

**Teesta and her consistent efforts have helped me gain justice. At times, I have got tired and wanted to give up, but she was the one who inspired me. It is because of her that we have got justice and our faith in this country and judicial system has been renewed.**

— **Shakila Bano**

Ansari, who lost seven family members including her husband, mother and sister in the Naroda Patiya massacre;  
*September 2012*



**Teesta Setalvad is the backbone of the fight for justice in Gujarat. She is the person largely responsible for keeping 2002 alive in the collective memory of the nation and has already dedicated 12 years of her life to this cause.**

— **Mumbai Mirror**  
(Sister publication, Times of India),  
*September 2012*



**I am delighted to get the news of the Best Bakery verdict (2006) and the convictions, but also of course of the complete vindication of the admirable Teesta! I am so delighted.**

— **Amartya Sen**,  
Nobel Prize Winner;  
March 2006.

## Join us, for justice

- Three months ago, Teesta Setalvad, secretary CJP, was invited for a talk at the Aligarh Muslim University. While she was there, four rickshaw pullers approached a lecturer and gave him Rs 500 with a request: "Please pass this on to Teesta Ji. Tell her that in fighting for justice for the victims of Gujarat, she is fighting for all of us. This is our one-day's earning, our small contribution to the struggle".
- It must be very rare for a police officer to be honoured with a civil liberties award. But then Padma Shree Chaman Lal was a rare cop. For his distinguished service to society while in service and post retirement, he was honoured with the Nani Palkhivala Civil Liberties Award in 2011. Three months ago, Teesta received a call from Mr Lal. "I admire your work," he told her. "The pension I get from the government is more than I really need. So I am going to send you a small donation". A few days later, CJP received a cheque of Rs 1 lakh from Mr Lal.

Fighting for the last 10 years, for justice for the victims-survivors and punishment to the perpetrators of the state-sponsored 2002 genocide in Gujarat, has not been easy. The Narendra Modi-led Gujarat administration and police are hostile and vindictive towards every person or organization involved in the justice process. CJP and its chief functionary Teesta are constantly maligned; there have been repeated attempts to implicate her in false cases. In May 2011, secular activists and lawyers from across the country came together to form a "Committee for the defense of Teesta Setalvad and Justice in Gujarat" chaired by retired Supreme Court judge, Justice PB Sawant. In the face of repeated threats to her life, the Supreme Court has ordered high-level, round-the-clock CISF security cover for Teesta since 2003.

The battle for justice has been tough and trying. CJP salutes people like the rickshaw pullers from Aligarh and the admirable ex-cop Mr Lal who have sustained us over the last 10 years. Their support gives us courage, their very generous contributions help pay the expenses for our legal interventions. More often than not in the last 10 years, CJP's annual expenses have been far in excess of income. Payments are often pending for months.

What keep us going are the unprecedented and historic court orders in favour of the CJP-supported victim-survivors of Gujarat in case after case. From the Supreme Court judgment in April 2004 – ordering the transfer out of Gujarat and retrial of the Best Bakery case in Mumbai – to the latest judgment of a special trial court in Ahmedabad – where along with 32 others, BJP MLA and former minister Dr Maya Kodnani and Bajrang Dal/Shiv Sena leader, Babu Bajrangji have been sentenced to life imprisonment. Never before was an MLA/minister punished for his/her role in a communal carnage.

For the first time in post-independence India, the prevailing culture of impunity long enjoyed by perpetrators of mass crimes and police officers guilty of gross dereliction of duty is coming into question. Sadly, those guilty of earlier massacres – Nellie, Assam (2003); Delhi (1984); Hashimpura; UP (1987); Bhagalpur, Bihar (1989); Bombay/Mumbai (1992-93); Kandhamal, Orissa (2008) have remained scot-free. While saluting all those engaged in the justice process, CJP draws satisfaction from its own achievements in Gujarat, as a result of which over 100 persons have already been served life sentences.

Among others, the trials in the Gulberg Society case (69 persons including former Congress MP, Ehsan Jafri, were mercilessly butchered), the case concerning "criminal conspiracy for mass murder" against chief minister Narendra Modi and 61 other top sangh parivar politicians, police officers and bureaucrats, are still in process. It will take at least another 3-4 years to take the struggle for justice in Gujarat to its logical conclusion. CJP is grateful to all of you within India and overseas who have flooded us with congratulatory phone calls, sms and emails following the unprecedented judgment in the Naroda Patia case. We urge you to join us NOW, be a part of the struggle for justice, for re-discovering the Idea of India.

( Please turn to page 4 for details).

Citizens for Justice and Peace was formed on April 1, 2002 by prominent citizens of Mumbai in direct response to the state-sponsored genocidal targeting of Gujarat's Muslims by the Narendra Modi-led BJP government. While the fight for justice for the victim-survivors and punishment of the perpetrators and masterminds of the carnage in Gujarat continues to remain the focus, reaching out to other victims of mass crimes – whether through 'mob terror' or 'bomb terror' – is equally a part of CJP's concern. CJP has handled 68 cases in all during the last 10 years from the lower courts in Gujarat to the Supreme Court and well over 550 witnesses (most of whom are victim-survivors) have been given legal support.

### Highlights of our actions in the last 10 years:

#### April 2002: Modi forced to spend crores on relief

In its very first legal action for justice, CJP petitions the Gujarat High Court asking for directions to the Gujarat government to provide adequate relief to over 1.7 lakh Muslim victims of the carnage forced to live in privately-run relief camps. The High Court order compels a highly reluctant state government to spend crores on relief measures. In June, CJP once again appeals to the High Court to protest attempts by district authorities to forcibly close the relief camps in order to claim return of normalcy. The High Court orders appointment of a monitoring committee, which includes a CJP representative to preempt forced enclosure of camps.

#### May 2002: Petition for independent investigations by CBI

CJP petitions the Supreme Court seeking directions for investigations into Gujarat's major carnage cases by an independent investigation agency. CJP cites the recommendation of the National Human Rights Commission (NHRC) that, given widespread allegations of the Gujarat police's complicity in the carnage, investigations cannot be left to the same police. An apex court order follows in 2008 (see below).

#### Nov. 2002: 'Modi chief author, architect of genocide'

In April- May 2002, CJP sets up a Concerned Citizens Tribunal (headed by 3 retired Supreme Court and Bombay High Court judges) for a citizens' probe into the mass killings. The 3-volume report, *Crime Against Humanity*, released by the tribunal in November 2002 names Gujarat chief minister Narendra Modi as "the chief author and architect" of the "genocidal" targeting of Gujarat's Muslims.

#### June 2003: Petition for transfer, retrial of Best Bakery case

Within days of a Vadodara trial court acquitting all the accused in the Best Bakery case, Zahira Shaikh and other family members who were owners of the Best Bakery seek CJP's help, saying that fearing for their lives, they were forced to lie in the court. CJP secretary, Teesta Setalvad, travels with Zahira Shaikh to depose before the NHRC. NHRC and CJP file petitions in the Supreme Court for transfer and retrial of the Best Bakery case. The petition is admitted.

#### Oct. 2003: Godhra victims' kin, too, come to CJP

Disillusioned with the VHP, some of the Sabarmati Express carnage survivors and their kin, seek CJP's help in securing justice to them. In response to a CJP plea for reinvestigation and transfer, the Supreme Court stays the Godhra trial.

#### 2003 — Witness protection programme

CJP's involvement in the Best Bakery and other Gujarat carnage related cases highlight the issues of time-bound trials, accountability of the office of the public prosecutor, a comprehensive witness protection programme. CJP is invited to make written recommendations by the Union Law Commission, and was also a special invitee to the meetings of committees formed by the Union Home Ministry and the Administrative Reforms Commission to suggest a witness protection programme for India. In response to a PIL filed by the National Human Rights Commission (NHRC), the Supreme Court too is now examining the issue, looking at existing witness protection programmes in other democracies.

#### 2003 — Police reform

CJP was part of four national interventions on the ongoing police reforms issue. CJP's secretary is invited by the Administrative Reforms Commission and the National Police Academy to discuss threadbare the issue of overdue reforms to make our police and bureaucracy more transparent and accountable.

#### April 2004 — Historic SC verdict in Best Bakery case

In an unprecedented and historic verdict, the Supreme Court orders the transfer and retrial of the Best Bakery case in a specially designated Mumbai court, even after the Gujarat High Court had upheld the verdict of the Vadodara trial court. The order likens Gujarat chief minister Narendra Modi to Nero who fiddled while Rome was burning. The apex court declares its intention of keeping a constant eye on the entire process of investigation and prosecution in the lower courts to ensure justice for the survivors and victims of violence. In yet another unprecedented ruling (August 2004), the apex court directs the Gujarat director general of police (DGP) to review the over 2,000 incidents of violence that had earlier been closed.

#### Oct. 2004: Guilty cop shunted out of CBI

A petition filed by the CJP in the Supreme Court (April 2004) challenging the NDA government's mala fide promotion and transfer of former Ahmedabad Police Commissioner, PC Pandey to the CBI results in the Union government shunting him out of CBI.

#### Feb. 2006: Best Bakery Case – CJP Vindicated

Mumbai Judge Abhay Thipsay's verdict in the Best Bakery case - life sentence for 9 of the 17 accused, clean chit to Teesta Setalvad and perjury notices to all members of the Zahira Sheikh family. Zahira is sentenced to a year in prison while other family members abscond. (In 2012, giving the "benefit of doubt" the Bombay High Court acquits five of the convicted but directs a compensation amount of Rs 5 lakh to each of the victim-survivors of the carnage).

**February 2007: Former DGP, RB Sreekumar joins CJP**

Former DGP Gujarat RB Sreekumar creates history by filing four affidavits before the official Nanavaty-Shah (now Nanavaty-Mehta) Commission of Inquiry. The affidavits, accompanied by official annexures from the state IB that he headed in the critical period in 2002, expose the state level conspiracy and complicity in the genocide. For doing his constitutional duty, Sreekumar is denied promotion to DGP rank. He challenges his supersession before CAT. The state government serves a charge sheet on him for deposing and telling the truth to the Commission. CJP steps in and provides him full legal assistance. He wins in both cases. A day before his retirement on February 28, 2007, Sreekumar is promoted to DGP rank. Soon after retirement, Sreekumar joins CJP.

**March 2008: SC appoints SIT to re-investigate Gujarat massacres**

The Supreme Court appoints a Special Investigation Team (SIT) headed by a former CBI director to re-investigate major carnage cases in Gujarat in 2002, including the Godhra train burning case. Besides co-ordinating with nearly 500 eyewitnesses to give their statements before SIT, Teesta personally appears six times and submits a 350-page written statement. She also makes seven written complaints about repeated attempts by the Gujarat police to threaten and intimidate the eyewitnesses. SIT announces that it has compiled a fresh list of 100 accused (including politicians and policemen) on the basis of the testimonies of eyewitnesses. This is only because of CJP's sustained pressure and the watchful eye of the Supreme Court.

**August 2003-2008: Compensation to victims of mass crimes**

*2003:* The Modi government returns Rs.19.3 crore of the Rs 100 crore it had received from the NDA government towards compensation to family members of those killed in the violence. CJP files a PIL in the Gujarat High Court saying the compensation amount was totally inadequate. The High Court authorised CJP to examine the disbursements made by the district collectors. CJP undertook a survey of 8,000 families and submitted a revised compensation package to the Gujarat High Court similar to what had been paid in the 1984 anti-Sikh carnage in Delhi.

*2004:* CJP submits the same package to the PMO and the Union Home Ministry when the UPA came to power in 2004. Within a month of this, the UPA government announces a revised package: an additional Rs. 3.5 lakh for deaths (making the total to each surviving family members to Rs 5 lakh) and Rs 1.25 lakh to the injured.

*2008:* A new scheme submitted by the CJP before Gujarat HC on August 25, 2008 asks for death compensation for Muslims killed by police bullets in 2002 and for persons considered 'missing' for over 6 years; compensation to women victims of sexual violence; regularisation of lands on which relief camps have been built; issue of 'internally displaced person' cards to those forced to live away from their homes; low-interest loans for businessmen who suffered huge losses; minimum compensation of Rs 2 lakh for homes destroyed.

**August 2008: CJP aid to victims of bomb blasts**

The July 26, 2008 serial blasts in Ahmedabad kill 62 people while another 150 are injured. The very next morning, Teesta Setalvad and Rahul Bose visit Ahmedabad on behalf of CJP to condemn this inhuman act, to extend CJP's condolences to the family members of those who died and show solidarity with the survivors. Subsequently CJP raises Rs.1.32 lakh, which is spent in providing relief to 12 of the affected families. CJP had similarly appealed for funds to assist the next of kin of the victims of the bomb blasts in Mumbai (July 2006) and in Malegaon (Sept 2006). In August 2004, CJP had intervened to ensure prompt compensation from the J&K government 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, in June 2004.

**November 2008: CJP response to 9/11**

CJP organises a large public meeting at St Xaviers College, Mumbai on December 4, 2008 to condemn the attack on Mumbai by Pakistan-based terror groups, condole the loss of precious lives and to consider the role citizens could play in the fight against terrorism. Among other things, it is felt that citizens must raise money to augment the ambulance service in the city. This is because a large number of those injured by the terrorists had simply bled to death because they could not be rushed to hospital in time. Through two charity shows, money is raised within India and overseas to enable CJP to purchase two ambulances which have been operational in Mumbai since mid-2009.

**April 2006-2012: 'Criminal conspiracy for mass murder'**

In 2006, victim-survivor Ms Zakia Jafri, supported by CJP tries unsuccessfully to lodge a complaint of "criminal conspiracy for mass murder" against Narendra Modi and 62 other top politicians, civil servants and police officers with the Gujarat police. Following a long, tortuous process, in April 2009, SC directs SIT to "examine" the 2006 complaint of Mrs Jafri and report back to the court. In response to repeated complaints by Ms Jafri/CJP on the manner of SIT's functioning, the apex court appoints an amicus curiae. Briefly put, in September 2011, the Supreme Court directs SIT to file its closure report (also called charge-sheet) before a magistrate's court in Gujarat. Significantly while the amicus curiae has taken the view that there is enough prima facie evidence for prosecution of Modi and a few others, SIT has claimed before the magistrate there is not enough evidence for trying them. As things stand at present, Ms Zafri has the right and proposes to file a "protest petition" before the magistrate.

**September 2011-August 2012: The guilty get punished**

As already mentioned on the front page, following completion of trials, separate courts have delivered their judgments in the Sardarpura, Ode (2 cases), Deepda Darwaza and Naroda Patia cases in which among those convicted, 111 have been sentenced to life imprisonment. For the first time ever perpetrators of mass crimes are being severely punished.

## FRIENDS OF CJP

CJP has handled 68 cases in all during the last 10 years: from the lower courts in Gujarat to the Supreme Court. Well over 550 witnesses, most of whom are victim-survivors, have been given legal support during this period. CJP has also been active in mobilizing relief for victims of terrorist acts. (For details please see pages 2 and 3).

In the last three financial years, CJP's budget has ranged between Rs 54-61 lakh per annum. Our budget for the coming 3-4 years is projected to range between Rs 60-65 lakh per annum (about US \$ 120,000).

**Join us now**, be a part of the struggle for justice for victims of mass crimes, join the 'Friends of CJP' community.

## DONATIONS

Citizens For Justice & Peace is a Trust registered under The Bombay Public Trusts Act, 1950 with Registration No. F-25826/(Mumbai).

Donations to Citizens For Justice & Peace are exempt from Income Tax under Section 80-G of the Income Tax Act, 1961.

CJP is registered under the Foreign Contributions Regulation Act (FCRA), 1976. Regn. No. 083781100

### For offline donations:

(1) Cheques and DDs should favour "**Citizens for Justice and Peace**" and posted at our address given at the bottom of this page. Or,

(2) You may deposit cash or cheque in any branch of the IDBI Bank in India, in the name of '**Citizens for Justice and Peace**', SB A/c No. **014104000105705** with the IDBI Bank, Khar (W) Branch, Mumbai. Or,

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For further information, feedback please write to Javed Anand: [javedanand@gmail.com](mailto:javedanand@gmail.com), [cjvindia@gmail.com](mailto:cjvindia@gmail.com); SMS/call on the landline numbers at the bottom of this page or on **+91 9870402556**.

## CJP INCOME AND EXPENDITURE

Financial year	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012
Indian Rupees	INR	INR	INR	INR	INR
Expenses on objects of CJP	2,956,345	4,519,768	5,346,567	5,132,827	4,690,119
Establishment Expenses	313,892	402,066	524,474	569,014	483,157
Surplus/deficit during the year	-898,412	1,689,842	-651,121	-1,596,503	-172,185
Establishment exps. as % of total exps.	10.62%	8.90%	9.80%	10.09%	10.30%

Figures for the financial years 2007-2011 from the audited accounts of CJP. The finalised accounts for the financial year 2011-2012 await the auditor's signature.

Published for private circulation by **Citizens for Justice and Peace (CJP)**; Nirant, Juhu Tara Road, Juhu, Mumbai - 400049. Ph: 2660 2288 / 2660 3927 Fax: 26608252 email: [cjvindia@gmail.com](mailto:cjvindia@gmail.com) website: [www.cjponline.org](http://www.cjponline.org)

## Thank God for Teesta Setalvad and the Supreme Court...

— **MJ Akbar**, editor-in-chief, The Asian Age, column on Best Bakery verdict, February 2006.



**The (Best Bakery verdict is a ringing endorsement of the role played by sections of the media, civil society, organisations and individuals, especially Teesta Setalvad who, unfazed by vicious propaganda, stayed the course.**

— **The Indian Express**, editorial on Best Bakery verdict, February 2006

## To our lawyers, thank you!

CJP is extremely grateful to top notch lawyers in the country who have handled our various cases, PRO BONO, since 2002:

Mr Shanti Bhushan, Mr. Kapil Sibal, Mr Anil Divan, Mr Harish Salve, Mr. P.P. Rao, Mr. M.S. Ganesh, Ms Kamini Jaiswal, Mr. Sanjay Parikh (in the Supreme Court); Mr Aspi Chinoy, Mr. Navroze Seervai and Mr. Gautam Patel and Mr. Mihir Desai (all Mumbai-based, in the Gujarat High Court and CAT); The backbone of our legal struggle since 2002 have been Mr. M.M. Tirmizee in Gujarat High Court, Ms. Aparna Bhatt and Mr. Ramesh Pukhrambam in the Supreme Court.

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