# Babri Masjid Verdict

## Why in news?

The Supreme Court said that none of the 32 surviving accused of the Babri Masjid demolition case was found guilty.

## What is the story behind?

- The mosque was brought down in 1992 to build a Ram temple.
- In 2019, the Supreme Court handed over the empty site to those who wanted the mosque brought down.
- However, it recognised the demolition as an egregious violation of the rule of law.
- This gave rise to hope that the ends of justice would be served by the punishment of those who mobilised the vandals.
- But now, the SC said that none of the accused was found guilty.

## What did the trial court find?

- The trial court has given judicial legitimation to the 'Ram Janmabhoomi movement' by acquitting all those indicted for conspiracy to bring down the structure.
- The court found that the demolition was **not planned** in advance.
- This finding flies in the face of the entry of several volunteers into Ayodhya that day armed with implements to bring down the structure.
- The movement was headed by L.K. Advani, Murli Manohar Joshi and Uma Bharti among others.
- The proponents of the movement had positioned themselves in vantage points to witness the occasion and celebrated with pride.

## What were the evidences?

- In this case, there were sufficient evidence about the political mobilisation and the purported intent to assemble on that day.
- The court had with it evidence that there was studied inaction from the State, whose Chief Minister (CM) was one of the accused.
- The court had with it evidence that the unambiguous and open threats to the structure voiced by many of the movement's protagonists.

- The CM then, had given a false assurance to the SC and the National Integration Council that nothing but a symbolic ‘kar seva’ would take place.
- But, the crowd went into frenzy, goaded on by provocative speeches by the dignitaries, and vandals went up the dome.
- The possibility of tampered audio and video evidence would not undo the cumulative effect of the logistical and financial preparation, besides the communal mobilisation.

## What did the Liberhan Commission say?

- The Manmohan Singh Liberhan Commission had laid bare the entire conspiracy in its damning report.
- But, a probe under the Commission of Inquiry Act has no binding value.
- The evidence adduced at the trial alone matters.

## What did the CBI do?

- The CBI failed to prove the element of conspiracy, the details of the advance mobilisation, the meeting of minds that is required to prove a plot and its broad contours.
- From the beginning, the police investigation was marked by bungling.
- When the main events were covered by two FIRs, the U.P. government failed to notify both of them while designating courts for trial.
- The Allahabad High Court quashed the flawed notification.
- The State government’s failure to rectify the irregularity resulted in separate proceedings in Lucknow and Rae Bareilly.
- The CBI filed a supplementary charge sheet after omitting the conspiracy charge.
- The Supreme Court later said that this derailed the joint trial and resulted in separate proceedings in two places.

## What did the SC do?

- In 2017, the SC revived the conspiracy charge.
- It directed the trial court to resume day-to-day trial.
- It sternly reminded the agency that it was because of its failure and that of the State government that a crime that shook the secular fabric of the Constitution had not seen justice for 25 years.

## What is unacceptable?

- It is unacceptable to see a court saying that the destruction was a “spontaneous act”.

- All those who went through that phase in India’s political history know that the demolition was only the culmination of a revanchist movement.
- The period was marked by communal mobilisation, holding of processions to gather ‘bricks’ meant for constructing a temple, etc.
- The cause of communal amity cannot afford successive judicial setbacks to both secular values and the rule of law.

**Source: The Indian Express, The Hindu**

