

Citizens for Justice and Peace

December 3, 2012

PRESS RELEASE

The Supreme Court of India, taking cognizance of Special Leave Petition (SLP 8989/2012) filed by Smt Zakia Ahsan Jafri has directed the Special Investigation Team (SIT) to explain why certain documents that were part of the Investigation had not been supplied to the Complainant. Placing the next date for hearing as December 10, 2012, the Court has stated that it will hear the issue of the Investigation reports filed by AK Malhotra before the Supreme Court in a sealed cover (between 2010 and 2011) separately on that date. The Citizens for Justice that has been co petitioner in this historic struggle for justice (SLP 1088/2008 that resulted in the Order dated 12.9.2012) and is assisting complainant Smt Jafri in the proceedings welcomes the order of the Supreme Court given the fact that in a premature and hasty move, the Magistrate had on 27.11.2012 “closed” the rights of the Complainant Smt Zakia Jafri to file a Protest petition against the closure report filed by the SIT (8.2.2012) while the matter was listed for hearing before the Supreme Court. The Complainant Smt Jafri had pointed out that filing a Protest petition without complete documents would adversely affect her rights as a complainant.

Attached to the press release is a copy of the SLP 8989/2012 and also the application dated 1.12.2012 praying for a stay on the Magistrate’s Order. The documents that have been clearly sought by the Complainant (on which an explanation has been sought by the SIT) in her submissions before the Magistrate dated 28.5.2012 are as under:-

A. ANNEXURE – II VOL- I

NAME	DATE	PAGE	DOCUMENT ABSENT
Ishwarbhai Devjibhai Desai	14.8.2010	Page 1	Previous Statement dated 22. 11. 2009
Ashok Sinh Shiv Sinh	14.8.2010	Pages 4-6	Messages as mentioned in the last two lines of

Bhikubhai Surubhai	14.8.2010	Pages 7-8	He refers to wireless messages of 28.2.2002 that he had noted – all these messages were communicated to DCP Gondia – we need these. his statement
Kanjibhai Virjibhai	14.08.2010	Page 9	Statement dated 07.03.2002 Evidence dated. 29.09.2009
Hemu Soma	“	Page 10	Statement dated 07.03.2002 Evidence dated. 06.10.2009
Manu Karsan	“	Page 11	Statement dated 30.06.2008 Evidence dated. 05.10.2009
Babubhai Harjibhai	“	Page 12	Statement dated 07.03.2002 Evidence dated. 05.10.2009
Kanti Joti	“	Page 13	Statement dated 01.11.2009
Gautambhai Amrutlal Shrimali	“	Page 14	Statement dated 06.10.2009
Navalsinh Ramsinh Bariya	“	Page 15	Statement dated 01.11.2009
Ravindrasing Sahebsing	“	Page 16	Statement dated 22.11.2009
Pratapbhai Hirabhai Rathod	“	Page 17	Statement dated 22.11.2009

Shridharan Narayan Nayar	“	Pages 18-19	Statement dated 14.07.2008
			Messages sent to Gondia
Laxman Raman Solanki	15.08.2010	Page 20	Statement dated 28.06.2008
Rajkumar @ Raju G. Chaumal	26.08.2010	Pages 21-25	Statement dated 26.06.2002
Bipinbhai @ Bipin Autowala	27.08.2010	Pages 26-29	Statement dated 27.06.2009
Jaydip Ambalal Patel	“	Pages 30-35	Statement dated 16.5.02, 24.12.04, 26.12.08, 27.3.09, 28.3.09, 28.3.09, 29.3.09, 30.3.09, 31.3.09, 1.4.09, 2.4.09 3.4.09
Mayaben Kodhani	30.08.2010	Pages 36-41	16.5.02, 19.1.05, 28.12.08, 27.3.09, 28.03.09, 29.3.09, 30.3.09, 31.3.09, 1.4.09, 2.4.09, 3.4.09,
K. K. Mysorewala	01.09.2010	Pages 42-52	Previous statements referred to
Babubhai @ Babu Bajrangi	“	Pages 53-58	8.11.08.
Madansinh T. Rana	09.10.2010	Pages 241-251	Statement dated 6.10.08
Kirit G. Erda	10.10.2010	Pages 252-258	Statements dated:

16.3.02, 21.4.08,
5.9.08, 8.2.09,
9.2.09, 10.2.09,
11.2.09, 12.2.09,
13.2.09,
18.1.2010

Gordhan P. Jadaphia 22.10.2010 Pages 269-296 27.8.09,
10.4.10.

B. ANNEXURE – II FILE II

<u>Name</u>	<u>Date of Statement</u>	<u>Page No.</u>	<u>Documents Absent</u>
Sanjiv Bhatt	22.03.2011	Pages 374-386	messages etc as mentioned on pg.386
P.C.Pande	14.01.2012	Pages 533-555	message No. D-2/2-COM/ALERT/174/2002, dtd.28.02.2002. (in Annexure IV, File: XXII at page 9286 different copy is annexed than what is referred to have been enclosed as per page 9292

These are basically previous statements collected by the SIT that are referred to in statements provided to the Complainant. However the previous statements have not been supplied.

Trustees:

I.M. Kadri
Arvind Krishnaswamy
Anil Dharker
Rahul Bose
Cedric Prakash

Nandan Maluste
Javed Akhtar
Ghulam Pesh Imam
Javed Anand

Cyrus Guzder
Alyque Padamsee
Taizoon Khorakiwala
Teesta Setalvad