

## Hazaar Hindustanis

Dear Friends,

In April 2004, the Supreme Court passed a historic judgement, ordering the transfer from Gujarat and retrial of the Best Bakery massacre case in Maharashtra. Since then, thousands of Concerned Citizens from all over the country have showered us with appreciation for this unprecedented achievement and expressed support and solidarity in our struggle for peace with justice.

As a token of international appreciation of our work, Teesta Setalvad who as Secretary, CJP has been at the forefront of all our legal initiatives has been honoured with the highly prestigious '**2004 Defenders' of Democracy Award**' from Parliamentarians for Global Action, an international association of parliamentarians.

As Board members of CJP, we draw some satisfaction from what we have managed to do in the past three years. And we are extremely thankful for all the solidarity and support that we have received from Concerned Citizens, particularly since the historic Supreme Court judgement in the Best Bakery case. But we are also acutely aware of the hard struggle that lies ahead. To meet this challenge, CJP needs many, many more than the One Dozen of us from Mumbai.

In the next three pages, we share with you information on why and when the CJP was born, what its objectives are, activities till date, pending legal cases, proposed initiatives in the near future. We hope you will see then how the show of solidarity and support *from outside* is not enough, grateful though we remain for the same: JOIN US!

On the suggestion of some of our supporters, CJP is launching a forum: *Friends of CJP* and this quarterly bulletin would be its communication channel. Among other things, the forum is intended to achieve two basic objectives:

*One*, to multiply CJP's efficacy many times over, reinforcing the organisation of One Dozen persons all based in Mumbai with an all-India forum of hundreds, hopefully thousands of Concerned Indians who identify with its objectives and activities.

*Two*, And it would strive to realise the ideal that a citizen's body whose work is so greatly appreciated by citizens across the country be sustained entirely through *small, but regular* contributions from those very citizens.

CJP's current expenditure is approximately **Rs. 2 lakh per month** (please see last page for details). To begin with, just one thousand Indians – *Hazar Hindustanis* – joining *Friends of CJP* and contributing anything between Rs. 100 and Rs.1,000 p.m. are all that is needed to sustain the CJP. We invite YOU to be one among them, join us in the fight *for* the Rule of Law and *against* Hate Politics.

---

## Gujarat, Never Again!

Formed on April 1, 2002, the Citizens for Justice and Peace (CJP) was the response of a group of citizens from Mumbai to the Gujarat genocide. CJP's objectives include:

- ✓ To promote communal harmony in India.
- ✓ To promote friendship amongst people belonging to different religious communities.
- ✓ To combat all kinds of bigotry and intolerance which create inter-religious strife and differences among people.
- ✓ To promote values that will encourage the development of peace, justice and reconciliation, by all means, in every place, among all peoples of India and in every sphere of society.
- ✓ To build public opinion on the need for justice as an essential step towards reconciliation and peace.
- ✓ To check threats to Indian democracy and the Rule of Law, whether by governments or political parties or other organisations, groups or individuals.
- ✓ To make legal interventions in the Courts of Law through Public Interest Petitions or otherwise, to prosecute all those guilty of killing or maiming innocent citizens; and to assist others petitioning before the Courts for the redressal of grievances.
- ✓ To set up or assist in setting up any lawyer/team of lawyers to effectively intervene in government appointed commissions of inquiry probing the causes of communal conflict or to identify the role of different agencies in prevention or promotion of violence.
- ✓ To promote rationalism and tolerance and to promote religious and social reform including in particular reforms to improve the conditions of women and disadvantaged groups.

## Calendar Of Achievements

(April 2002-March 2005)

CJP's activities in the last 3 years have been focussed on legal interventions to ensure justice for the victims and punishment for the perpetrators of the Gujarat genocide.

### Success Stories So Far:

#### 1. Reluctant CM made to spend extra crores on relief

**Action:** Petition in Gujarat High Court (April 2002) to make the state government provide and pay for adequate relief to the 1.7 lakh people rendered homeless and destitute; petitions against government officials coercing relief camp managers into closing their camps even when victims have nowhere to go.

**Result:** High Court orders ensure that many relief camps stay open until September-October 2002; a highly reluctant state government made to spend several additional crores on relief measures.

#### 2. 'Modi chief author and architect of genocide': Tribunal

**Action:** CJP sets up a *Concerned Citizens Tribunal* headed by three retired SC and Mumbai High Court judges for a citizens' probe into the carnage (May 2002).

**Result:** The Tribunal's 3-volume report, 'Crime Against Humanity' (November 2002) that remains the most incisive document on the genocidal violence in Gujarat. Its recommendations have triggered a national campaign for institutional reform to prevent mass crimes in future.

#### 3. SC Orders Transfer And Retrial Of Best Bakery Case

**Action:** CJP petitions the SC along with Zahira Sheikh, asking for a retrial of the Best Bakery massacre case outside Gujarat (August 2003).

**Results:** SC decides to monitor the progress of ALL the carnage related cases, appoints an *amicus curiae* (October 2003).

- ❑ In a historic and unprecedented judgement (April 2004), SC orders retrial of the Best Bakery case outside Gujarat (in Maharashtra).
- ❑ The DGP of Gujarat is directed (August 2004) to reopen and review the over 2,000 incidents of violence that had been closed by the state police.

#### 4. No votes over dead bodies

**Action:** CJP submits a detailed and a well-documented memorandum and leads delegation of victims to the Chief Election Commissioner, Lyngdoh, challenging the Gujarat government's claim that the situation in Gujarat was normal to ensure a free and fair trial. (August 2002).

**Result:** CEC rejects the Gujarat government's claim of normalcy and orders postponement of polls.

## 5. Godhra victims' kin, too, repose faith in CJP

**Action:** Four families from Ahmedabad, each of whom had lost one or more family member in coach S-6 of the Sabarmati Express train tragedy at Godhra, approach CJP for legal assistance. CJP files an application in SC (October 2003) for a retrial of the Godhra arson case outside Gujarat as the affected families did not expect to get justice in the state.

**Result:** The Godhra trial is stayed by the SC. The plea for re-investigation and transfer is pending.

## 6. Guilty cop Pandey shunted out of CBI

**Action:** CJP petitions SC (April 2004), challenging the NDA government's malafide promotion and transfer of former Ahmedabad Police Commissioner, PC Pandey

(whose own role during the carnage needs investigation), as Deputy Director, CBI.

**Result:** The Union government moves PC Pandey out of the CBI (October 2004).

## 7. Compensation to victims of terrorism in J&K

**Action:** On the request of the families concerned, CJP pursues the J&K government asking for expeditious payment of compensation to the Mumbai-based Chandrakant Shah and Nirav Vakharia whose family members were killed or seriously injured in the bomb blast in a hotel in Pahalgam, Kashmir (June 2004).

**Result:** The affected families receive timely compensation.

## Miles To Go

### Pending Cases:

#### ❑ Plea For Fresh CBI Probe In Major Cases

A CJP-supported citizens' petition in mid-2002 asking for a CBI probe into the major massacre cases is still pending in the SC. In September 2003, the NHRC pleaded in the SC for a transfer out of Gujarat and reinvestigation of all major cases. The plea was reinforced with 60 eyewitnesses and victims filing affidavits with CJP's help. Since November 2003, criminal trials into the Godhra, Gulberg, Naroda Gaon, Naroda Patiya, Sardarpura and Ode massacres are stayed by the SC and the plea for re-investigation by the CBI is still pending.

#### ❑ Challenging Hate Speech

CJP is part of a nationwide campaign against hate speech. A petition filed by the CJP against Gujarat CM Narendra Modi and VHP president Ashok Singhal, for their hate speeches in the build-up to the December 2002 Assembly polls in Gujarat is pending in the SC.

#### ❑ Compensation Case

CJP has conducted district-wise surveys and collected over 700 affidavits from victims of the

Gujarat carnage who have received no compensation or only paltry sums. An alternate compensation scheme for all victim-survivors is being finalised by the CJP to be put before the Gujarat government.

#### ❑ Civil Suit For Compensation

CJP has helped family members of those who were killed in the massacre at Gulberg Society file a civil compensation suit (March 2005) against the organisations who had called a Gujarat Bandh on February 28, 2002 during which mass mob violence took place.

#### ❑ Systemic Issues

Due to CJP's interventions, the issue of Time-bound trials, Police Reform, a comprehensive Witness Protection Programme and accountability of the Public Prosecutor's Office are now receiving national attention.

### Proposed Legal Initiatives:

#### ❑ Against Gender Violence

Systemic gender violence in different parts of India will be taken up by CJP.

#### ❑ Action Against Dalit Atrocities

Legal action against Dalit Atrocities, especially the failure of the SC/ST Prevention of Atrocities Act, 1989 will also be taken up by CJP.

## Our Grateful Thanks

CJP could not have sustained so many legal initiatives but for the fact that among the best legal brains in the country have taken up all our cases free of charge (*pro bono*). For this, our grateful thanks to,

*Supreme Court of India:* Mr. Anil Diwan, Mr. Shanti Bhushan, Mr. Ram Jethmalani, Mr. Kapil Sibal.

*Gujarat & Mumbai High Courts:* Mr. Aspi Chinoy, Mr. Prakash M. Thakkar, Mr. M. Suhel M. Tirmizi, Mr. Mahesh Jethmalani, Mr. Satish Maneshinde, Mr. S.M. Vora, Mr. Sadiq Shaikh and Mr. Saleem Shaikh.

CJP is equally grateful to the Socio-Legal Information Centre (Mr. Colin Gonsalves, Mr. Mihir Desai, Ms. Aparna Bhatt and Mr. Ramesh Kumar) for providing the backbone of legal support, including regular appearances in court, in almost all our cases.

(CJP only reimburses the substantial expenses the Centre incurs towards stationery, typing and printing, court fees, communications, courier and conveyance costs).

Last, but not the least, a very sincere Thank You, to colleagues at SAHMAT who for the last three years have virtually been the CJP's comrades-cum-home-cum office in New Delhi.

## JOIN US NOW!

For its current level of activities, CJP needs approximately Rs. 2 lakh per month, even though top lawyers in the country have been handling our cases. And despite the fact that, as you can see from the summary of our audited accounts for 2003 and 2004 presented in the table below, CJP's establishment expenses are a bare minimum.

We urge you to fill in the Response Form attached to this newsletter, become a member of 'Friends of CJP' and help CJP realise the dream of becoming an organisation of citizens, financed entirely by citizens.

On our part, we are committed to keeping you informed about the CJP's activities through this newsletter every three months.

For any further information, comments, suggestions please write to Javed Anand on the address below, send an email ([javedanand@rediffmail.com](mailto:javedanand@rediffmail.com) or [cjp02in@yahoo.com](mailto:cjp02in@yahoo.com)), SMS or call on the landline numbers given below or his mobile (09870402556). We look forward to regular feedbacks from you.

### CJP WEBSITE

For detailed information on CJP's activities till date, the entire report, 'Crime Against Humanity of the Concerned Citizens Tribunal set up by us' and regular updates please visit our website: <http://www.sabrang.com/cjp/cjpindex.htm>

### Founding Members/Board of Trustees, CJP:

**Alyque Padamsee**  
(Communications/Advertising/Theatre)

**Anil Dharkar**  
(Columnist, Writer)

**Arvind Krishnaswamy, *Treasurer***  
(Corporate Executive)

**Fr. Cedric Prakash**  
(Human rights activist)

**Cyrus Guzder**  
(CMD, AFL)

**Gulam Mohammed**  
(Businessman)

**Nandan Maluste**  
(Corporate Executive)

**Iftikhar M. Kadri, *Vice-President***  
(Senior Architect)

**Javed Akhtar**  
(Poet, Lyricist)

**Javed Anand**  
(*Communalism Combat*)

**Kawal MS (Titoo) Ahluwalia**  
(ORG-Marg)

**Teesta Setalvad, *Secretary***  
(KHOJ, *Communalism Combat*)

**Vijay Tendulkar, *President***  
(Playwright)

**Rais Khan A. Pathan, *Field Co-ordinator, Gujarat***

### NO FOREIGN DONATIONS

CJP does not accept contributions from any foreign sources. We depend entirely on contributions from Indian citizens and organisations.

#### BREAK-UP OF EXPENDITURE ON OBJECTS OF THE TRUST:

	2002-2003	% of total	2003-2004	% of total
Tribunal Expenses	8,71,220.30	41.29%	Nil	0%
Legal Aid Expenses	8,24,379.11	39.07%	18,76,128.00	88.30%
Rehabilitation	2,26,161.00	10.72%	2,21,623.50	10.43%
Medical Relief	21,378.00	1.01%	7,000.00	0.33%
Educational Assistance	1,66,850.00	7.91%	20,079.00	0.94%
<b>Total Exps. On Objects</b>	<b>21,09,988.41</b>	<b>100.00%</b>	<b>21,24,830.50</b>	<b>100.00%</b>

#### BREAK-UP OF TOTAL EXPENDITURE:

Expenditure On Objects	21,09,988.41	91.57%	2,124,830.50	96.54%
Establishment Expenditure	91,495.83	3.97%	57,743.55	2.62%
Audit Fees/Contribution	52,317.00	2.27%	18,427.00	0.84%
Surplus During Year	50,284.76	2.19%	Deficit	
<b>Total Exps. During Year</b>	<b>23,04,086.00</b>	<b>100.0%</b>	<b>22,01,001.50</b>	<b>100%</b>

From the *audited* accounts of CJP for the year ended March 31, 2003 and March 31, 2004.  
Our auditors: Haribhakti & Co., Mumbai.



PO Box 28253, Juhu Post Office, Juhu, Mumbai - 400049.

**RESPONSE**

**YES!** I share the objectives of *Citizens for Justice and Peace* and am impressed with the achievements in the first three years of its existence.

I would like to become a member of *Friends of CJP* to be associated with the CJP's fight for justice and peace. And I would also like to help fulfil CJP's attempt to sustain its activities ENTIRELY through regular contributions from *Friends of CJP*.

You can count on me to contribute:

Rs.100/Rs.1,000/Rs..... every month.

Rs.1,200/Rs.12,000/Rs..... once a year.

*(Please tick one of the above and fill in the amount in the dotted space).*

Enclosed please find my first monthly/annual/12 post-dated cheques.

*(Cheque/DD/Money Order in the name of: 'Citizens for Justice and Peace')*

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ PIN CODE: \_\_\_\_\_

PHONE: \_\_\_\_\_ MOBILE: \_\_\_\_\_

EMAIL: \_\_\_\_\_