Whereas, instead of giving any rejoinder to VHP's evidences, only photocopies of some additional evidences were given by the Babri Committee to further prove their stand. In the absence of any rejoinder from the Babri Committee, it became difficult for the government to find out what were the points of agreement and disagreement. A meeting was held on 10 January 1991 at Gujarat Bhavan. Apart from other representatives, Prof. B.R. Grover, Prof. Devendra Swarup Agarwal and Dr. S. P. Gupta joined as experts on behalf of Vishva Hindu Parishad. It was decided that the documents presented should be classified under Historical, Archaeological, Revenue and Law categories. It was also decided that both sides would give the names of their experts, who would study the relevant documents and then meet on 24 and 25 January, 1991 and give their comments by 05th February, 1991. Thereafter, both sides would reconsider the reports of these experts. The Babri Masjid Committee suddenly started dodging maneuvers. The committee did not name its experts. They continued to change their list of experts. Among the experts who came on 24 January 1991, four were the executive officers of Babri Masjid Action Committee and Dr. R.S. Sharma, Dr. D. N. Jha, Dr. Surajbhan and Dr. M. Athar Ali were experts. Present, on behalf of the VHP, were legal luminaries like Justice ® Guman Mal Lodha, Justice ® Deoki Nandan Agarwal, Justice ® Dharamveer Sahgal and Senior Advocate Shri Virendra Kumar Singh Chaudhury, and present as historians and revenue experts were Dr Harshnarain, Prof. B.R. Grover, Prof. K.S. Lal, Prof. B.P. Sinha, Prof. Devendra Swarup Agarwal and Archaeologist Dr S.P. Gupta. At the very start of the meeting, the experts of the Babri Committee said that they had neither visited Ayodhya nor had studied the evidence and

- said that they needed at least six weeks for it. This happened on 24th January, 1991.
- (viii) The Babri Committee experts did not turn up in the meeting scheduled on 25th January while representatives and experts of the VHP waited for two hours. The same thing happened also in the subsequent meeting. The talks finally stopped.
 - (ix) In October, November 1992 also there was correspondence between Vishva Hindu Parishad and the Babri Masjid Action Committee. The result turned out to be zero.
 - (x) A three-member Mediation Committee comprising of (1) Supreme Court Justice ® Ibrahim Kalifulla (Chennai), (2) Senior Advocate of Madras High Court, Shri Sriram Panchu, (3) Art of Living Founder Sri Sri Ravi Shankar was formed in March 2019 on the initiative of the Supreme Court. The talks took place in seven rounds and the talks were kept confidential. The mediators offered thanks to everyone on 01 August 2019, and on 02 August, they presented their mediation termination letter to the Supreme Court. Even this talks attempt proved unsuccessful.



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