IN THE COURT NO 11 OF THE HONBLE METRO POLITAN MAGISTRATE AHMEDABAD

Meghaninagar police station I CR No 67/02

Zakiya Nasim Jafri Complainant

v/s

Narendra Modi etc. Accused

Application to Apply for Documents that Appear to be Absent from the Compilation provided by the Special Investigation Team (SIT)

- 1. Pursuant to the Order of this Ld Court dated 10.4.2012, the Special Investigation Team (SIT) handed over documents along with the Closure Report on 7.10.2012.
- 2. Following a Preliminary Perusal of the Voluminous Record on behalf of the complainant a list had been compiled of
 - A) Documents that Appear to be Absent from the Record
 - B) Documents that are Illegible and need to be given afresh.

That application was submitted to the Court on 10.5.2012 and hearing was fixed for 19.5.2012.

The final date was thereafter fixed for Monday, May 28 2012. For this the complainant is preparing a revised application as further deficiencies in the documents supplied have been noticed after scrutiny by us.

The Complainant is dividing the application into two parts

- a) Concerning those applications absent from the record and
- b) Those that appear to be illegible.

A. Documents that Appear to be absent from the Record

- I) Preliminary Inquiry Report AK Malhotra submitted to the Supreme Court dated 12.5.2010
- II) Analysis/Comments by Chairman SIT dated 14.5.2010 presented to the Supreme Court of India
- III) 15.3.2011 Reports of Further Investigation under Section 173(8) of the CRPC conducted by the SIT.
- IV) 5.24.4.2011 Further Investigation reports by SIT filed periodically to the Supreme Court of India along with accompanying documents
- V) Any other Reports of the SIT concerning this Complaint dated 8.6. 2006 submitted to the Hon. Supreme Court especially those relied upon by the Report of the Amicus Curiae Shri Raju Ramachandran and relied therein. (Annexure A Colly Interim and Final Reports of Amicus Curiae Raju Ramachandran).

- VI) Note of then ACS Home Ashok Narayan on the Godhra Incident prepared according to the SIT on the basis of information provided by the DGP Chakravarti and then submitted to the Chief Minister for his approval (before the Assembly). On a closer scrutiny this has been identified by us in the latter part of the record. It may be mentioned here that the record has been given in a very haphazard way. They are not listed either accused wise or subject/allegation wise.
- VII) Statement Read out by then MOS Home Gordhan Zadaphiya in the Assembly according to the SIT, on the Godhra incident that was prepared by the Home Department based on information available at that time
- VIII) Circulars on the Police Force Deployment on 27.2.2002 and 28.2.2002 signed by the Home Minister obtained from the General Administration/Home Department along with the outward and inward Registers of the Hone department from February 2002 to December 2002. This is particularly required since certain documents have been introduced by the SIT obtained from the accused after conclusion of the Preliminary Inquiry (which means they were not made available by the Accused No I during the period of the PE being conducted). Since these documents were not available for assessment or access before the Hon'ble Supreme Court or possibly even the Amicus Curiae it is critical that Inward and Outward registers of the relevant government departments (Home, GAD, Revenue) are also made available to the Court and the Complainant.
- IX) Statements of CRPF and RPF officials recorded by the SIT regarding the Godhra Incident and fallout
- X) Statement of Vipul Vijay IPS Gujarat
- XI) Details and Analysis of the Police Exchange Phone Numbers that record details of Internal calls made by Police officers to each Other.
- XII) Fire Brigade Registers of Ahmedabad, Mehsana, Anand, Kheda, Ahmeabad Rural, Vadodara, Panchmahals, Dahod Banaskantha, Sabarkantha, Bharuch, Ankleswar, Bhavnagar, Rajkot --19 worst affected districts as outlined in the Complaint dated 8.6.2006
- XIII) Gujarat Home Ministry Notings Transferring/Promoting/Sidelining Police Officers as Mentioned in the Complaint dated 8.6.2006 (Some of these notings have been found by us in the documents that were not noticed by us earlier; we reserve the right to check and see if these are complete or not).
- XIV) Gujarat Law Ministry Notings on Appointment of Special Public Prosecutors with Ideological leanings as detailed in the Complaint dated 8.6.2006. (Some of these notings have been found by us in the documents that were not noticed by us earlier; we reserve the right to check and see if these are complete or not).
- XV) Affidavits of Mamlatdar, Godhra ML Nalvaya, Malatdar filed before the Nanavati Shah Commission dated 3.6.2002 and 5.9. 2009. (These are available with the complainant as obtained –certified copies from the Nanavati Commission but need to be part of the Court record.)
- XVI) Transcripts and CDs of All National television coverage of the Violence of 2002 beginning with the Godhra Incident available on the Records of the Nanavati Shah Commission. (These are available with the complainant as obtained –certified copies from the Nanavati Commission but need to be part of the Court record.)
- XVII) Documents and Telephone records Analysis and CDs provided by IPS officer Rahul Sharma to the SIT in the Course of this Inquiry and Investigation

XVIII) Complete, not partial, Daily Itinerary of the Chief Minister from January 15 2002 to December 30, 2002. Here at Annexure IV File IX, Sr Nos 250 what has been supplied to the court is a partial itinerary between 27.2.2002 and 5.3.2002 and another one in a different format at Sr Nos 295 that gives the itinerary between 6.3.2002 and 31.3.2002. (Annexure B Colly). These are in completely different formats and hence the complete Itinerary along for the periods mentioned above along with contemporaneous record of the concerned Ministry that draws up the programme is required.

XIX) Similarly, the complete not partial copies of the Fax Inward Register of the office of the Chief Minister for January –December 2002. What we have been provided at Annexure IV File X is just a partially torn portion of the same. (Annexure C)

XX) Security Log Book and Vehicle Log Book of the Chief Minister's Security apparatus for the period between January 2002 and December 2002.

XXI) Annexures of First Two Affidavits of former ADGP Intelligence RB Sreekumar as supplied by him to both the Nanavati Shah Commission and the SIT. What appear to have been annexed by the SIT are only the Affidavits and Annexures of the third and fourth affidavits but not of the first two. The complainant is in possession of these copies as we had annexed certified copies of these to both the High Court and Supreme Court proceedings but it is imperative that this Court is supplied a copy of the same.

XXII) Inward and Outward Registers of the State Intelligence Department of the period January 2002-December 2002. (Many of the documents from the SIB supplied to the complainant have come in at the time of further investigation and hence such authentication/verification must have been conducted by the SIT and is needed for the benefits of the Court and the complainant.[We have checked extensively the files Annexure III, File VII (D-159) Annexure III, File VIII (D-160), Annexure III File XIX (D 161), Annexure III, File XIX (D-161), Annexure III, File XX (D-162), Annexure III, File XXI (D163), Annexure III, File XXI (D-164), Annexure III, File XXII (D-165), Annexure III, File XXIV (D-166), Annexure III, File XXV (D-167), Annexure III, File XXVII (D-170), Annexure III, File XXIX (D-171), Annexure III, File XXX (D-172), Annexure III, XXXI (D 173), Annexure III, File XXXII (D-174) and Annexure III (D-165) XLI 174-175].

XXIII) Maps provided on basis of Tower locations of official mobile phones as on 28.2.2002 missing for several persons including PC Pande, Ashok Narayan, DGP Chakravati, Anil Mukhim, IK Jadeja, Sanjay Bhavsar, Tanmay Mehta, OP Singh and others from the CMO and all accused are missing. (Reference IV, File 1 Sr Nos 5, pages 149-151.)Only such mappings for Gordhan Zadaphiya, MK Tandon and PB Gondia have been provided.)

XXIV) Certified Copy Station Diary of All Relevant Police Stations of at least 14 affected districts and Gandhinagar as produced in **Annexure IV File 1 Sr Nos 10** (pages 302-308) for the Shahibaug Police station only. The Zakia Jafri complaint dated 8.6.2006 concerns all of the Gujarat state districts where violence erupted and the SIT must needs have examined the Station diaries of all relevant police stations. (Meghaninagar, Naroda, Vadodara, Vijapur, Gandhinagar, Navrangpura, Memnagar, Dahod, Godhra, Bharuch, Randhikpur, Sanjeli, Khambolai, Lunawada, Kheda etc etc)

XXV) Copies of the Telephone *Vardi* Book of all Relevant police stations of at least 14 affected districts as produced in **Annexure IV File II**, **Sr Nos 49 (pages 500-508) for only the Meghaninagar police station**. The Zakia Jafri complaint dated 8.6.2006 concerns all of the Gujarat state districts where violence erupted and the SIT must needs have examined the Station diaries of all relevant police stations.

XXVI) Copies of Reports sent by PIs of all relevant police stations as produced in Annexure IV File II Sr Nos 52 (Pages 517-523) and Sr Nos 53 (Pages 524 and 528) for Meghaninagar and Naroda Police stations.

XXVII) Copy of the Log Books of Government Vehicles assigned to then CP PC Pande, then ACS home Ashok Narayan, then DGP Chakravarti, PK Mishra, then Additional CP Shivanand Jha, then Joint CP MK Tandon, then minister for health Ashok Bhatt, then cabinet minister IK Jadeja, then MOS Home Gordhan Zadaphiya, CM and HM, Narendra Modi, then MOS Revenue Haren Pandya as also officials of the Chief Minister's office Sanjay Bhavsar, Tanmay Mehta, OP Singh, Anil Mukhim etc and also SIB ADGP and officials as produced in Annexure IV File III Sr Nos 72 (pages 869-878) and Sr Nos 73 (pages nos 879-886) which are the log books of vehicles for PB Gondia and MT Rana.

XXVIII) Accused Common to Ongoing Trials in the Smt Zakia Jafri Complaint/FIR and Gulberg Sessions Case Nos 152/2002, Naroda Patiya Sessions Case Nos 235/2009 and Naroda Gaam Sessions Nos 203/2009

A. Joint Commissioner of Police MK Tandon, 2002 is Common Accused --Accused Nos 33 in the Smt Zakia Jafri Complaint/FIR. Evidence led against this accused for part of the whole role in Sessions Case Nos 152/2002 (Gulberg Trial):-

Statements of Statements and Depositions Implicating the role of then Joint CP MK Tandon and then DCP Zone PB Gondia have been withheld from this Court though SIT the prosecuting agency is privy to them. Though the complainant has access to them the fact that SIT has withheld these from the court is a series matter affecting the course of public justice and could constitute a serious lapse on the part of the SIT especially since in directly *contra* to the view taken by the SIT in its closure report, the Amicus Curiae appointed by the Supreme Court Shri Ramachandran has recommended the prosecution of both Tandon and Gondia under Section 304A of the IPC.

The relevant statements from the Gulberg trial are:

Police Witnesses PW 7 Arvindsinh Vaghela statements dated 7.3.2009 and his deposition dtd 10.9.2009, PW 13 Gunman Umavat's statement dated 7.3.2009 and Deposition dated 9.2.2010; PW 269 Natwarsinh Bhatte's statement dated 7.3.2009 and deposition dated 9.2.2010; Similarly the statements and Depositions of Fire Brigade officials outlining Tandon's role as in PW 271 Himmatsin Bharatsingh Sisodia statement dtd 27.9.2008 and deposition dated 10.2.2010; PW 270 Anwarmiya Balumiya Shaikh's statement dtd 27.9.2008 and deposition dated 10.2.2010; PW 272 Rewabhai Krishnabhai Rathod's statement dated 29.9.2008 and deposition dated 10.2.2010; Tandon's personnel gunmen i.e. PW 316 Ramubhai Naghbai Vada's statement dated 20.12.2009 and deposition dated 6.9.2010, PW 317 Navalsinh Ramsinh Baria's statement dated 1.11.2009 and deposition dated 6.9.2010. The statements and depositions of eyewitnesses implicating Tandon in the Gulberg case include those of PW 106 Imtiyazkhan Pathan, PW 116 Saeedkhan Pathan statement dated 22.5.2008 and depositions around October-December 2009. Fakir Mohammed statement dated 23.5.2008 and deposition in the Trial Court.

B. Similarly statements from the Naroda Patia Trial implicating accused in this complaint Mayabehn Kodnani, Babu Bajrangi, KK Mysorewala need to have been provided to the Court and complainant.

Smt Mayabehn Kodnani is Common Accused --Accused Nos 16 in the Smt Zakia Jafri Complaint/FIR and the Naroda Patiya Trial Sessions Case Nos 235/2009). Evidence led against this accused for part of the whole role in Sessions Case Nos 235/2009 (Naroda Patiya Trial)

Witnesses who named and and deposed against Mayabehn Kodnani in the Naroda Patiya Case are as under:-

PW 52 Aminabehn Abbasbhai Belim's statement dated 30.5.2008 and deposition dated18.1.2010; PW 104 Mohammed Salim Mohammed Hussain Shaikh's statements dated 12.6.2008 and deposition dated 22.3.2010; PW 136 Bashirkhan Nanhekhan Pathan's statement to the police dated 18.3.2002 and deposition dated 19.5.2010;PW 143 Dildar Umrav Saiyed's statements to police and SIT dated 4.5.2002, 3.6.2008 and 14.9.2008 and deposition dated 24.6.2010; PW 156 Abdul Majid Mohammed Usman Shaikh's statements to the police and SIT dated 8.5.2002, 22.4.2002 and 5.9.2002, 20.5. 2008 and 13.9.2008 and deposition dated 16.8.2010; PW 176 Zulekhabibi Sardar Ahmed Chaudhri's statements to the police and the SIT dated 12.5.2002 and 22.5.2008 and deposition dated 13.10.2010; PW 192 Rashidabanu Imtiyaj Hussain Momin's statement dated 12.5.2002 and deposition dated 13.12.2010; PW 198 Harun Mohedbhai Shaikh's statements dated 12.9.2008 and 28.5.2008 and deposition dated 15.2.2011; PW 227 Juberkhan Ismailkhan Pathan's statement dated 26.5.2008 and deposition dated 6.6.2011; PW 236 Siddik Allabax Mansuri's statement dated 26.5.2008 and deposition dated 20.6.2011; PW 310 Dipakbhai Revabhai Parmar's statement dated 23.12.2008 and deposition dated 22.11.2011.

C. Babu Bajrangi is is Common Accused --Accused Nos 22 in the Smt Zakia Jafri Complaint/FIR and the Naroda Gaam Trial Sessions Case Nos 235/2009)

Witnesses who named and and deposed against Babu Bajrangi in the Naroda Patiya Case are as under:-

PW 142 Jannatbi Kallubhai Shaikh's statements to the police and SIT dated 13.4.2002 and 19.5.2002, 25.6.2002 and and deposition dated 17.6.2010; PW 149 Faridabanu Abdulkader Khalifa's statements to police and SIT dated 12.5.2002 and 3.6.2008 and deposition dated 26.7.2010; PW 174 Abdul Alim Abdul Majid Chaudhri's deposition dated 7.10.2010; PW 198 Harun Mohemmadbhai Shaikh's statements dated 28.5.2008 and 12.9.2008 and deposition dated 15.2.2011; PW 228 Javed Ismail Shaikh's deposition dated 7.6.2011; PW 244 Maiyuddin Imamuddin Shaikh's statements dated 3.6.2008 and deposition dated 30.6.2011; PW 262 VK Delvadiya's statements to the police dated 28.2.2002, 20.5.2002 and 26.6.2002 and deposition dated 22.7.2011; PW 266 HC Parbatsinh Vejsinh Thakor's statement dated 25.5.2002 and deposition dated 27.7.2011; PW 274 KK Mysorewala's statements dated 24.5.2002 and 25.10.2008 and deposition dated 8.8.2011; PW 277 MT Rana's statements dated 24.5.2002 and 17.11.2008 and deposition dated 12.8.2011; PW 320 Nirmalsinh Sewasinh Rajput's deposition dated 12.12.2011; PW 322 Ashish Sureshchandra Khetan's statements dated 19.1.2009 and 12.3.2009 and deposition dated 16.12.2011; PW 323 Dr. Shailendra Ramkishore Za's deposition dated 19.12.2011; PW 314 Bhagiprasad Manilal Pandya's deposition dated 29.11.2011.

D. KK Mysorewala, First PI Naroda Police Station in 2002 has been implicated in the evidence led in the Naroda Patiya Trial. He is Accused Nos 56 in the Smt Zakia Jafri Complaint/FIR

Evidence led against this accused for part of the whole role in Sessions Case Nos 235/2009

PW 52 Amina Abassbhai Belim's statement dated 30.5.2008 and deposition dated 18.1.2010; PW 143 Dildar Umrav Saiyed's statement to police and the SIT dated 4.5.2002, 3.6.2008 and 14.9.2009 and deposition dated 24.6.2010; PW 157 Mohammed Shafi Allahbux Mansuri's statement dated 14.9.2008 and deposition dated 27.8.2010; PW 73 Babubhai Maiyuddin Saiyed's statement dated 12.5.2002 and deposition dated 15.2.2010; PW 136 Bashirkhan Nanhekhan Pathan's statements to the police and the SIT dated 18.3.2002 and 17.5.2008 and deposition dated 19.5.2010; PW 138 Mohmedbhai Abdulhamid

Shaikh's statements to the police and SIT dated 12.5.2002 and 13.5.2008 and deposition dated 27.5.2010; PW 149 Faridabanu Abdulkader Khalifa's statements to the police and SIT dated 12.5.2002 and 3.6.2008 and deposition dated 26.7.2010; PW 37 Salim Roshan Ali Saiyed's statement dated 25.6. 2002 and deposition dated 27.11.2009; PW 243 Shabbirali Nivasali Ansari's statement dated 4.6.2008 and deposition dated 28.6.2011.

E. Smt Mayabehn Kodnani is Common Accused --Accused Nos 16 in the Smt Zakia Jafri Complaint/FIR and the Naroda Gaam Trial Sessions Case Nos 203/2009)

Witnesses who have named and deposed against Mayabehn Kodnani in the Naroda Gaam Case are as under:- In the Naroda Gaam Case No 203/2009

PW 127 Yunusali Akbarali Saiyed who's statements to the SIT are dated 28.5.2008, 14.7.2008, 19.9.2008 and 24.11.2008 and deposition was on 6.10.2010; PW 133 Imrankhan Ashrafkhan Pathan who's statements before SIT are dated 22.5.2008 and 15.7.2008 and deposition dated 15.10.2010; PW 83 Aiyub Lalumiya Qureshi 's statements before the police and SIT dated 11.6.2002, 25.6.2008, 14.7.2008, 24.11.2008 and deposition dated 12.3.2010; PW 89 Salimbhai Karimbhai Mansuri's SIT statements dated 14.6.2008 and 14.7.2008 and deposition dated 12.4.2010; PW 93 Mo.Shafi Hussainmiya Malek's statements to the Police and SIT dated 6.3.2002, 14.6.2008, 15.7.2008, and 24.11.2008 and deposition dated 28.4.2010; PW 111 Nanumiya Rasoolmiya Malek's statement dated 12.5.2002, 20.5.2008, 12.7.2008, 12.9.2008 and 24.11.2008 and deposition dated 20.8.2010; PW 113 Habibmiya Umravmiya Mirza's statements dated 19.6.2008 and 12.7.2008 and deposition dated 25.8.2010; PW 114 Badshah Usmanbhai Qureshi 's statements dated 22.5.2008 and 14.7.2008 and deposition dated 24.11.2008 and 1.9.2010.

F. Jaideep Patel is Common Accused --Accused Nos 21 in the Smt Zakia Jafri Complaint/FIR.

Evidence led against this accused for part of the whole role in Sessions Nos 203/2009 (Naroda Gaam Trial)

Witness Statements and Depositions implicating Jaideep Patel Common Accused in Naroda Gaam case and Zakia Complaint/FIR.

PW 114 Badshah Usmanbhai Qureshi 's statements dated 17.4.2008, 22.5.2008. and 14.7.2008 and deposition dated 1.9.2010; PW 86 Aiyubhai Umarbhai Mansuri's police and SIT statements dated 17.4.2002, 26.11.2002, 14.6.2008 and 19.7.2008 and deposition dated 30.3.2010; PW 108 Yusufbhai Bhikhabhai Mansuri's statements dated 20.6.2008 and 13.7.2008 and deposition dated 13.8.2010; PW 92 Hanifmiya @ Raju Ahmedmiya Qureishi's statements dated 18.6.2008, 14.7.2008, 26.11.2008 and deposition dated 28.4.2008; PW 127 Yunusali Akbarali Saiyed's police and SIT statements dated 6.3.2002, 28.5.2008, 14.7.2008, 11.9.2008 and 24.11.2008 and deposition dated 6.10.2010; PW 131 Imtiyaz Ahmedhussain Qureshi's statements to the police and the SIT dated 1.6.2002, 20.6.2008, 15.7. 2008, 21.9.2008 and 25.11.2008 and deposition dated 12.10.2010; PW 83 Aiyubmiya Lalumiya Qureshi's statements dated 11.6.2008, 25.6.2008, 14.7.2008, 24.11.2008 and deposition dated 12.3.2010; PW 90 Mohammedmiya Ahmedmiya Qureshi's statements dated 11.6.2008 and 15.7.2008 and deposition dated 13.4.2010; PW 102 Abdulbhai Ismailbhai Mansuri's statements dated 13.6.2008 and deposition dated 30.7.2010; PW 88 Yusufbhai Mehbubbhai Mansuri's statements dated 14.6.2008, 14.7.2008 and 24.11.2008 and deposition dated 6.4.2010.

XXIX) CDs and Transcripts of all speeches made by the chief minister Narendra Modi between January 2002 and December 2002 as available with the State IB and Information Department

XXX) Statements of, and Documents provided by Jan Sangharsh Manch including documents graphs/statements during the Course of the Inquiry and Investigation, if any

XXXI) Other specific documents that are missing from various volumes of the record supplied to us.

A. ANNEXURE – II VOL- I

NAME	DATE	PA	.GE	DOCUMENT ABSENT
Ishwarbhai Devjibhai Desai	14.8.2010) Pag	ge 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 – al these messages were communicated to DCP Gondia –we need these. his statement
Kanjibhai Virjibh	ai 14.08.20	9		Statement dated. 07.03.2002 Evidence dated. 29.09.2009
Hemu Soma	ιι	10		Statement dated. 07.03.2002 Evidence dated. 06.10.2009
Manu Karsan	и	11		Statement dated. 30.06.2008 Evidence dated. 05.10.2009
Babubhai Harjib	nai "	12		Statement dated. 07.03.2002 Evidence dated. 05.10.2009
Kanti Joti	и	13		Statement dated. 01.11.2009
Gautambhai Am	rutlal Shrimali "	14		Statement dated 06.10.2009
Navalsinh Rams	inh Bariya "	15		Statement dated 01.11.2009
Ravindrasing Sa	hebsing '	' 16		Statement dated

			22.11.2009
Pratapbhai Hirabhai Rathod	и	17	Statement dated 22.11.2009
Shridharan Narayan Nayar	и	18-19	Statement dated 14.07.2008
			Messages sent to Gondia
Laxman Raman Solanki	15.08.2010	20	Statement dated 28.06.2008
Rajkumar @ Raju G. Chauma	al 26.08.2010	21-25	Statement dated 26.06.2002
Bipinbhai @ Bipin Autowala	27.08.2010	26-29	Statement dated 27.06.2009
Jaydip Ambalal Patel	u	30-35	Statement dated 16.5.02, 24.12.04, 26.12.08, 27.3.09, 28.3.09, 29.3.09, 30.3.09, 31.3.09, 1.4.09, 2.4.09 3.4.09
Mayaben Kodnani	30.08.2010	36-41	16.5.02,19.1.05,
		27.3	28.12.08, 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	42-52	previous statements referred to
Babubhai @ Babu Bajrangi	u	53-58	8.11.08.
Madansinh T. Rana	09.10.2010	241-251	Statement dated 6.10.08
Kirit G. Erda	10.10.2010	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 269-296 27.8.09, 10.4.10.

B. ANNEXURE - II FILE II

<u>Name</u>	<u>Date</u>	of Statement	Page No.	<u>Documents</u> <u>Absent</u>
Sanjiv Bha	att	22.03.2011	374-386	messages etc as mentioned on pg.386
P.C.Pande	e	14.01.2012	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

C. ANNEXURE IV FILE IV

On Page 1427 there is mention of a letter dated 19.4.2011, written by Mr AK Sharma Police Maha Nirikshak Intelligence-I to Himanshu Shukla that refers to a previous letter being Number 1 dated 23. 3. 2011 as well as a letter No 2 dated 8.4.2011 which have not been given to us and presumably not produced before the Court

XXXII)TRANSLATIONS.

Several of the files given to us are entirely in Gujarati and the translations not provided to the complainant. Since the SIT has arrived at its conclusions to file a closure report on the basis of these Translations provided to senior members AK Malhotra, YC Modi and RK Raghavan, for the complainant and this Court to arrive at a correct appreciation of whether or not the translations reflect the contents of the original in Gujarati, the copies of the Translations used by the SIT need to be made available to the Complainant and of course, the Court. (Only to give an example the following files are entirely in Gujarati -- files Annexure III, File VII (D-159) Annexure III, File VIII (D-160), Annexure III File XIX (D 161), Annexure III, File XIX (D-161), Annexure III, File XX (D-162), Annexure III, File XXI (D163), Annexure III, File XXI (D-164), Annexure III, File XXII (D 164), Annexure III, File XXIII (D-165), Annexure III, File XXIV (D-166), Annexure III, File XXV (D-167), Annexure III, File XXVI (D-168), Annexure III, File XXVII (D-169), Annexure III, File XXVIII (D-170), Annexure III, File XXIX (D-171), Annexure III, File XXX (D-172), Annexure III, XXXI (D 173), Annexure III, File XXXII (D-174) and Annexure III (D-165) XLI 174-175] are entirely in Gujarati.

(There are several other documents/files only provided in Gujarati where the Translations are missing).

PRAYER

- a) Since the record is Voluminous we may be given the liberty to apply for any other documents if they are found absent from the record;
 b) Existing absences/discrepancies be rectified by the SIT within one week of
- today;
- c) The dates for the hearing of the Protest petition be fixed for the last ten days of July 2012 or first part of August 2012.

ADV SADIK SHAIKH 28-5-2012