

RUINS DON'T ALWAYS INDICATE DEMOLITION, OBSERVES SC

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A view of the Babri Masjid before it was razed. The Hindu Archives

The ruins of an ancient religious structure under an existing building does not always indicate that it was demolished by unfriendly powers, the Supreme Court held in its 1,045-page judgment in the Ayodhya case.

“Existence of the ruins of an underlying structure is not a reason in itself to infer that it was demolished for the construction of a new structure which rests on its foundations,” it held.

The observation is significant, and will form the basis of an argument against future claims that Hindu places of worship were destroyed centuries ago by rulers to build structures of other religions.

The Constitution Bench, led by Chief Justice of India Ranjan Gogoi, was dealing with the question of whether a Hindu religious structure was demolished to build the Babri Masjid in the 16th century.

The court agreed with the Allahabad High Court’s reasoning that “when a structure has been constructed several hundred years ago, it is difficult to conclude with any degree of certainty whether the underlying structure on whose foundations it rests had collapsed due to natural causes or whether the structure was demolished to give way for the structure of a mosque”.

The judgment noted that the Archaeological Survey of India (ASI) report merely says the mosque was not built on vacant land and there was an underlying non-Islamic structure of large dimensions. It does not touch upon how that structure went to ruins.

“The ASI report has left unanswered a critical part of the remit made to it, namely, a determination of whether a Hindu temple had been demolished to pave the way for the construction of the mosque,” the Supreme Court said.

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