



# A Case Study of the Babri Masjid/Ram Temple Dispute in Ayodhya

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## Abstract:

*A religion gives a bunch of conviction which further give a motivation throughout everyday life. In the present modern time, there is a rise in the idea of secularism. Secularism is an idea where an element is religion nonpartisan. In our Indian constitution strict opportunity is a key right, every individual has their own entitlement to declare any religion they like.*

*India is a position of strict variety. The word common can be found in the preface which was presented in 42nd amendment moreover secularism is reflected in article 25 to 26 and 29 to 30 which implies our Indian constitution recognizes secularism. Nonetheless, the term secularism isn't explicitly tracked down in constitution.*

*It is extensively referred to that India is perceived as a common state, yet anyway it stringently doesn't follow the partition among religion and state, choosing to obtrude in the domain of religion by treating religions similarly. The best model is Ayodhya debate which was recorded just about quite a while back. The essential question was for the land where the Muslims requested for the development of Babri masjid while the Hindus requested for the development of Slam Mandir which traces all the way back to 1853. This paper analyzes how value of religion is applied on account of Ayodhya debate. The paper likewise contains a short history about the beginning of the Ayodhya question. Further it talks about the short realities and judgment articulated by the noteworthy High Court. It likewise manages the idea of secularism and how it connects with Ayodhya question. This paper give idea about what change might have been done so there could be upgrade in the ongoing circumstance of the Ayodhya question.*

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**Keywords:** *Secularism, Ayodhya dispute, Equity, Religion*

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## 1. Introduction

The Ayodhya debate is perhaps of the longest case which made a remarkable history. This case endured over for very nearly 134 years and everything began with 1500 square yard plot of land which is situated in Faziabad in the territory of Uttar Pradesh in north India. It acquired the development of opportunity religion the Indian regulation. It has become such a questionable and cheeky issue that drew the consideration of numerous strict gatherings including different ideological groups and various local gatherings. Not just individuals, even the Divine beings struggled over the contested land to guarantee their legitimate proprietorship. The various partitioned in to simply bunches Hindus and Muslims and this nearly took the period of a fight, where Hindus guaranteed that the contested land in Ayodhya being the origination of master slam and on the opposite side Muslims asserted that the masjid was worked by the Mughal head Babur in the last part of the 1500s and named it Babri masjid.

Presently in the event that go in the set of experiences the contested land is considered as the origin of the ruler Rama. The Hindu people group requested the development of slam mandir as it is signified as

the origination of master Rama they additionally challenged that the specific area of master smash's origin is where the Babri masjid was built by the Mughals in the last part of the 1500's albeit some Muslim people group went against as it was not explained and no proof was found with respect to the introduction of master smash .The things changed when the Mughals came during the thirteenth century as a result of which the Islamic tradition extended. The primary question emerged between the Hindus and Muslims , the first and the premier explanation was that the Hindus guaranteed that the spot had a place with ruler smash and they went against that no Masjid ought to be built while Muslims said that Masjid ought to be there and nobody has the privilege to prevent them from performing there freedoms and ceremonies.

Secularism implies right to rehearse any religion, freedoms and ceremonies. It safeguards the privileges and opportunity to perform strict and different convictions as well as doesn't encroach on the privileges and opportunity of others. From the 42nd amendment of the constitution, India was pronounced as the common country. Secularism keeps up with the harmony between the opportunity of religion and right to be liberated from religion. Each individual who has confidence in religion have opportunity to communicate their thoughts totally additionally the people who go against the possibility of religion likewise have opportunity to openly offer their viewpoint. All sort of thoughts and convictions should be open in a majority rule country. India being the most mainstream and different nation of the world, confronted parcel of provincial debates and the longest questions which went on for 100 additional years or which went on for quite some time was the Ayodhya question. Secularism implies opportunity to rehearse any type of religion. The Ayodhya debate or the Babri Masjid question made a ton of contrasts between the Hindus and the Muslims which likewise impacted the tranquility of the country. The decision of the court was agreeable to the development of the Slam sanctuary as the Muslim people group neglected to demonstrate that specific spot was the origination of ruler Smash and there was no sanctuary before the development of the Masjid. Certain antiques were found in the year 1992, which was fundamentally sculpture of gods which had a place with that period before Masjid was built, the paleontologist where called from outside the country to find of which year or time those curios existed and was it before the development of the Babri Masjid. From the archeological assessment it was figured out that those relics existed before the development of Babri Masjid.

## **2. THE Sequential HISTORY OF AYODHYA Debate.**

The question for the land went on for an extensive stretch of time and it required very nearly 134 years to get settled. Certain significant occasion occurred during these thirty years and it made an extraordinary occasion which additionally incorporated various uproars among Hindu and Muslim people group. The issue started with the contention that it was the origination of ruler Rama and there ought to be no development of masjid and the land had a place with the Hindus. On this premise of the contention the Hindu kar Sevak's annihilated the Babri mosque on December 6, 1992, in Ayodhya. Presently in the event that we put accentuation on the significant dates, they are right here -

1524: in this year the Mughal ruler Babur attacked India on the greeting given by Daulat Khan Lodi and through him he turned into the primary Mughal sovereign of India and brought forth Mughal line.

1528: as per the sources the development of Babri mosque isn't characterized and it is assessed from the engravings made in the premises of Babri masjid which expresses that the Mughal Authority Mir Baqi constructed the mosque in 935 AH (1528-29).

1853: during this year the principal collective savagery happened over the Ayodhya issue subject to Nawab Wajid Ali Shah of Awadh. Interestingly the Hindu people group individuals attested that the mosque was worked after the destruction of the Hindu sanctuary.

1859: at this point, it prompted more collective savagery. Both the gatherings the Hindus and Muslims began supplicating at the site. To limit the mutual viciousness the Britishers constructed a wall what

isolated the compound in two sections. The internal court was utilized by the Muslims and the external court was utilized by the Hindus.

1885: Mahant Raghu Bir Das recorded a request in Faizabad locale court interestingly argued to fabricate a shade of smash chabootra on the site of ruler slam's origination which anyway the supplication got dismissed by the court. This was interestingly when the legal executive was associated with the accompanying case.

1949: The Hindu lobbyist interestingly positioned the icon of master Rama inside the sanctuary which prompted significant contention. There was a dissent done by the Muslims against this demonstration. Both the networks recorded a common suit against one another. After the monstrous dissent the public authority pronounced the region as questioned.

1950: The Hindus requested for the option to revere in the premises anyway the court kept down the choice and considered the love in the contested land.

1959: Nirmohi Akhara came into outline and requested the ownership of master Rama sanctuary. Though in 1962 the Sunni Waqf Board requested the ownership of the Mosque.

1986: During this year it was told by the area court to open the entryways of the sanctuary for 'darshan', which was subsequently fought by the Muslim to frame Babri masjid activity panel. Eventually the entryways which were opened needed to get shut in one hour or less.

1989: Subsequently Deoki Nandan Agarwal who was the VP of VHP (Vishwa Hindu Parishad) documented a suit in the Allahabad high court for the ownership of the land and on that very year the debate got examined in the Lucknow seat of Allahabad high court. Later in 1990 a portion of the lobbyist of VHP attempted to harm the mosque somewhat.

1992: During this year the mobs began and a few panels were shaping up. On December 6 a bigger number of than 2000 lives were lost. Following not many days a liberhan commission was arrangement to explore the destruction of questioned structure.

1993: A demonstration was passed by the procurement of land by focus in the contested region 'Securing of Specific Region at Ayodhya act'. Different writ petitions were recorded and one of them was addressed by Ismail Faruqui testing different part of the demonstration. In 1994 the High Court expressed that on account of Ismail Faruqui that the mosque is definitely not a vital piece of Islam.

2002: The Archeological Study of India (ASI) were told by the Allahabad high court to find out where there are any hints of a Hindu sanctuary underneath the mosque structure. Around the same time the court likewise began following out the genuine proprietor of the contested land.

2003: The Archeological Review of India (AIS) found proof connected with the sanctuary presence underneath the mosque. The curios and figures had a place with that period and it was plainly expressed that it existed before the development of the mosque. The report of AIS was tested by the all India Muslim individual regulation board.

2009: A report was presented by Liberhan Commission, in which the Central Pastor of Uttar Pradesh Mr. Kalyan Singh was cruelly scrutinized in light of his demonstration, of selecting those cops and civil servants who might have remained quiet during the destruction of mosque in Ayodhya.

2010: Later, the request was held by the Lucknow seat of Allahabad high court, recommending the gatherings to determine the issues through conversation yet least interest was shown. Later the High

Court gave a noteworthy judgment with respect to the Ayodhya case and it partitioned the contested land into three divisions - Smash Lalla. The second went to Islamic Waqf Board and the third to Nirmohi Akhara. Be that as it may, neither the Hindu Mahasabha nor the Sunni Waqf Board were happy with the choices of the Allahabad High Court and in this way they chose to challenge it under the steady gaze of the High Court.

2011: Allahabad High Court judgment was upheld by the High Court and said, to keep the things the manner in which they by and by are.

2015: After this judgment the Collective pressure expanded in light of the fact that a portion of the allies of VHP who fought by tossing stones to stop the development of smash mandir and to diminish this the move was made by the central priest of up Akhilesh Yadav who did whatever it may take to diminish it.

2017: as the case turned out to be so disputable the High Court expressed that the Babri masjid case presently is a delicate issue and spoke to every one of the partners to track down a reasonable answer for the case. It comprised a three-judge seat hearing the requests which likewise tested the 2010 decision of Allahabad high court. The last hearings of the Ayodhya case began before the main equity of India (presently resigned) Mr Dipak Mishra, judges Ashok Bhushan and S. Abdul Nazeer.

2018: The High Court said that the Ayodhya question case will be recorded before a suitable seat in January 2019.

### **3. Riot which took place during the ayodhya dispute**

There was a reason why the Ayodhya dispute was declared as a sensitive issue by the Supreme Court as it gave rise to numerous riots and a tussle between the Hindu and Muslims. This case had a huge journey and also created a lot of communal disputes and gap. This dispute effected the whole country emotionally and because of which the essence of the secularism in the country was decreasing. The land dispute took a turn to be a dispute between the communities and even after the decision has come there are still disparities among the communities. Many lost their lives due to the riots and Mumbai got affected the most.

In the year 1992 when the mosque got demolished by the members of VHP (Vishwa Hindu Parishad), after that Mumbai faced lots of disturbances and on March 12 1993 a bomb blast took place and around 700 people lost their lives which also led to migration of many minority communities. Till today it is continuing but the aftermath of Ayodhya dispute have affected city the most. In that particular city the people are still preferring the Hindutva and lots of them are even boycotting the other communities. The secular aspect in that city eventually have decreased because of the dispute although the judgment has been made maintaining the countries secularism, yet there are disparities alive basically between the two communities.

### **4. Supporting the Verdict Given by the Honable Supreme Court Before Judgement**

The decision given by the Apex Court on the Ayodhya dispute would be remembered as one of the most controversial and an important decision in India's history. An end put up, to one of the oldest disputes that has torn the social fabric of the country by a bench headed by chief justice Ranjan Gogoi and with other four senior judges of the Supreme Court. As the Supreme Court has given the approval for the construction of Ram temple at the disputed land and has also permitted to allot 5 acres of land for the construction of mosque to the Muslim community at some other place, in order to maintain communal peace and to render justice to every community equally. The historic decision was welcomed by each and every individual of the country, however a mixed reaction can be seen among the Muslim community. While the decision was made by the Supreme Court on 9th November, 2019 many of the leaders of different political parties were seen appealing to the citizens to maintain law and

order and peace among themselves, as it was a sensitive period and it could have led to any kind of tension or riots in the country.

The effect of the judgment can be seen at a large scale, as most of the government colleges and schools were shut down in Uttar Pradesh and in some other states of India. There was also an increase in the security at Ayodhya. Early morning just before the verdict the whole town looked deserted, as residents were avoiding to move outside of their houses. Some have even stored the food in advance, to make sure if any riots break out or there was also the probability of curfew being implemented in the town. But when Supreme Court gave its verdict everything went normal, people were seen on streets, welcoming the court's decision. There was no sign of any disputes among the religion and also no riots happened.

### **Hindu's Glory**

Hindus were very happy with the decision of one of the top courts of India. They welcomed the verdict and also believed that this verdict respected the interest of both the communities, the Hindus and the Muslims. The Hindus greeted each other, and there was also the chanting of "JAY SHREE RAM" in the streets. It was a kind of relief for the Hindu supporters and the followers that after such a long battle, they can see their Lord Rama finally coming to Ayodhya. Even the Prime Minister of India said that the decision on Ayodhya should serve Indians as a lesson to move forward together, and the Chief Minister of Uttar Pradesh also welcomed the decision of the Supreme Court. The leaders of the opposition parties also praised the Supreme Court for its historic decision.

### **Mixed Reaction Among Muslim Community**

There was a different opinion among the Muslim community. Some Muslims were seen going with the decision of the court. As many Muslims said that their five-generation had suffered a lot due to this dispute, and they were very much pleased with the decision of the Supreme Court. While some believe that there was no option left to

them, despite going with the decision of the Supreme Court. Meanwhile, the All-India Muslim Personal Law Board was unsatisfied by the decision of the Supreme Court hence decided to file a writ petition against it.

### **Judgement**

The Ayodhya land dispute case was pending before the Supreme Court for over a period of 40 days at a stretch. Finally, the court gave its verdict in favor of the Hindu community by giving the allowance for the construction of Ram Temple. Some of the key points of the decision made by the court are-

- a) The entire disputed land of 2.77 acres was given to the Hindus for the construction of the temple, and it also directed the Centre for allotment of 5 acres of land separately for the Muslim community for the construction of Mosque.
- b) The Supreme Court rejected the plea filed by the Nirmohi Akhara contesting control over the entire disputed land, and instead of that, it ordered the Centre to give some kind of representation to them.
- c) The Supreme Court has also ordered the formation of a trust in 3 months for the construction of mandir because the court has not found any Islamic structure below the disputed land.
- d) The Supreme Court believed that the disputed site was the place where the Hindus used to worship and where Lord Ram was born, while the Muslims also have sentiments towards that place. The Supreme Court also believed that the demolition of the Mosque by the Hindus in 1992 was a violation of the law.
- e) Supreme Court also laid down that the Muslim community has failed to prove why the disputed land should be given to them.

### **Our view on the judgement**

The paper focuses on the chronological history and the reasons behind the causation of the dispute, which took decades to get resolved, still there exists a lot of communal disparities. The famous judgment was given under the presence of ex-chief justice of India Mr. Dipak Mishra and we are in support of the judiciary. The judgment supported both the communities and gave the disputed land to the Hindus and the Muslims were given 5 acres of land. The reasons behind supporting the judiciary is that:

1. During 1992 the artefacts which were found did not belong to the era when the masjid was constructed, but it existed before the construction of masjid.
2. The one who protested the construction of Ram temple was unable to prove the fact that, the disputed land was the birthplace of lord ram and according to the history there are proofs that lord ram existed in that place and hence that city is considered to be the birthplace of lord ram.
3. During the dispute, the communal groups were claiming that their fundamental rights are being infringed., the right to perform any religion freely. The judiciary took the fair decision and proper 5 arcs of land were given to the Muslims to build the mosque and perform their religious duties. Hence it was wrong allegations made by the Muslim community that their right to perform any religion is being infringed or violated.

### **5. Conclusion**

The Ayodhya dispute created turbulence all around the country, and it continued for 134 years, which took several decades to get resolved. Finally, when the judgment came, it became the longest and one of the landmark cases in Indian history. This case was a whole journey starting from a disputed land and finding out who is the real owner of the land to fighting for the ownership of the land, which also gave rise to communal disturbances between the two communities asking for the construction of the temple or mosque. The main highlights of this case were a land of 2.77 acres, which broadly divided into two parts the inner courtyard and the outer courtyard where ram chabootra and Sita rasoi existed in the outer courtyard, and the inner courtyard had masjid till 1992. The Muslims failed to prove their exclusive right and possession over the inner courtyard, whereas the belief of Hindus that they want to worship in the central dome of Babri masjid believing that it was the birthplace of lord ram was proven genuine. The Supreme Court stated that it is beyond the jurisdiction to decide whether their belief is right, but eventually, it was proven genuine. Though the masjid was not built on vacant land but the Muslims did perform their Friday prayers consistently; hence their claims were also proven to be genuine, and they are given 5 acres of land to freely perform their rights and rituals without any disturbance. The judiciary strictly maintained the secular aspect of the country as well as fully supported the sentiments of both the communities. Hence the verdict which the court gave was fair enough, keeping in mind all the differences and sentiments of the people.

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