

Date: 27 & 28-03-2010

Statement of Shri Narendra Modi, S/o Shri Damodardas Modi, aged about 60 years, R/o, CM Bungalows, Sector-19, Gandhinagar.

- Q.1. When did you become the Chief Minister of Gujarat?
- Ans. I am working as the Chief Minister of Gujarat State since October, 2001.
- Q.2. Who were the Chief Secretary, ACS (Home), DGP and Addl. DG (Intelligence) during the month of February 2002?
- Ans. In February, 2002, Shri G. Subba Rao was the Chief Secretary, Shri Ashok Narayan was ACS (Home), Shri K. Chakravarthi was the DGP and Shri G.C. Raigar was the ADG (Int.).
- Q.3. Who was the in-charge of the State Intelligence Bureau during the first quarter of 2002?
- Ans. Shri G.C.Raigar, ADG was the in charge of State Intelligence Bureau till 9-4-2002. Thereafter, he was transferred and Shri R.B. Sreekumar took over as Addl.DG (Int.).
- Q.4. What were the intelligence inputs collected by SIB in Gujarat in connection with 'Ram Maha-Yagna' proposed to be held by Vishwa Hindu Parishad in the year 2002?
- Ans. I would like to add that I became the Chief Minister, Gujarat State in October, 2001. Before that I was General Secretary- organisation of BJP with headquarters at Delhi. It was only after the earth quake in 2001 that I was deputed by the High Command to do relief as well constructive work in Gujarat State. It may be further added here that I had contested my first election in my life from Rajkot Assembly Constituency. The by-election to this constituency was held on 24-2-2002. I was elected to the Gujarat Assembly. As regards the intelligence reports about the Ram Mahayagna, these reports are normally received by the DGP and ACS (Home) and as per the rules of business they only look after this issue.
- Q.5. Whether the intelligence inputs received by SIB were communicated to the Government? If so, when and to whom?
- Ans. I did come to know that some of the Ram-sevaks from Gujarat State were going to Ayodhya for Ram Mahayagna, but I had no knowledge of their programme as it was the duty of the police and the Home Department to make necessary bandobast in this regard.
- Q.6. Did SIB send any communication about the movement of the Karsevaks? If so, when and to whom?

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- Ans. I am not aware of any such communications received from SIB and if at all, it was received the same must be with the department.
- Q.7. How and when did you come to know about the incident relating to burning of a railway coach of Sabarmati express near Godhra railway station on 27.02.2002?
- Ans. On 27-2-2002 around 9:00 hrs, I received an information from the Shri Ashok Narayan, the then ACS (Home) about the burning of a railway coach of Sabarmati Express near Godhra Railway Station.
- Q.8. What was your immediate reaction and what were the steps taken about this incident?
- Ans. I held discussions with Shri Gordhan Zadafia, the then MoS (Home), Shri Ashok Narayan, the then ACS (Home) and other officials of Home and Police Department and asked them to collect the facts because the issue was going to be raised in the Assembly. I gave directions that necessary steps be taken that the other passengers should not be delayed, which may lead to tension. I also gave instructions that Godhra was communally sensitive place and that necessary steps like curfew etc. should be taken immediately to avoid any untoward incident and that senior police officers and extra force, if required should reach the spot without any delay.
- Q.9. Did you say in the Assembly that "Hindus should wake up now"?
- Ans. It is baseless allegation. No such words were uttered by me.
- Q.10. Did you declare the Godhra incident as pre-planned and that Pakistani/ISI hands were behind the Godhra incident? If so, on what basis?
- Ans. I did not utter any such words in the Assembly. Of course, the media had put some questions to me about it, but I had told that nothing could be said till the investigation was completed.
- Q.11. Did you attend the Assembly on 27.02.2002? If so, what views did you express in your speech in the Assembly?
- Ans. It may be mentioned here that Shri Rajendrasinh Patel, Congress MLA from Godhra had made a demand for a compensation of Rs. 2 lakhs to each victim of Godhra incident. I informed the Assembly that the incident was serious and the Govt. was considering an ex-gratia payment of Rs.2 lakhs to each victim.
- Q.12. How and when did you reach Godhra on 27.02.2002? Who others accompanied you to Godhra?
- Ans. As far as I recollect, it was a budget day in the Assembly and the budget was presented by the Finance Minister. After the Assembly proceedings were completed, I left for Baroda by a Govt. chartered plane. At Baroda, we had requisitioned a helicopter from ONGC to go to Godhra. Since the helicopter

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had the limited seats, my Secretary Shri Anil Mukim and Shri Jagdish Thakkar, PRO accompanied me in the helicopter to Godhra. I reached Godhra around 17:00 hrs. or so. At Godhra helipad, I was received by Smt. Jayanti Ravi, the then Collector & District Magistrate, Godhra and some other Govt. officials. To the best of my recollection, I straight away drove to the scene of incident i.e. Godhra Railway Station. At Godhra Railway Station, there was a big crowd. The two burnt bogies had been detached from the train and parked in the railway yard. I asked the details of the incident from the persons present there and they briefed me, as to how the incident took place. The dead bodies of the victims were lying covered in the railway yard. I climbed up in the burnt coach and inspected the scene of occurrence. The crowd present over there was aggravated and expected from the Govt. that the culprits should be punished at the earliest. I assured the crowd that the culprits would be brought to book and that they should maintain the peace. Thereafter, I went to Civil Hospital and saw the injured admitted over there. I talked to some of them and assured them all help and best treatment. I also asked them about the details of the incident and their version almost tallied with the version given by the persons present at the Railway Station. From Civil Hospital, I went to Collectorate and held a meeting with the Govt. and police officials. I asked them about the details of the incident. At that time, Shri Ashok Bhatt, the then Health Minister, Shri Gordhan Zadafia, the then Home Minister were also present there. Shri Prabhatsinh Chauhan, the then Transport Minister had also reached Godhra and met me there, but I do not remember whether he was present in the Collectorate or not.

Q.13. Who took the decision for the transportation of dead bodies to Ahmedabad and on what basis?

Ans. In the meeting held at Collectorate, a collective decision was taken in consultation with all those present there to transport the dead bodies of the victims to Ahmedabad. I instructed that the dead bodies should be kept at Sola Civil Hospital on the outskirts of Ahmedabad so that the tension should not mount. This decision was taken in the light of the fact that it was learnt that most of the victims belonged to Ahmedabad and other places beyond Ahmedabad and that their relatives need not come to Godhra for their identification and claiming the dead bodies, as Godhra town was under curfew.

Q.14. Did Smt. Jayanti Ravi, the then Collector, Godhra object to the transportation of the dead-bodies to Ahmedabad?

Ans. It was a unanimous decision in the meeting to take dead bodies to Sola Civil Hospital, Ahmedabad, as most of the victims belonged to Ahmedabad and nearby places. Further, Smt. Jayanti Ravi, the then Collector & District

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Magistrate, Godhra was of the view that the dead bodies should be immediately taken from Godhra as the same would have mounted further tension in Godhra city.

Q.15. Did you know Shri Jaydeep Patel, the then VHP General Secretary and whether he met you at Godhra and made a request that he should be allowed to accompany the dead bodies to Ahmedabad?

Ans. I know Jaydeep Patel, the then VHP General Secretary. I do not remember to have met him at Godhra. After the decision was taken to transport the dead bodies to Ahmedabad, it was the duty of the District Administration to chalk out the modalities for its transportation. I do not know the details, as to how and when the dead bodies reached Ahmedabad. However, the custody of the dead bodies remained with the District Administration, police officers and the hospital authorities.

Q.16. Did you meet the media persons at Godhra?

Ans. While, I was at Collectorate Godhra, a lot of press reporters and media persons had assembled there. I briefed them about the incident and informed them that the culprits would not be spared and that a compensation of two lakhs per victim would be paid. I also appealed to public through them for maintenance of peace. I also informed the media that on the basis of facts narrated to me by the persons present on the spot as well as injured persons, the incident appeared to be a serious and preplanned conspiracy.

Q.17. How and when did you return to Ahmedabad? Who were the persons who had stayed back at Godhra and who accompanied you back to Ahmedabad?

Ans. I started from Godhra by road around 19:30 hrs along with Shri Anil Mukim and Shri Jagdish Thakkar. From Baroda, I came to Ahmedabad by chartered aircraft. From Ahmedabad, I came to Gandhinagar and reached my residence at about 22:30 hrs.

Q.18. On your return from Godhra on 27.02.2002, did you call for a meeting for the review of the situation including law and order and repercussions of the Godhra train burning incident?

Ans. On my return to my residence, I called for a Law & Order meeting, which was attended by the top officials of Administration, Home and Police department.

Q.19. When and where did the aforesaid meeting on 27.02.2002 take place? Who all were present in the said meeting? Who were the Ministers/MLAs present in the meeting?

Ans. The meeting took place at my residence office for about half an hour. Smt. Swarna Kanta Varma, the then acting Chief Secretary, Shri Ashok Narayan, the then ACS (Home), Shri K. Chakravarthi, the then DGP, Shri P.C. Pande,

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the then CP, Ahmedabad City, Shri K. Nityanandam, the then Home Secretary, Dr. P.K. Mishra and my other PS Shri Anil Mukim were present in the meeting. As far as I recollect, Shri G.C. Raiger, the then ADG (Int.) was not present. Shri Sanjeev Bhatt, the then DC (Int.) did not attend, as this was a high level meeting. None of my Cabinet colleagues were present in the said meeting.

Q.20. What were the discussions held in the said meeting of 27.02.2002 night? Please give an exact account of the views and suggestions given by each participant?

Ans. In the meeting, I shared information about my visit to Godhra. The officers present briefed me about the precautionary measures taken by them. I issued instructions to them to take all possible steps to maintain Law & Order and peace. I also asked ACS (Home) to make inquiry in the local Army headquarter about the availability of Army personnel. I asked them to seek assistance for additional force from neighboring states. I instructed the officials of Home Department and police to make necessary bandobast to avoid untoward incident. It may be added here that by that time I had been informed about the Gujarat bandh call given by the VHP on 28-2-2002.

Q.21. Did you tell the police officers as well as the officials of Home Department that "In communal riots police takes action against Hindus and Muslims on one-to-one basis. This will not do now, allow Hindus to give vent to their anger"? If so, what was the reaction of the officers of the Home Department and police officers present in the meeting?

Ans. It is baseless allegation. On the contrary, I had given categorical and clear cut instructions to maintain peace and communal harmony at any cost. A similar appeal had earlier been made to the people at Godhra through media.

Q.22. Did Shri P.C. Pande, the then Commissioner of Police, Ahmedabad City protest against the decision taken by the Govt. about the transportation of dead-bodies to Ahmedabad? If so, what was your reaction?

Ans. No such discussions took place with Shri P.C. Pande.

Q.23. What were the intelligence inputs received by the SIB about the likely repercussions of Godhra incidents on 27.02.2002? Did SIB report these inputs to the Government? If so, whether these inputs were shared by the Government with the jurisdictional officers of the police?

Ans. I am not aware about any SIB inputs. However, during the meeting on 27-2-2002, officers expressed their views about tense atmosphere and I had already instructed all concerned to take necessary action to maintain Law & Order in the State.

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Q.24. Who gave the call for Gujarat Bandh on 28.02.2002 and Bharat Bandh on 01.03.2002? Were these bandh supported by the ruling party?

Ans. On 27-2-2002, I remained busy through out the day and also visited Godhra. In the night only, I had come to know that bandh call had been given by VHP. However, on 28-2-2002, I came to know from news paper reports that the bandh had been supported by BJP.

Q.25. Did you hold a law and order review meeting on 28.02.2002 morning? If so, who all attended the said meeting? What were the issues discussed in the said meeting?

Ans. On 28-2-2002, the Assembly was in the morning session. In this session, which lasted for 10 minutes, homage was paid and silence observed in the memory of victims of Godhra incident and the house adjourned around 08:40 hrs. In my speech in the Assembly, I had ordered for Judicial Inquiry by a Commission into the incident. After the Assembly, I attended a Cabinet meeting. Thereafter, I held a Law & Order review meeting. In this meeting, I was informed that no Army was available in Ahmedabad cantonment. I immediately spoke to Union Home Minister Shri L.K. Advani and requested him that necessary arrangements be made for the Army to reach Gujarat urgently. This meeting was attended by the officials of Home and police department, who had attended the meeting the previous night.

Q.26. Did Shri Ashok Bhatt, the then Health Minister and Shri I. K. Jadeja, the then Minister of Urban Development attend the said meeting?

Ans. Both these Ministers must have attended the Cabinet meeting but they were not present in the Law & Order meeting, as it was not their subject.

Q.27. Did you take a decision to allow Shri Ashok Bhatt and Shri I.K. Jadeja to sit in the State Control Room and Ahmedabad City Control Room, respectively which adversely affected the supervision of the riot situation by DGP and CP, Ahmedabad City respectively?

Ans. No such decision was taken and no such discussions took place in the meeting. Subsequently, I came to know about this allegation from media. However, I do not have any personal knowledge about the positioning of these two Ministers in the two Control Rooms.

Q.28. What were your movements on 28.02.2002? Please give details of the same.

Ans. On 28-2-2002 afternoon, I met the press at Circuit House, Annexe, Shahibaug. I informed the media about the announcement of an inquiry commission by Govt. and also made an appeal to the general public through them to maintain peace and communal harmony. It may be added here that on 28-2-2002 itself, I had got recorded a message for the general public to

maintain peace and harmony, which was continuously broadcasted on the Doordarshan.

Q.29. Is it correct that the Army was requisitioned on 28.02.2002 itself and several Columns had been airlifted on 28.02.2002 night & 1-3-2002 onwards but were deployed only on 02.03.2002?

Ans. In response to the request made by me to the Union Home Minister the Army was airlifted and had started arriving from 28-2-2002 night and 1-3-2002 morning. I had asked administration to requisition Army and immediately deploy. As far as I recollect, the Army was deployed with effect from 1-3-2002 itself. In fact at my request, Shri George Fernandes, the then Union Defence Minister had visited Ahmedabad on 1-3-2002.

Q.30. Did you make a statement in the Star News on 02.03.2002 to the effect that the Gujarat was well on the road to peace and normalcy and normalcy is slowly returning here and that Ahmedabad too had been largely peaceful since last night despite the fact that the riots were continuing in Panchmahal, Mehsana, Kheda, Nadiad and Bhavnagar districts of Gujarat?

Ans. It may be stated here that I used to meet the press almost daily evening and made statements on the basis of data, facts and figures made available to me by the Home Department. It is a fact that I used to appeal for peace and also highlighted the peaceful areas of the State.

Q.31. Did you receive any information about an attack by a mob on the Gulberg Society? If so, when and through whom? What action did you take in the matter?

Ans. To the best of my recollection, I was informed in the Law & Order review meeting held in the night about the attack on Gulberg society in Meghaninagar area and Naroda Patiya.

Q.32. Did you know Late Ahesan Jafri, Ex-MP, who was residing in Gulberg society?

Ans. I had not known Late Ahesan Jafri, Ex-MP, as he was elected as MP sometime in 1970's, when I was not even in politics. I was told subsequently that Late Ahesan Jafri, Ex-MP was residing in Gulberg society and had been killed during the attack on the society.

Q.33. Did late Ahesan Jafri, ex-MP himself contact you over phone and request for help? If so, what was the action taken by you?

Ans. In this connection, I would like to add here that no such phone call had been received by me.

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Q.34. Did you visit Gulberg Society on or around 03.03.2002 along with one Jagrupsinh Rajput and others including Ministers? If so, please describe your visit and the scenario over there.

Ans. I visited Gulberg society, Naroda Patiya and other riot affected parts of the Ahmedabad City on 5-3-2002 and 6-3-2002. During these visits, I had also visited different relief camps. Shri Jagrupsinh Rajput was a Congress leader at that time and he did not accompany me. However, I do not know, who were the persons present there. I did not meet anyone.

Q.35. Please narrate the details of the efforts made by you to bring peace and normalcy in the State.

Ans. Regular appeals were made through media to maintain peace and communal harmony. Peace committee meetings were held in all the police stations. It may be added here that I had formed a committee under the Chairmanship of Governor of State with Congress President, Shri Amarsingh Chaudhary, Ex-CM, Shri Naresh Raval, leader of the opposition, Shri Keshubhai Patel, Ex-CM, Smt. Ilaben Bhatt, SEWA, Padmashri Ishvarbhai Patel, a known Gandhian from Sabarmati Aashram, myself and some other leading social workers as members to supervise the relief operations.

Q.36. What was the action taken by the Government to rehabilitate the riot victims? How much compensation was announced for the post Godhra riot victims?

Ans. Relief camps were opened in the affected areas and they were served by the NGOs and local social leaders. The Govt. contributed funds as per policy and the relief operations were supervised by the Samiti. The necessary food, drinking water, medicines, and cash doles, etc. arrangements were made in these camps. Arrangements were also made for the children's education in these camps. In this connection, I would like to point out that some PIL was filed in Gujarat High Court and the judgment pronounced by the High Court may be looked into.

Q.37. When was Shri K.P.S. Gill, former DG of Punjab, appointed as an Advisor to the Chief Minister and when did he arrive in Gujarat? Please give the details of your meetings with him. What were the suggestions given by Shri K. P. S. Gill to bring normalcy and peace in the State?

Ans. Shri K.P.S. Gill, former DGP of Punjab, who was neither a Hindu nor a Muslim and being an experienced police officer was invited to give useful suggestions to improve the situation in the State. Shri K.P.S. Gill held a number of meetings with the officials of Home and Police Department, as well as the leaders of Hindu and Muslim communities. After taking stock of the situation Shri K.P.S. Gill had advised me to transfer the jurisdictional officers. In view of his suggestion, all police officers were transferred.

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Q.38. Why was Shri G. C. Raigar, Addl.DG (Intelligence) transferred in the first week of April, 2002 and Shri R. B. Sreekumar, Addl. DG (Armed Units) posted in his place?

Ans. I had not known Shri R.B. Sreekumar before his appointment as Addl. DG (Int.). The Home Department had put up a proposal about his appointment as Addl. DG (Int.), which was approved by me. There was no particular reason for the transfer of Shri G.C. Raiger, Addl. DG (Int.).

Q.39. After taking over as Addl.DG (Intelligence) did Shri R. B. Sreekumar send any intelligence report to the Government about the possible communal violence in Ahmedabad City. If so, please give the details of the same.

Ans. He might have sent such report to either DGP or ACS (Home). I do not recollect to have seen any such report.

Q.40. Please see a copy of DO letter dated 19.04.2002 addressed by Shri P. C. Pande, the then Commissioner of Police, Ahmedabad City to DGP with a copy to Addl.DG (Intelligence) and ACS (Home) about the alleged involvement of Shri Bharat Barot, a Minister in the Government in a rioting incident. Was this letter brought to your notice? If so, what was the action taken by you in the matter?

Ans. Shri Ashok Narayan, the then ACS (Home) had brought this matter orally to my notice and I had reiterated my earlier instruction to the concerned.

Q.41. Please see a copy of the DO letter dated 22.04.2002 addressed by Shri P. C. Pande, the then CP Ahmedabad City with a copy to DGP and Addl.DG (Intelligence) about the undesirable activities of Sang Parivar activists. Was this letter brought to your notice? If so, what was the action taken by you in the matter?

Ans. In this connection, it is stated that I do not remember now, whether this issue was brought to my notice or not. But, it has been my and my Government's approach right from the first day, that a culprit is a culprit irrespective of his caste, creed, religion or socio political background, as nobody is above law.

Q.42. Please see a copy of the DO letter dated 24.04.2002 sent by Shri R. B. Sreekumar, the then Addl. DG (Intelligence) to ACS (Home) with a copy to DGP regarding the current communal scenario in Ahmedabad City. Was this letter brought to your notice? If so, what was the action taken by you in the matter?

Ans. No such letter was ever put to me and Shri Ashok Narayan, the then ACS (Home) never orally briefed me about it. However, it may be mentioned here that during March- April, 2002, elections were held in 1700 panchayat of State peacefully, around 6000 Haj pilgrims who had arrived in the State were welcomed at their respective places, various examinations were held

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peacefully. In view of this, the claim of Shri R.B. Sreekumar, the then Addl.DG (Int.) that the Muslims had lost faith in the administration, police and judiciary does not seem to be sound.

Q.43. Please see a copy of law and order assessment report sent by Shri R. B. Sreekumar, the then Addl. DG (Intelligence) to Shri P. S. Shah, the then Addl. Secretary (Law & Order) regarding cancellation of Rath Yatra in July 2002 till an atmosphere of durable peace and goodwill between the majority and minority communities was established. Was this letter brought to your notice? If so, what was the action taken by you in the matter? Did you agree with the view of ADG (Int.)?

Ans. Yes. This matter was brought my notice by Shri Ashok Narayan, the then ACS (Home). I asked Shri Ashok Narayan, the then ACS (Home) as to whether there was anything specific or it was a general perception of Shri R.B. Sreekumar, the then Addl.DG (Int.). Shri Ashok Narayan, the then ACS (Home) informed me that Shri Sreekumar had not cited any specific instance but his report was general in nature. In view of this, I did not agree with the views of Shri R.B. Sreekumar, the then Addl.DG (Int.): Rath-Yatra took place on 12-7-2002, and the event passed of peacefully. All this goes to show that the apprehensions were without any basis.

Q.44. Did your Cabinet Colleagues namely Shri Haren Pandya, the then Minister for Revenue, Shri Ashok Bhatt, the then Health Minister led the mobs in Ahmedabad with Shri Bharat Barot, a sitting MLA was at the forefront?

Ans. This is absolutely incorrect. There was no such instance like that.

Q.45. Did Shri Nitinbhai Patel and Shri Narayan Lallu Patel, the then sitting Ministers in the Gujarat government led violence, arson and even sexual violence against women in Kadi and Unjha in Mehsana district respectively?

Ans. This is absurd. No such incidents had ever taken place.

Q.46. Did you let off your escort in the evening on 28.02.2002 and visit Naroda Patiya to congratulate the accused persons for committing heinous crime?

Ans. This is absolutely false. On 28-2-2002 evening, I held a press conference at Circuit House, Annexe, Shahibaug and thereafter, returned to Gandhinagar. The allegation has been maliciously made against me.

Q.47. Did the Government submit the false report to the Election Commission, in which it was reflected that the law and order situation in the Gujarat was normal and that a co-ordial atmosphere existed for holding the elections in the State?

Ans. It is incorrect to say that the Govt. submitted a false report to the Election Commission. It may be mentioned here that even before August, 2002, Panchayat elections for about 1700 panchayat were held peacefully in the

months of March- April, 2002 and the next Assembly elections were held in December, 2002 and that too peacefully. In view of this, this allegation is far from truth.

Q.48. Did you try to influence Shri R. B. Sreekumar through Shri Dinesh Kapadia to depose in favour of the Government before Nanavati Commission of Inquiry?

Ans. This allegation is funny in as much as the junior employee had been sponsored by the Govt. to influence an Addl. DG. The allegation is false and without any basis.

Q.49. Did you ask Shri G. C. Murmu, Secretary, (Law and Order) Home Department and Shri Arvind Pandya, Government Advocate to brief Shri R. B. Sreekumar before his deposition in Nanavati Commission of Inquiry and also to influence the latter for not making any deposition against the Government?

Ans. No. This allegation is also false and baseless.

Q.50. Kindly see a letter dated 20-8-2002 of Shri R.B. Sreekumar, the then Addl.DG (Int.) addressed to ACS (Home) regarding the current Law & Order situation in Gujarat State. Was this letter put up to you by the Home Department? If so, what was the action taken by you?

Ans. No such letter was shown to me. ACS (Home) did not brief me orally also about any such reference received from Shri R.B. Sreekumar, the then Addl.DG (Int.).

Q.51. Kindly see a letter dated 28-8-2002 of Shri R.B. Sreekumar, the then Addl.DG (Int.) addressed to ACS (Home) regarding the emerging Law & Order trends-run up to the assembly poll in Gujarat State. Was this letter put up to you by the Home Department? If so, what was the action taken by you?

Ans. No such letter was shown to me. ACS (Home) did not brief me orally also about any such reference received from Shri R.B. Sreekumar, the then Addl.DG (Int.).

Q.52. Please see a text of the public speech delivered by you at Becharaji, Mehasana District on 9-9-2002, as a part of Gaurav Yatra. Particularly the portion reproduced below:

"What brother, should we run relief camps? (Referring to relief camps for riot affected Muslims). Should I start children producing centers there, i.e relief camps? We want to achieve progress by pursuing the policy of family planning with determination. We are 5 and our 25!!! (Ame panch, Amara panch, referring the Muslim polygamy). On whose name such a development is pursued? Can't Gujarat implement family planning? Whose inhibitions are coming in our way? Which religious sect is coming in the way? Why money is not reaching to the poor? If some people go on producing children, the children will do cycle puncture repair only?"
Did these remarks refer to the Muslims?

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Ans. This speech does not refer to any particular community or religion. This was a political speech, in which I tried to point out the increasing population of India, in as much as I stated that "Can't Gujarat implement family planning?". My speech had been distorted by some interested elements who had misinterpreted to suit their designs. It may be mentioned here that no riots or tension took place after my election speech.

Q.53. Did you ask the ACS (Home) to get a denial issued from SIB on 15-9-2002, regarding their report sent to DGP about your speech at Becharaji?

Ans. No such instructions were given by me to ACS (Home).

Q.54. Is it correct that when Shri R.B. Sreekumar, the then Addl.DG (Int.) refused to issue the denial, he was ordered to be transferred by you as ADG (Police Reforms) on 17-9-2002?

Ans. The allegation leveled by Shri R.B. Sreekumar, the then Addl.DG (Int.) is not correct, in as much as this was a routine transfer, for which the proposal had been received from the Home Department.

Q.55. Please see the entries made by Shri R.B. Sreekumar, the then Addl.DG (Int.) on 16-4-2002, 17-4-2002, 18-4-2002, 28-4-2002, 30-4-2002, 7-5-2002, 29-5-2002, 25-6-2002, 28-6-2002, 1-7-2002, 26-8-2002, 2-9-2002 and 15-9-2002 and confirm the authenticity of the same.

Ans. I do not have any knowledge about such a personal diary/register maintained by Shri R.B. Sreekumar, the then Addl.DG (Int.). I came to know about his diary from media reports after a long time. In view of the fact that this diary was not a Govt. record, I do not want to comment upon the authenticity or otherwise of the same.

Q.56. Did you ever use the mobile phones of your personal staff, namely Shri Anil Mukim, the then Addl. PS to CM, Shri Tanmay Mehta, PA to CM, Shri Sanjay Bhavsar, OSD and Shri O.P.Singh, PA to CM?

Ans. Telephones are installed at my residence as well as my office. Whenever, I go out, telephones are available to me. I have never used the mobile phones of my personal staff at headquarters. There was a mobile phone allotted to me in the year 2002, but I rarely used the same. I do not recollect its number.

Q.57. Whether Jaydeep Patel, Babu Bajrangi and Dr. Mayaben Kodnani, MLA were in touch with you during the riots from 28-2-2002 onwards?

Ans. I came to know Babu Bajrangi through media reports and he is not known to me. Dr. Mayaben Kodnani is a MLA from BJP and used to meet me. Jaydeep Patel is a VHP leader, who is also known to me. As far as I recollect, they never contacted me over phone during the riots.

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Q.58. Please see the interviews given by Shri Haresh Bhatt, the then MLA, Babu Bajrangi, Rajendra Vyas, VHP President, Ahmedabad City to Shri Ashish Khetan, Special Correspondence, Tehlaka and published in the special issue of Tehlaka dated 3-11-2007 and confirm the contents thereof.

Ans. The allegations leveled against me by any of the aforesaid persons are false and incorrect. It may be added here that this particular issue was raised in November, 2007 through Tehelka magazine after about six years of the incident and that too at the time of elections that were held in December, 2007. These issues were again raked up when the SIT was appointed by the Hon'ble Supreme Court of India in April, 2008. This issue was again raised in this week on 22-3-2010, when I was to appear before the SIT for my examination. In view of all these factors, I would say that the whole episode is motivated and stage managed. I have no personal knowledge about authenticity of the said CD.

Q.59. Please see volume-I & II of the book titled Crime Against Humanity published by Concerned Citizen Tribunal-2002. Did the Concerned Citizen Tribunal forward their recommendations to the Govt. of Gujarat and ask for the Government's views in the matter? Did the Govt. of Gujarat respond to this communication? If not, why not?

Ans. I do not know anything about these two books and they never came to my notice.

Q.60. Please see a copy of the extracts of news item published in the Outlook magazine dated 3-6-2002, which says that the senior bureaucrats and police officers were summoned by the CM on 27-2-2002 and instructed that there would be justice for Godhra the next day during the VHP call bandh and that the police should not come in the way of Hindu backlash. Please confirm the authenticity of this news item. In case the news was incorrect, was any contradiction issue by the State Govt. if, not, why not?

Ans. I have not come across this article. After going through this article today I find that there are many inaccuracies in the same, in as much as Shri G. Subba Rao, the then Chief Secretary, Shri G.C. Raigar, Addl. DG (Int.) and Shri A.K. Sharma, PS did not attend this meeting. In view of these inaccuracies, this article can not be relied upon. I have already clarified that no such instructions were given by me on 27-2-2002.

Q.61. Did CM office intervene into a case of rioting in which a HomeGuard Commandant had been arrested? Is it correct that when Shri Vivek Srivastava, the then SP, Kutch did not oblige the CM office, he was transferred in March, 2002?

Ans. No. There is no such instance of any interference by CM office. The postings/transfers of the police officers are handled by the Home Department

in consultation with the DGP. In case, CM's approval is required the file comes to me for the approval. I do not recollect any such instance and moreover, I never interfered in such matters.

Q.62. Were the dead bodies of the Ram-sevaks and other persons killed in Godhra incident paraded in Ahmedabad City?

Ans. The Govt. was very particular that tension should not mount at the time of funeral of the Godhra victims. As per my information, the police played a proactive role in the matter and the relatives of the victims were persuaded to take the dead bodies in vehicles in some cases. The relatives of the victims cooperated with the administration as a result of which the funeral was peaceful and no untoward incident took place on the way to the cremation ground. Further, as per my information even the unidentified bodies were cremated at a distance of about 200 meters from the Sola Civil Hospital after completing necessary legal formalities. The allegation is therefore without any basis.

Q.63. It has been alleged that after the riots the public servants who connived with those responsible for carnage were doubly rewarded and those who tried to uphold the rule of law were punished in various ways by way of transfers and supersessions in promotion and this sent a message to the Govt. functionaries to be committed to the political agenda of the CM than their constitutional obligations for which every Govt. servants had taken oath. What have to say?

Ans. The allegation is vague, false and without any basis. It appears that serious attempt has been made by the complainant to attribute all the movements in the Govt. to the Chief Minister. The posting and transfers are the prerogative of the administrative ministry and a routine affair. In the election year, those who had completed about three years of stay in a particular post are transferred by the Govt. itself or otherwise the Election Commission would do that. In this chain of transfers those who had put in less than three years in a particular place are also transferred. In view of this, it can not be said that the posting/ transfers are punitive in nature.

Q.64. It has further been alleged that Shri Anupam Singh Gehlout, the then SP, Mehsana District was transferred, as he had refused to toe the Govt. line in a case in which, prominent persons of Kadi including Ramesh Bachubhai Patel, a Municipal Councilor were named as accused. What have to say?

Ans. As already stated postings/transfers are routine administrative matters, which are dealt with by the concerned Administrative Ministry and my approval is obtained in routine course. The allegation is therefore without any basis and without any substance.

Q.65. What was the compensation fixed for the riot victims post Godhra incident?

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Ans. In this connection, I may clarify that on 27-2-2002, on the demand of Congress MLA from Godhra, I had offhand declared an ex-gratia payment of rs. 2 lakh to each victim. However, after few days, when it was brought to my notice that it was against the Govt. policy, the matter was immediately rectified and a uniform compensation of Rs. 1.5 lakh each to the victims of Godhra incident as well as the riot victims was announced.

Q.66. It has been alleged by Smt. Zakia Naseem that the Govt. of Gujarat had been utterly secretive about the disbursal of Rs. 150 crore promised by the Prime Minister Shri Atal Bihari Vajpayee for rehabilitation on 4-4-2002 and by this conduct Shri Narendra Modi had not simply violated the spirit and the law as laid down by the Indian Constitution but blatantly defied every constitutional institution including that of the PM and thus, he is accountable for criminal negligence of duty in failing to provide and relief and rehabilitation to the victims of carnage in Gujarat. What have to say?

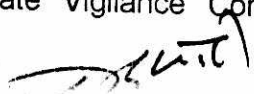
Ans. The allegation is false, baseless and absurd. I have already stated the efforts made by the Govt. in rehabilitation of riot victims and that needs no repetitions.

Q.67. It has been alleged in the complaint that the public prosecutors were appointed in Gujarat to handle the riot cases were either the members or supporters and sympathizers of the ruling party or its Sangh Parivar widely believed to be involved in the carnage and that there was a deliberate attempt to scuttle most of these cases. What have to say?

Ans. The procedure with regard to the selection of the public prosecutor is quite transparent in as much as District Judge writes to the District Collector regarding the vacancy and the District Collector advertises the post. The applicants who applied for the post are interviewed by a Committee of District Judge and a District Collector. On the basis of the interview held a panel of three advocates for each post is forwarded to the Govt. It is binding upon the Govt. to appoint an Advocate out of that panel only. It may thus be seen that the Govt. has no role to play in the selection of a public prosecutor. This procedure is in vogue since 1960.

Q.68. It has been alleged in the complaint that those public servants, who toed the Govt. line were given lucrative post retirement occupation by your Govt. whereas those who had fallen out were not considered for any post retirement appointment. What have to say?

Ans. In this connection, it is stated that there are several posts in the Govt. institution, in which there is a provision for the employment of the retired officers for example: Gujarat Electricity Regulatory Commission, State Election Commission, State Service Tribunal, Gujarat Public Service Commission, RTI Commission, State Vigilance Commission, Sales Tax

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Tribunal, Departmental Inquiry Officer, etc. There is a long list of the departments in which only retired persons are appointed. My Educational Adviser Shri Kiritbhai Joshi, was earlier Adviser to Smt. Indira Gandhi, the then Prime Minister. Similarly, Shri Navalawala, formerly Secretary, Water Resources and Member of UPSC is now my Adviser on Water Resources. One Shri Bukhari, who was earlier a Govt. officer, was engaged by me to supervise the relief operations after the communal riots in 2002. Shri P.C. Pande, formerly DGP, Gujarat State has been appointed as Hony. Chairman of Police Housing Corporation on a nominal monthly honorarium. Further, Smt. Manjula Subramaniam, IAS, who was formerly in the PMO with either Late Rajiv Gandhi or Late Narsimha Rao had been appointed as State Vigilance Commissioner in Gujarat after retirement. This tradition was being followed by all the State Govts./Central Govt. right after independence. The allegation has no force and has been maliciously leveled against me.

Q.69. Please refer to your interview given to Shri Sudhir Choudhary of Zee TV on 01-03-2002. In this interview you have stated that "Kriya pratikriya ki chain chal rahi hai. Hum chhate hain ki na kriya ho aur na pratikriya". You have also reportedly stated in the said interview that the Godhra incident had caused a big shock in India as well as abroad. These people from Godhra area have criminal tendencies and had earlier killed lady teachers also and now they have committed this heinous crime, for which reaction is being felt. Please explain.

Ans. Those who have read the history of Gujarat would definitely be aware that communal violence in Gujarat has a very old history. Since long and even before my birth, Gujarat has witnessed series of incidents of such communal violence. As per available history, from 1714 AD to uptill now, in Gujarat, thousands of incidents of communal violence have been recorded.

So far as the Zee TV interview of 1st March 2002 is concerned, today, after a period of eight years, I do not recollect the exact words. But I had always appealed only and only for peace. I had tried to convey to the people to shun violence in straight and simple language.

If my words cited in this question are considered in the correct perspective, then it would be evident that there is a very earnest appeal for refraining from any kind of violence. I deny all the allegations leveled against me in this regard.

Q.70. Did you make a statement to the media about post-Godhra riots by citing Newton's law that every action has equal and opposite reaction?

Ans. The Times of India had published a news item purportedly as though I had given an interview to them. The truth is that nobody from Times of India had

met me. The falsehood of my so-called justification "Action - Reaction Theory" is evident from this fact. The State Government issued a denial with regard to my not having given any interview and the same was belatedly published in a remote corner of the newspaper. There is a saying in Gujarati- "Ver thi ver same nehin" It has been my constant opinion that violence can not be a reply to violence and I had appealed for peace. I had not and would never justify any action or reaction by a mob against innocents. Hence, I deny all allegations in this regard.

Q.71. Smt. Jakia Nasim widow of Late Ahesan Jafri, Ex-MP has alleged in her complaint that you being a Chief Minister and constitutionally elected head of the State and responsible for the fundamental rights, right to life and property of all citizens regardless of caste, community and gender were an architect of a criminal conspiracy, constitutional governance and the rule of law, unleashed, unlawful and illegal practices during the mass carnage and thereafter protecting the accused who played direct as well indirect role and abetted the Commission of Crime. Please comment.

Ans. The allegations are general in nature, vague, baseless and hence denied. As a Chief Minister, I have been performing my functions with utmost respect to the Constitution and Rule of Law. The meeting, to take stock of the situation and review the Law and Order situation on 27-2-2002, with high officials of the State was my constitutional duty. On the contrary, for doing my constitutional duty to hold an emergency review meeting, the complainants are leveling wild allegations of criminal conspiracy and subversion of rule of law which is nothing, but vexatious allegations having no basis. I have been lawfully functioning as a CM and carried out my responsibilities for the safety, security and development of the people of Gujarat. I have already cleared my stand on the said meeting and clarified that Law & Order be maintained at all cost. I appealed to people to maintain harmony. I asked the concerned officials to keep in touch with local Army authorities. I had held series of such Law and Order review meetings thereafter and addressed the press also. I had issued press statements appealing to people to maintain harmony. My appeal to the public to maintain peace and communal harmony was aired through Doordarshan. I requested both the Union Home Minister and the Defence Minister to expedite deployment of Army. Relief and rehabilitation measures were put to operation immediately. All packages were declared and implemented. Perhaps for the first time in the Country, a Committee was constituted under the Chairmanship of H.E. the Governor to review the rehabilitation efforts. I had already mentioned about the members of this High level committee which include leader of the opposition, member from the Chamber of commerce, member from prominent NGO etc. Also, the

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allegation of protecting any criminal or accused is frivolous and without any basis. In the history of communal riots in Gujarat, for the first time so many offences have been registered and as of now comparatively large number of cases have resulted in conviction. The charges leveled and alleged are therefore, deserved to be dismissed completely and such false and frivolous complainant should not be entertained.

Read over and admitted to be correct.

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Before me
28/3/2010
(A. K. Malhotra)
Member, SIT,
Gandhinagar

Typed by

28.3.10
(A. K. Parmar)