



सत्यमेव जयते

REPORT OF THE  
LIBERHAN  
AYODHYA  
COMMISSION  
OF INQUIRY

CHAPTER 13

THE ASSAULT  
ON THE MEDIA

## 151. THE ASSAULT ON THE MEDIA

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151.1. The RSS with the VHP as its frontal face was carrying the temple construction movement. BJP is an institution or a political party which may or may not legally be a part of the RSS, yet for all intents and purposes was under the control and subject to its influence and directions. The Bajrang Dal, Dharam Sansad, Kendriya Marg Darshak Mandal and the other bodies, associations were floated by the VHP directly, openly and under its control apart from the individuals similarly controlled by it. RSS, VHP, Bajrang Dal and the BJP supported by other members of the Sangh Parivar were not only in complete charge of the situation in 1992, especially in December 1992, but were also prevailing in governance and control of the state of Uttar Pradesh. The Shiv Sena popularly carrying the flag of Hindu religion protectors, particularly in Maharashtra, too was lending its political, moral and physical support by providing karsevaks, mobilisation and finances for the movement. Their complete and absolute control – administratively, in policing or otherwise – was pronounced and effective in case of the Ram Janambhoomi complex especially from July to December 1992.

151.2. This was corroborated by the events of July 1992, the unfurling of the flags in 1991 despite the security, the stopping of the Karseva on the asking of Ashok Singhal, the construction of the Chabutra despite the stay ordered by the Hon'ble Supreme Court, the stay of the Karsevaks in the predominantly Hindu, or the sympathetic villages around Ayodhya and other factors mentioned elsewhere in this report. The evidence on the record and the oral

testimony lead leaves not even a shred of doubt about the complete abdication of the State Government's authority and the fact that the Sangh Parivar had taken over the reins of administration, governance and the situation on the spot, in Ayodhya town and the surrounding villages, the district of Faizabad etc.

151.3. The crowds which had been assembled at Ayodhya on the 6<sup>th</sup> of December were organized into manageable groups and each group was under the control of, and subject to the discipline of a Sangh leader. The leadership at all levels had been briefed in advance about what was expected from them and were a part either of the general crowds or had been assigned a particular role.

151.4. The prognosis of video recordings, oral testimony and the documentary evidence brought on the record consistently establishes that the media personnel present in and around Ayodhya were specifically targeted and subjected to violent attacks. This Commission has been charged with the responsibility of going into these attacks and to test their veracity, and if possible, to affix responsibility for the same.

## 152. The presence of the media

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- 152.1. The media was present at the site and in the vicinity in substantial numbers. Since the event was the subject of a country wide campaign and was projected as touching upon the emotions and sensibilities of the majority of Indians, it was naturally an event that would have attracted a large turnout from the print and electronic media.
- 152.2. The entire event was being choreographed exclusively by the RSS and VHP along with their associates. The presence of the press was regulated by these organizations, i.e. the RSS, VHP and the BJP. The journalists coming to Ayodhya were required to get accreditation and passes allowing them access to the disputed site etc. These passes were tellingly issued by the aforementioned organisations and not by the district administration as required and expected. The district administration did not make any arrangements for the media despite knowing that they would be present in significant numbers given the significance of the events. Even the state owned media or institutions or the officers of the state departments were not shown to be present much less having recorded such a historical and internationally known event taking place.
- 152.3. The passes for entry into the Ram Janambhoomi - Babri Masjid complex were issued by Ram Shanker Agnihotri apparently of the VHP. He also made arrangement for the journalists, other media persons and photographers

at the roof of Manas Bhavan. Arrangements with respect to entry and exit of the press were with VHP and RSS.

152.4. It is quite clear that the identity and numbers of the media personnel present for covering the incidents was already known to the organizers. They had an accurate idea of the interest that this event was generating globally. They were conscious of the multi-coloured thoughts, philosophies and views being represented by the media persons present apart from their blinkered views on the issues.

152.5. The organizers were also well acquainted with the media's usual mandate to cover not only the events as they happen, but to inquire into the context and the circumstances and to interview the people for presenting a unified whole.

152.6. It thus stands established that the organizers of the events of December 6<sup>th</sup> 1992 at Ayodhya were fully aware of the media's presence, interest and purpose.

### 153. The bias against the media

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153.1. The events leading up to the demolition of the disputed structure had had a long history. The media had been closely tracking and reporting upon not just the historical aspect of the dispute but also the newsworthy developments over the period of time. The leadership of the Ayodhya movement had also come into sharp focus and their speeches, statements as well as their public actions had been regularly reported and subjected to analysis.

153.2. It is impossible to attribute blanket impartiality or lack of bias to the entire media corps, of course. Given the enormous size of this corps, given the varied interests backing the individual print and the electronic media organizations, it would be quite expected for the reporting to be representative of not only all the perspectives which were prevalent at the time but also of the rumours, dysfunctional information, the various theories floating and analysis of the speeches, events, facts etc. Even the verbiage used by particular leaders used to be quoted and attributed to them. The reporting of a section of the media, notably the local and vernacular press used to present half baked information and theories.

153.3. It stands to reason and is clearly established from the evidence on the record that diverse sections of the press reported the events with one or the other values, agendas or opinions. Some journalists were naturally inclined towards one side of the dispute while the others sided with the opposing philosophy. In short, the supporter of every one school of thought could easily find some

sections of the media sympathetic and the others hostile to his way of thinking.

153.4. Given that the Rath Yatras and the temple construction movement itself had been elevated to a struggle between the rights of the Hindus versus the rights of the Muslim, it is not difficult to conceive that each set of radicals was able to zero in on a particular section of the journalists present who were perceived to be a threat to their way of thinking, or a hurdle to the achievement of their objectives.

153.5. The bias, and in some cases, the hatred against the media became clearly visible even during the course of this enquiry. Witnesses testified consistently that there were false or hurtful reports which were published in the media about them or their associates. It was widely believed and stated that the media distorted the facts and made the actual events seem diametrically opposite to reality. There was a great deal of resentment which was apparent during the course of the enquiry.

153.6. The most often repeated grievance was that some journalists had their own agenda – that they would report fictitious accounts or attribute words to particular leaders, which words had never been spoken or which had been spoken in a completely different context and with different and more benign connotations.

153.7. LK Advani stated that the entire media, newspapers national or otherwise, described the movement as a national shame, madness or barbaric. He stated “that communal violence or clashes were attributed to my Rath Yatras in

media. The fact is otherwise. Neither had I referred to Muslims during my Rath Yatra nor any clashes as consequence of it took place.” In support of his statement he referred to the observations of Dr. Koenard Elst, a Dutch-speaking Belgium from a Catholic family who observed, “Mr. Advani never caught in the act of making even a single anti-Muslim remark, the assumption that Muslims had destroyed Hindu temples in the past was underlying the whole issue, though it is fully accurate. Media talk of the revenge on the Muslims which is enemy and press has attributed to him is fictional. Mr. LK Advani exhorted the Muslims making a gesture of what Muslims fanatics had done, asking for restoration of a single one of the thousands of Temples forcibly replaced mosques. Though VHP and others asked for three, he reduced the number to one, especially when the structure was used as a Temple – as de facto Temple – by virtue of Court Injunction. Media described the Rath Yatra as bloody Rath Yatra in spite of the fact that there was not a single riot along the Yatra trail, while 600 people were killed in Hyderabad, Karnataka and U.P. in an agitation against the caste based reservation, which V.P. Singh was promoting. [...]” The author referred to an English editorial, how Advani was blamed for communal riots of which the actual non-Advani related causes were given, for example when Advani was at 500 miles distance from a riot. As with the riot in Gonda in UP or under arrest or back home after the high tide Ayodhya agitation, every riot in India in the second half of 1990 was blamed on him. The Author further states that “all religions agree to the condemning of calumny as grave evil as it carries little risk to the perpetrators but can inflict enormous damage on the targeted individual or group, not through the calumniator’s own hands but

through those of all who lend credence toward him. It is cowardly and destructive.”

- 153.8. Witnesses also stated that the media had played a crucial role in whipping up the imagination of the people. The widespread and admitted perception of the common man that the Rath Yatras were divine symbols etc. was also blamed on the media.
- 153.9. The witnesses also accused the press and the radio and television media of sensationalizing events or downplaying other events.
- 153.10. The media was also blamed for planting false impressions or starting fallacious rumours. Uma Bharti alleged in her statement that in July 1992, a journalist from the Rashtriya Sahara himself brought a “Tasla” and placed it on her head and clicked her photograph, giving the impression that she was doing Karseva herself. She also refused to comment on certain news items which had been published in the Hindustan Times, while stating that distortions do occur in newspaper reports sometimes.
- 153.11. It was officially noted in 1992 that exaggerated damage on account of the incidents was reported. It was noticed there may be rumour mongering about the incidents and the possibility of its fall out. Instruction were issued to meet the rumours in 1992, to be alert, to do patrolling, gearing up of intelligence, every small incident to be taken seriously, for taking all preventive measures including detention of anti social and communal elements and imposition of

prohibitory orders. The Home Secretary commented about the falsity of the report of the Jansatta and Jagran<sup>640</sup>.

153.12. KS Sudarshan resented before the Commission that all the newspapers reported his purported statement on 8<sup>th</sup> December 2000 in the Indian Express, that a bomb explosion has brought down the structure. The responsibility for the act was attributed to Prime Minister Narasimha Rao and his colleagues. It was said in the report that the chief of the RSS had exonerated the RSS, Bajrang Dal and VHP - they had no hand in the demolition of the disputed structure which is quite contrary to the facts which have emerged. KS Sudarshan stated that these comments attributed to him were false. He stated that in fact, these comments had been made by Nirmal Deshpande. Her statement about the possible use of an explosive to bring down the domes was extrapolated into the story that a bomb had been detonated inside the dome and was attributed to KS Sudarshan.

153.13. Be that as it may, it stands established that the media was not seen as a sympathetic force by the organizers of the events at Ayodhya.

153.14. The media was possibly perceived as a thankless force which would find some way or the other of distorting the facts and making up news or sensationalizing stories, raising the curiosity of the public and profiting commercially from it.

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<sup>640</sup> See exhibit .C.W.16/23 and notes in File No. 17.200/56/D/92.

153.15. And it is equally possible that it was feared that the media would point some inconvenient fingers at the perpetrators of the events which had been predetermined.

153.16. Even an innocent epic serial based on the Ramayana on the television was attributed a “hidden agendas” and was viewed as an intentional and malafide act to spread a Hindu wave or communalism. It was even suggested by the ideologues who appeared before me. In my opinion, this view is the height of perversity and of jaundiced eyes of the opponents of the organizers of the Ayodhya campaign.

## 154. Crossing the boundaries

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- 154.1. Any attack on any person is unacceptable to the rule of law. No person, howsoever heinous his actions may be, is liable to be condemned, let alone punished *de hors* the protection afforded by the law. To condemn a person or to punish him unheard is contrary to the letter and the spirit of the law.
- 154.2. The media may indeed have transgressed its boundaries when it came to the highly emotive and polarizing issue of Ayodhya. It is indeed possible that the media might have contributed in no small part in fanning the flames and caused senseless violence, destruction and deaths. However, none of this can be a justification for the blatant attack on the media and the denial of the right of the people to obtain information from the mass media organizations.
- 154.3. Be that as it may, it may also be noticed here that some vested interests are acquiring an increasing foothold in media and media organizations. With active encouragement from these interest groups, the media is acquiring disproportionate dimensions in the garb of freedom of speech. These attempts at setting up a powerful and un rebuttable power centre puts at stake not only national security, but even the peace in society and law and order.
- 154.4. The only body set up in India for overseeing the media and controlling it, the Press Council of India is unfortunately a toothless body, with virtually no substantive powers, except of censure. A censure of a journalist or a publication or a channel is no more than a slight rap on the wrist and carries

little or no value. This paper remedy is incapable of reining in those elements in the media which are bent upon discrediting this institution.

154.5. Even this august body went into the question of the attack on the journalists and found it to be pre-mediated, concluded that the attacks were a part of the overall game plan.

154.6. A part of the media is reaping benefits by polarizing it, making it a subservient ally of the polity. These persons are unscrupulous in their conduct, irrespective of the interest of the nation or the individuals or the organizations. As opinion makers, they become preachers and advocates for one vision or the other, irrespective of their duties and heedless to the need for an objective approach to facts and to keep the public informed. They are blinded to the possibility of any alternative perspective, the legal principles or the rule of law. Even the Chief Minister at the time who was expected to go through the facts, history, and national expediency and to test the veracity and authenticity of the various opposing claims admittedly used the media reports as his primary source of information and even his reactions were to these same news reports.

## 155. The timing of the attacks

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- 155.1. The evidence led before the Commission is unanimous that the attacks on media personnel commenced simultaneously with the assault on the disputed structure.
- 155.2. The attacks themselves can be divided into two categories. The first kind of attack was aimed at destroying the evidence which was being collected by the pressmen. The others were gratuitous attacks, following the demolition of the disputed structure and during the following riotous activities in and around Ayodhya, possibly as retribution for what was perceived to be slanted or biased media reporting against the Sangh Parivar.
- 155.3. As already discussed elsewhere in the report, the assault on the disputed structures had been precisely planned and smoothly executed. Specific roles had been demonstrably assigned to different groups, which groups were identified by their head bands or slogans etc. The assault progressed from the breakthrough through the cordons to the ascension of the domes by some individuals, to the pulling down of walls in a remarkably efficient manner.
- 155.4. This level of sophistication of the attack, which distinguished it from a spontaneous overflow of powerful emotions of the amassed crowds was being filmed and photographed by the media personnel. It is trite that the organizers would not have been thrilled at the prospect of the media

presenting the assault as a preplanned act, rather than as an uncontrolled public display of emotions, to the rest of the world.

155.5. In this background, the unimpeached statements of the journalists and other witnesses examined by the Commission become clear. The witnesses stated that the cameras and other equipment were snatched away from them and were smashed. It is also on the record that the miscreants took away the exposed films and destroyed them as well. The intention to prevent any independent video or audio recording of the assault is thus writ large on these attacks.

155.6. Mark Tully made a categorical assertion that “the attack on the media was deliberate and simultaneous. I do not know any other agency that was able to videograph the whole incident except the government agency”. The assailants on the media had thus succeeded in the disruption of the media’s role, just as they ensured the success in the main objective of demolishing the disputed structure.

155.7. On prognosis of the evidence, it is not possible to conclude that the plans to attack the media were within the knowledge of the icons of the movement. It is evident on a pathological examination of the events, circumstances and accepted facts with respect to the events of and after the demolition of the disputed structure that Vinay Katiyar, Paramhans Ramchander Das, Acharya Giriraj Kishore, HV Sheshadari, Uma Bharti, Acharya Dharmender Dev, Vamdev, SC Dixit, BP Singhal, Moreshwar Save, DB Roy, AK Saran, Prabhat Kumar, Kalyan Singh, VK Saxena, District Magistrate RN

Srivastava, Akhilesh Mehrotra, Sakshiji Maharaj, Champat Rai, other persons in the hierarchy of the police, administration, irrespective of whether they were present at the spot or not, were in the knowledge of the whole planning of the details worked out for the attack on the media or the demolition of the disputed structure.

155.8. I conclude that the above named persons and Chief Minister Kalyan Singh were in the know of the plan for the attack the media in order to obfuscate the evidence for identification of the assaulters. It was intended to protect the miscreants who belonged to the Sangh Parivar.

155.9. It is also clear that the administration and police was aware of the assault on the media personnel and yet did nothing to either prevent it or to end it. The beating up of the journalists, with the knowledge and within the presence of the police and the administration, combined with the fact that none of them lodged criminal proceedings against the miscreants speaks volumes about the preplanning of the assault.

155.10. The subsequent attacks on media personnel assume great significance for the same reason. The media was physically prevented from documenting the events of the day in a similar fashion.

155.11. It is also on the record that the administration and the police including the provincial armed constabulary had thrown their weight behind the Sangh Parivar and were supportive of the demolition of the disputed structures. The administrative and police support allowed the assault on the media personnel present in and around the complex and the disputed structure. They neither

took any preventive step to protect the journalists nor intervened when the assault was being carried out nor took any steps to save the media persons from the wrath of the assaulters. They turned a blind eye and permitted it to be carried out unhindered. In this backdrop, even the confinement of journalists for some period of time during the aftermath of the demolition, ostensibly for the safety of the media, can also be viewed as another step in the same direction.

155.12. Uma Bharti, Vinay Katiyar including the administration and other officers present denied knowledge about the assault on media persons on the 6<sup>th</sup> of December 1992 even though journalists like Jha, Ruchira Gupta, Praveen Jain, Ajay Kumar etc. were able to reach the Ram Katha Kunj where the leaders were present, and brought the attacks to their notice. Vivan Mehta stated he complained about assault to the leaders at Ram Katha Kunj. Otherwise too, the assault was clearly visible and within public view. My own visit to the spots made it abundantly clear that the spots pointed out to me in the complex where the assault took place were clearly visible from the Ram Katha Kunj where the entire leadership of the movement was present, apart from the site of the Shilanyas where Puja etc. was being carried out by the self proclaimed forerunners amongst the Sants and the Sadhus. The media persons were assaulted even in the complex adjacent to the police's control room, near Sita Rasoi etc. This makes it impossible to believe that the administration or the police did not know about the occurrences. The version of the leadership that they came to know about the attacks the next day or later that day cannot be believed, particularly when a German crew was

admittedly beaten up a day earlier, which was brought to the attention of the leadership and the administration on the 5<sup>th</sup> of December.

155.13. The entire leadership present at the Ram Katha Kunj, the administration, police officers other than those from the CRPF, officers present at the Sita Rasoi or at Manas Bhavan had the temerity to deny the assault on the media persons despite Ram Shankar Agnihotri – the representative of the VHP and its media section in charge having organised for the photographers, reporters and the other journalists at the spot. They were allowed to move freely uninterrupted, not only within the complex but throughout Ayodhya town and were allowed to meet anyone without any hindrance before the assault on the disputed structure commenced.

155.14. On sifting the entire evidence leading up to the assault on journalists, it stands established that a younger group of Karsevaks assaulted the media and especially the photographers simultaneously with the assault on the disputed structure. Mostly, the assault on media was carried out in and around the disputed structure or in the Ram Janam Bhoomi complex. Some of the elderly people present in the complex exhibiting compassion as an act of humanity or pity rescued or shielded the injured journalists from their assailants though they too did not try to protect their equipment or the exposed films.

155.15. Anju Gupta, the security officer attached with LK Advani stated that she tried to protect the journalists and take them to a safer place. The statement of journalists who appeared before the Commission was that they were

assaulted in the presence of the police, yet neither the police nor the officers present there nor any of the organizers or the leaders intervened to protect the journalists, despite their asking for help, which is quite plausible and thus accepted. The police personnel were mute spectators, be it to the assault on the media or the process of demolitions being carried out by the Karsevaks.

155.16. LK Advani was candid enough to admit that supposing a person was indulging in an act of vandalism, and saw the press capturing his unlawful act with a camera, and therefore they attacked the cameraman, the vandals would only be compounding their initial illegal act. He refused to comment any further.

155.17. Praveen Jain, a photojournalist with the Pioneer, stated that Karsevaks did not allow them to take pictures. He stated "I beseeched Advani for help who took no interest in our request".

155.18. KS Sudarshan accepted his presence at the Puja Sthal on the 6<sup>th</sup> of December 1992 before 2pm. He admitted his meeting with Mark Tully who brought to his knowledge the beating up of a member of a German TV crew on the 5<sup>th</sup> of December. KS Sudarshan justified the attack on the plea that biscuits were offered to the Karsevaks by a crewmember and were given in such a manner that they fell down. The German journalist allegedly tried to photograph the Karsevaks while picking up the biscuits from the ground. This resulted in provocation whereupon the Karsevaks beat him up. On the contrary, the then DGP and other witnesses including those from the police and the administration stated that the reason for attack on the media,

according to the rumours, was on account of some derogatory remarks by the western media persons against the Karsevaks. The story about the humiliation by the German crew is unbelievable and appears to be a canard spread just in order to justify the assault on the media persons.

155.19. KS Sudarshan stated that Mark Tully wanted the leadership to convey to the Karsevaks that Karsevaks should not trouble any photographers, journalist or other members of the media. KS Sudarshan told Mark Tully that the message would be conveyed to Ashok Singhal. Mark Tully stated that he had informed the District Magistrate about this incident as well and asked him to take appropriate steps so that there was no problem or trouble for the media on the 6<sup>th</sup> of December. He stated that the District Magistrate did not make any assurances but asked him to meet the Commissioner. The story about the provocation about the biscuits was never put to Tully or any other official witnesses who testified before the Commission by any counsel appearing before the commission. This version does not find any mention in the FIR recorded by police about the incident either. SP Gaur confirmed that the essence of the request made by Mark Tully was conveyed to LK Advani.

155.20. Vinay Katiyar, with his usual policy of blanket denials, rubbished allegations that he saw media persons being beaten and stated that the serious allegations of molestation made by one Ruchira Gupta were false and suggested, that in fact, she tore off her clothes herself, thereby at the very least admitting the fact that her clothes were torn off. It cannot be believed that she tore off her clothes herself or in the presence of Vinay Katiyar. Katiyar's denial even of

well established and known facts, including the attack on the media is self serving and unacceptable.

155.21. SP Gaur stated that the Karsevaks or persons attacking the disputed structure did not want to be filmed for identification later. DB Roy stated, "later trouble erupted on all sides, someone said that some journalist have been injured by the Karsevaks", yet he stated that the journalists asked for police protection only on the next day. He also stated that the ADM and the Additional SP had told him that the DIG and the District Magistrate had given shelter to the journalist on their request. He admitted the registration of complaints and FIR on the request of journalists on the 7<sup>th</sup> of December 1992. He could not deny the simultaneous attacks and it cannot be believed that although he was in command on the spot and running around, he did not witness these attacks. He, for reasons best known to him, did not even get any cases registered nor made any attempts to arrest the miscreants at any point of time right from the time of defiling of Muslim places of reverence up to the time the assault was over or even thereafter. He rendered no help to the injured or assaulted journalists. He even crossed all limits when he intentionally withheld the diary required to be maintained by him under police rules, from the Commission. It can be reasonably inferred that he either did not record the facts about the assault in his diary or that the diary could have thrown light on the true facts and on his or others' culpability in the participation in these events.

**156. Gaps in the evidence**

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156.1. Despite the uncontroverted evidence of the attacks on the media, there was also an unfortunate reluctance on the part of the media persons to come before the Commission and to present their version and to lead evidence.

156.2. At least one journalist who had appeared before an earlier Commission of Enquiry and testified about the physical assault and molestation she was subjected to, appeared before this Commission as well.

156.3. After making her preliminary statement, she however absented herself from all further proceedings and despite repeated efforts by the Commission, did not even appear for due cross examination. Resultantly, what could have been crucial evidence, vital for arriving at conclusive findings was assailed, turned out to be inadmissible and unusable for the purposes of the Commission and had to be ignored from consideration on account of her being unavailable for further cross examination despite the fact that the technical provisions of procedure and the law, and the Evidence Act are not applicable. It was an enquiry into facts. Though I am of the prima facie view that the Commission can take notice of facts coming to his knowledge, irrespective of the source or the rendering of the same for cross examination or notices under section 8-B of the statute or persons found not responsible for it.

156.4. It ill behoves the sentinels of the right to free speech to make allegations in print or on the airwaves, but to shirk the responsibility of assisting those trying to unearth the truth and present it for posterity.

**157. In conclusion**

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- 157.1. The events and the aftermath have been noted in this report which need not be repeated.
- 157.2. Contradictory theories like the throwing of biscuit and then photographing, or false and provocative reporting by BBC were put forth with the ingenuity of the leaders as reasons for attack on the media personnel. These were coupled with plausible and reasonable, though strictly illegal objectives of keeping the identity of miscreants veiled, or for securing the anonymity of the perpetrators of illegal acts.
- 157.3. It may be all justified in the eyes of the organizers or the Sangh leadership.
- 157.4. Even the fleeing journalists were checked to ensure that no one could escape with exposed film. The law enforcing agencies remained silent spectators even as the assault was committed in their presence. The assault was a planned act by the inner core of leaders through their trusted Karsevaks, religious leaders or the protagonists of temple movement supported by political executive, administration, bureaucracy and local administration including police.
- 157.5. In the absence of any substantial unimpeachable evidence it would be imprudent to fix the identity of particular persons or person responsible for planning or execution of any single act.

- 157.6. Preponderance of evidence in its prognosis points out all fingers for the responsibility for the overall assault on the media on Vinay Katiyar, Paramhans Ramchander Das, KS Sudarshan Acharya, Giriraj Kishore, HV Sheshadari, Uma Bharti, Acharya Dharmender Dev, Vamdev, SC Dixit, BP Singhal, Moreshwar Save, DB Roy, AK Saran, Prabhat Kumar, Kalyan Singh, VK Saxena, District Magistrate RN Srivastava, Akhilesh Mehrotra, Sakshiji Maharaj, Champat Rai, and the unidentified Swayamsevaks and their unidentified leaders.
- 157.7. Since the assault on the disputed structure and the media was carried out by karsevaks with their distinctive coloured headbands identifying them as RSS or Bajrang Dal cadres, it cannot be inferred or concluded that it was without the knowledge of KS Sudarshan being the head of RSS, physically present on the spot, having accepted on principle for deployment of the RSS Swayamsevaks for running the administration on the 6<sup>th</sup> of December and earlier; that the assault was without his explicit or implicit consent.
- 157.8. In totality from the evidence led before me, the circumstances and the ordinary course of human conduct, I would conclude that the preplanning for the assault on the media and the disputed structure was carried out by and on the directions of Vinay Katiyar, KS Sudershan, Brahm Dutt Dwivedi, Paramhans Ram Chander Das, Acharya Giriraj Kishore, Mahant Avidyanath, SC Dixit, Uma Bharti, Sadhvi Rithambhra, Champat Kumar, Ashok Singhal, BP Singhal and Kalyan Singh, the Chief Minister of Uttar Pradesh.

157.9. I cannot accept that a chief Minister with the slightest acumen of administration, with so many sources of information could not perceive the possibility of these assaults and attacks or take effective measures to prevent it or he did not have the knowledge about the planning of assault and under what eventualities the demolition was to be carried out. In view of my observations and conclusions, it cannot be believed that the acts of one hand were hidden from the other hand; that the head of the executive, intelligence, local and district police and the administration did not have any information or knowledge of the proposed and planned assaults.

157.10. It is difficult to accept that the local intelligence, police, administration, and the chief Minister could not predict or prevent these attacks and they must therefore also shoulder the blame equally.