

## Nanavati panel term extended

New Delhi: The Union cabinet on Wednesday decided to extend the term of the Nanavati Commission, by a month, defence minister Pranab Mukherjee said.



**P Mukherjee** defence minister Pranab Mukherjee said.

The Commission, probing the 1984 riots in Delhi in the aftermath of assassination of Indira Gandhi, was set up on October 3, 2000 and its term was to expire on December 31.

The panel has almost completed its job and it is in the process of writing its report, he said.

An official spokesman said the Nanavati Commission would bring out the sequence of events leading to and all the facts relating to the large-scale violence and anti-Sikh riots. The inquiry, she said, was aimed at infusing a sense of security in the public and the Sikh community. PTI

30 DEC 2004

THE TIMES OF INDIA

# Kalyan sees Babri as 'act of God'

OUR LEGAL  
CORRESPONDENT

New Delhi, Dec. 3: Kalyan Singh today stated before the Liberhan Commission that the Babri Masjid demolition was "an act of God" and retracted his earlier statements accusing three senior BJP leaders of "conspiracy".

"It (demolition) was the spontaneous act of the *kar sevak*s and there was no role of his (Singh's) government nor any other governmental agency" and "the reaction was an act of God", said Singh's "corrected affidavit" filed today before the panel.

Stating that the affidavit filed today should be considered the real one, Singh said he had made accusatory statements on the role of Atal Bihari Vajpayee, L.K. Advani and Murli

Manohar Joshi in the demolition out of "avesh (anger)".

The former Uttar Pradesh chief minister said he was angered by news reports that the BJP-led National Democratic Alliance government had told the panel last year that his state government had failed to arrange for the mosque's protection on December 6, 1992.

"This statement of the counsel for the central government was wrong and badly hurt the deponent (Singh)," the affidavit said.

"In that reaction and anger, the deponent might have said before the media that there was a conspiracy between Shri Atal Bihari Vajpayee, L.K. Advani and Murli Manohar Joshi etc to demolish the disputed structure."

"The deponent has no knowledge, information or evide-

nance to support the above allegations," the affidavit added.

The Congress poked fun at BJP leaders for their tendency to invoke "divinity". Advani had at a recent meeting in Ranchi said his party is "real-ly the chosen instrument of the divine to take the country out of its present problems".

Congress spokesperson Anand Sharma said "if that is the case, it was also the divine wish as to what happened on May 13 (results of Lok Sabha polls that the BJP-led alliance lost)".

Singh's affidavit was filed in response to former Bengal chief minister Jyoti Basu's production of an audio-video tape before the commission last year to contend there was a pre-planned move to demolish the mosque.

The tape, played before Sir-

gh yesterday at the panel, showed him at a Calcutta rally in 1993 purportedly saying that he had "no regrets" over the demolition.

Since the demolition was "an act of God", Singh's affidavit said he had "no repentance, no sorrow and no grief for that (demolition)" and he had conveyed this to his listeners at the Calcutta rally.

Singh said he had taken all security measures to protect the mosque but made no bones of his view that he was for the construction of a Ram temple in Ayodhya. Lord Ram is the symbol of "Bharatiyata (Indianness)", the affidavit said.

05 DEC 2004

THE TELEGRAPH

# SC notice to Raja Bhaiyya, UP

## Kalyan faces Liberhan

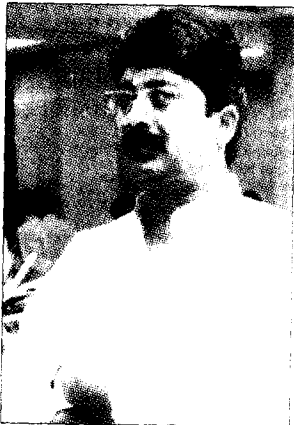
**Our Legal Correspondent**

NEW DELHI, Nov. 17. — The Supreme Court (coram, Aggarwal, Balasubramanyam, JJ) today issued notices to the Uttar Pradesh food minister, Mr Raja Bhaiyya, on a Special Leave Petition challenging the state Pota review committee's decision to drop all Pota charges against the MLA.

The two-member state review committee, headed by retired High Court judge Mr Naseemuddin, had in a decision on 30 April 2004 held that no prima facie case was made out against either Raja Bhaiyya or his father and brother and had directed the state government to release them forthwith. "No case is made out against the applicants under Pota and no prima facie case is found

under Sec 3 and 4 of the Act against any of them," the committee had said.

Police had charged Raja Bhaiyya under the Arms and Explosives Act and the Prevention of Terrorism Act. Today's SLP was filed by Sk. Shukla, brother of slain trade union leader Ajit Sarkar. Raja Bhaiyya is a key accused in the main case relating to the matter.



**Our Legal Correspondent**

NEW DELHI, Nov 17. — Former UP chief minister, Mr Mulayam Singh Yadav, today appeared for the first time before the Liberhan commission inquiring into the Babri Masjid demolition, but sought more time to make a statement on the happenings at Ayodhya on 6 December 1992.

The commission accordingly adjourned the proceedings to 2 and 3 December when Mr Singh undertook to depose before it.

As soon as the hearing began today, Mr Singh's counsel, Mr BB Saksena, moved an application seeking more time to allow Mr Singh to "study the records of the case".

The Ayodhya commission had earlier asked Mr Singh to appear before it as a commission witness on 6 November.

18 NOV 2004

THE STATESMAN

# তহলকা তদন্তের ভার পেল সি বি আই

স্টাফ রিপোর্টার, নয়াদিল্লি, ৪ অক্টোবর: ফুকন কমিশনের হাত থেকে সরিয়ে নিয়ে তহলকা তদন্তের ভার সি বি আই-এর হাতে তুলে দিল মনমোহন সিংহের সরকার। আজ কেন্দ্রীয় আইনমন্ত্রী এইচ কে ভরদ্বাজের এই ঘোষণার সঙ্গে সঙ্গেই সরকার ও বিরোধী পক্ষের মধ্যে চাপানউতোরও শুরু হয়ে গিয়েছে। গত সরকারের আমলে নিযুক্ত ফুকন কমিশনের মেয়াদ আজই শেষ হয়ে গেল। মন্ত্রিসভার রাজনৈতিক বিষয়ক কমিটিতে সিদ্ধান্ত হয়, এই মেয়াদ আর বাড়ানো হবে না। তার বদলে, সি বি আইকে দায়িত্ব দিয়ে বলা হয়েছে, যে সব ব্যক্তির নাম তহলকা-কাণ্ডের সঙ্গে যুক্ত, প্রয়োজনে তাঁদেরও জেরা করা যেতে পারে। যত দ্রুত সম্ভব তদন্ত শেষ করে রিপোর্ট জমা দেওয়া হবে বলে জানিয়েছেন ভরদ্বাজ। এর ফলে অধোধ্যায় পাশাপাশি তহলকার মতো বিতর্কিত বিষয়ও চলে এল সি বি আইয়ের আওতায়। 'দাগি' মন্ত্রীদের বিষয়ে বিজেপি যখন আরও আক্রমণাত্মক হওয়ার কৌশল নিয়েছে, ঠিক তখনই তহলকাকে সিবিআইয়ের হাতে তুলে দেওয়া হল। ফলে বিজেপি নেতৃত্বের আশঙ্কা, 'দাগি' মন্ত্রীদের বিষয়ের পাল্টা হাতিয়ার হিসাবে এই তদন্তকে ব্যবহার করতে পারে কংগ্রেস।

ফুকন কমিশনের মেয়াদ না-বাড়ানো অথবা নতুন কোনও বিচারবিভাগীয় কমিশন গঠন না করে উল্টে সিবিআইয়ের হাতে তদন্তের ভার তুলে দেওয়ায় স্বাভাবিকভাবেই বিতর্ক সৃষ্টি হয়েছে। সরকারের ব্যাখ্যা, কমিশনের কাজকর্মের মধ্যে একটি দীর্ঘসূত্রিতা রয়েছে। তা ছাড়া, এই কমিশন গঠন করা হয়েছিল বাজপেয়ীর জামানায়। এই বিষয়টির দিকে ইঙ্গিত করে ভরদ্বাজ বলেছেন, "আগের সরকার তদন্তের মোড় ঘুরিয়ে দেওয়ার চেষ্টা করেছে কারণ তারা ইচ্ছে করেই টিলেমি চাইছিল, যাতে তৎকালীন প্রতিরক্ষামন্ত্রীকে আড়াল করা যায়।" এই তদন্তের কাজ প্রথমে শুরু হয়েছিল বেক্টস্বামীর অধীনে। কিন্তু বিজেপির কাছ থেকে বেক্টস্বামী সুবিধা নিয়েছেন, এই অভিযোগে কংগ্রেস সংসদে প্রবল হেঁচকি করে। ক্ষুব্ধ বেক্টস্বামী ইস্তফা দেওয়ায় এক সদস্যের কমিশনের দায়িত্বে আসেন প্রাক্তন বিচারপতি ফুকন। ভোটের আগে কংগ্রেস ফুকন কমিশনের নিরপেক্ষতা নিয়েও প্রশ্ন তুলেছিল।

অন্য দিকে, সি বি আই প্রধানমন্ত্রীর অধীনে রয়েছে। ফলে তদন্ত দ্রুত শেষ করার জন্য সরকারের পক্ষ থেকে সিবিআইকে নির্দেশ দেওয়া সম্ভব। কিন্তু কমিশনের ক্ষেত্রে অতীতে এমন সময়সীমা বেঁধে দেওয়ার কাজ অনেকক্ষেত্রে একেবারেই সফল হয়নি। এই দৃষ্টান্তের কথা বলে সরকারি সিদ্ধান্তকে বিজেপি 'রাজনৈতিক উদ্দেশ্যপ্রণোদিত' বলে

এর পর সাতের পাতায়

## তহলকা-তদন্ত

প্রথম পাতার পর বর্ণনা করেছে। বিজেপির সাধারণ সম্পাদক অরুণ জেটলির বক্তব্য, "বিচারবিভাগীয় তদন্ত কমিটিকে বাদ দিয়ে প্রশাসনিক সংস্থার হাতে তদন্তের ভার দেওয়া হল, যাতে সরকার তদন্তের উপরে ছড়ি ঘোরাতে পারে।" কংগ্রেসের মুখপাত্র অভিষেক সিংহি এর পাল্টা জবাবে বলেছেন, "তদন্ত করবে দেশের সেরা সংস্থা। ফলে বিজেপি কেন তার উপরে ভরসা রাখতে পারছে না?"

আইনমন্ত্রী ভরদ্বাজ আজ বলেছেন, মন্ত্রিসভার রাজনৈতিক বিষয়ক কমিটি সিদ্ধান্ত নিয়েছে এস এন ফুকন কমিশনের মেয়াদ আর বাড়ানো হবে না। এই কমিশনের মেয়াদ আজই শেষ হয়ে গিয়েছে। এবার সি বি আই নিরপেক্ষভাবে এই ঘটনার তদন্ত করবে। সাংবাদিকেরা যে গোপন ভিডিও টেপের মারফত ঘটনাবলির রেকর্ডিং করেছিল, সেই সব টেপ সরকার সিবিআইকে দেবে। তিনি আরও জানিয়েছেন, কী ভাবে এক আই আর করা হবে বা তদন্ত এগোবে, তা একান্তই সিবিআইয়ের ব্যাপার। সরকার চাইছে সিবিআই দ্রুত এই তদন্ত শেষ করুক। জয়া জেটলি এবং জর্জ ফার্নান্ডেজের নাম না-করলেও তাঁদের দিকে প্রশ্ন তুলে ভরদ্বাজ বলেছেন, "একজন সাধারণ ব্যক্তি কী করে প্রতিরক্ষা মন্ত্রীর সরকারি বাংলা থেকে তাঁর কাজকর্ম চালাতে পারেন? সরকার কেন সেই মন্ত্রীকে নিয়ে কোনও তদন্ত করল না?" অন্য একটি প্রশ্নের জবাবে ভরদ্বাজ বলেছেন, কোনও ঘটনার তদন্তকারী সাংবাদিকদের যাতে তহলকার সাংবাদিকদের মতো হেনস্থা না হতে হয়, তার জন্য আইন গঠনের কথা ভাবছে কেন্দ্র।

# Scrapping Commission diversionary, says BJP

Special Commission  
51-5  
Army almost home

the country's premier investigation agency ; the probe will ascertain the truth, the accused will either be punished or acquitted."

NEW DELHI, Oct. 4. — The BJP condemned the UPA government's decision not to extend the term of the Justice Phukan Commission inquiring into the Tehelka expose and setting up a CBI inquiry instead. The party said the move was "politically motivated" and was intended to divert people's attention from the issue of tainted ministers raised by the NDA.

Launching a counter-attack on the BJP, the Congress said, "why did the BJP not lodge an FIR in the case over the last four years, why are the BJP leaders now trembling in fear when a criminal inquiry is on the cards."

Holding that the Congress does not believe in "politics of vendetta", the AICC spokesman, Mr Abhishek Singhvi, said: "It's going to be an independent and fair probe by

the country's premier investigation agency ; the probe will ascertain the truth, the accused will either be punished or acquitted."

The BJP general secretary and spokesperson, Mr Arun Jaitley, however, sought to know if the CBI would now try to revoke the findings of the interim report submitted by the Commission. A decision to replace a judicial inquiry before it has completed its task by a CBI probe was never taken before, he said. This may lead to "gross miscarriage of justice", he added.

By asking an executive agency to take up the inquiry, the Congress-led UPA had almost accepted that the allegations against NDA leaders were not sustainable, he said.

The Congress questioned the BJP's "face and morality" for criticising the government's action. "The NDA-BJP leaders had been trying to delay the

the country's premier investigation agency ; the probe will ascertain the truth, the accused will either be punished or acquitted."

NEW DELHI, Oct. 4. — While the Venkataswami Commission and its successor, the Phukan Commission spent a lot of time examining the Tehelka tapes and holding hearings, the Army is almost home, having assessed the tapes to be true and then, taken suitable action against the erring officers.

First, the Army appointed a commission headed by Lt-Gens Matthew Mammen, currently the Army's senior-most engineer, and including other widely-respected officers including Lieutenant-General Mohinder Puri, now the military secretary. As one senior officer who looked at the tapes said: "They are absolutely genuine, not faked at all."

Then began the court of enquiry against three officers — Major-General PSK Choudhry, Brigadier Iqbal Singh and Colonel Anil Sehgal. It is a long process, a senior officer said, but it has to

be gotten through. The COI was completed and after that began the summary of evidence. Even that is now over and the court-martial, the final stage in the disciplinary process, is going on. If the officers are found guilty, they will most certainly be dismissed from service. Major-General Choudhry has already admitted before the television cameras that he took Rs 1 lakh from the Tehelka undercover reporters. Brigadier Iqbal Singh has got a stay from the Delhi High Court even though the court-martial officials had assembled. Colonel Sehgal's court-martial is also continuing.

As a senior army official said: "If they are guilty, we shall take immediate action. Even recently, we have court-martialled a brigadier for selling canteen liquor at high prices in the open market. The guilty will be punished as in the Kokrajhar rape case." — SNS

# Probe graft not ethics, panel told

Press Trust of India  
New Delhi, October 1

IN A statement which will have a far-reaching consequence, the Centre on Friday today told the Commission of Inquiry probing the Tehelka expose on alleged corruption in defence deals that the question of journalistic ethics of the web portal fell outside its scope and ambit even as there was no word yet on the extension of its term expiring on Sunday.

The scope of the Commission's inquiry was only limited to whether the allegations (that people shown in Tehelka's Operation Westend tapes had taken money to facilitate defence deals) are partially or wholly true, the Centre told the

Commission on Friday. Therefore, it said, the question of motive behind the journalistic exposure was not relevant and could not be the subject matter of inquiry of this Commission.

In the affidavit filed before the Justice S.N. Phukan Commission on behalf of Finance Ministry Joint Secretary D.P. Sengupta, the Centre said the allegations of violations (by stock broking firm First Global which allegedly funded the sting operation) of taxation laws, SEBI regulations, enforcement and other regulations also fall outside the scope of the Commission as it is being dealt by appropriate authorities.

The Commission then

## TEHELKA STING

fixed October 8 as the next date of hearing subject to the government extending its term.

On July 30, the Commission had allowed Army's request for the original tapes to prove charges against some of its officers allegedly figuring in the tapes.

The Army had requested the Commission to supply it the original tapes of the scandal "to prove charges against delinquent officers" Maj.-General (Retd) P. S.K. Choudhary and Col. Anil Saigal, who allegedly figure in the tapes.

Firing a salvo of accusations at the UPA govern-

ment for influencing the probe into Tehelka inquiry, JD(U) leader Jaya Jaitley on Friday said the Centre was attempting to save Tehelka.com and the First Global stock broking firm, which funded the expose on the arms deal.

She was reacting to the affidavit filed by the Centre before the Commission of Inquiry probing the Tehelka expose on alleged corruption in defence deals in which the government said the question of motives behind the journalistic exposure could not be the subject matter of inquiry.

"The truth would never be out if there was no probe into the journalistic ethics of Tehelka and the motive behind the making of the tape," she told rep-

orters after emerging from the proceedings of the Commission.

"It is obvious that the government is trying to save Tehelka and First Global," Jaitley, who figures in the tapes, said.

The Congress-led government was also indulging in "double standards" as the party demanded a full-fledged inquiry into the Judeo tape scandal, while at the same time in the case of the Tehelka tapes it was not going into why the tape was made, she said.

It was also strange that even at the last minute, there was no official information regarding the extension of the term of Justice Phukan Commission of Inquiry the leader said.

9-  
Special  
Covers  
H-1

# Summon two journalists, Lalu urges Liberhan panel

12/9

By P. Sunderarajan

**NEW DELHI, SEPT. 12.** The RJD president and Railway Minister, Lalu Prasad, today urged the Liberhan Commission, probing the Babri Masjid demolition, to summon two journalists who had "exposed" the role of the former Union Home Minister, L.K. Advani, the former Madhya Pradesh Chief Minister, Uma Bharti, and others in the case.

He told reporters that the two journalists — Anita Pratap and

Jefferson K who were associated with the New York-based *Time* magazine — had, disguised as kar sevaks, witnessed the role of Mr. Advani, Ms. Bharti and others in the demolition and got it published in the issue of the magazine dated December 21, 1992.

It was the responsibility of the Commission to ask them to depose before it.

Displaying a copy of the magazine, Mr. Lalu Prasad said that since the Commission's tenure had been extended by another three months, Mr. Advani, Ms. Bharti, and others should be summoned afresh so that the truth would come out.

He reiterated the allegation he had made a week ago in Patna that Mr. Advani was an "absconder" in the case relating to a plot to kill Mohammed Ali Jinnah and said the former Home Minister should "come clean"

on that case also.

There were six accused, including Mr. Advani, in the case, the trial for which was held in Lahore, he charged.

All of them became absconders. Mr. Advani should clarify the position.

## 'BJP sidetracking issues'

Accusing the BJP and the Sangh Parivar of sidetracking real issues, he said that while Mahatma Gandhi was known to accept responsibility whenever he broke the Imperialists' law, the saffron leaders did not have the courage to do so and were afraid of prosecution.

Asked about the Left parties' criticism over the inclusion of representatives of the World Bank and Asian Development Bank in the Planning Commission's decision-making process, Mr. Lalu Prasad said the best talents within and outside the

country should be used for the country's development.

On the claim of the Deputy Station Superintendent of Patna Railway Station that he had lodged a complaint against BJP MPs, Sushil Kumar Modi and Lalmuni Chaube, under duress, Mr. Lalu Prasad said it made no difference as the fact remained that their associates had travelled in the train misusing their identity cards. He refuted the charge that the case was politically motivated.

## Cheap allegation: BJP

PTI reports:

Reacting to Mr. Lalu Prasad's charge that Mr. Advani was an "absconder" in the Jinnah case, the BJP president, M. Venkaiah Naidu, told reporters that "it is not worth responding to such cheap and dirty allegations."

Photograph on Page 11

# '84 riot probe judge stings Sajjan, Cong

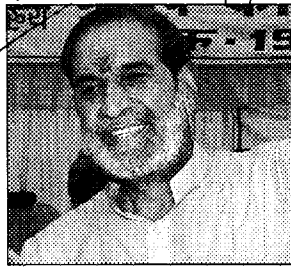
HT Correspondent  
New Delhi, September 7

THE CONGRESS has been warding off Opposition attack against "tainted" UPA leaders but now it would have to defend one of its own MPs, Sajjan Kumar, for evidence points to his involvement in the 1984 anti-Sikh riots.

Justice G.T. Nanavati, heading the probe into the riots, said today that evidence had been provided to him against Kumar, who was acquitted by a Delhi court in July 2003 and elected to the Lok Sabha in the last elections. The Nanavati commission has wound up its final hearings and will submit its report in September.

Nanavati also indicted ailing Congress leader H.K.L. Bhagat, saying he had found evidence of his involvement as well. "There is evidence against Sajjan Kumar and H.K.L. Bhagat. They were leading the mob and instigating the crowd," Nanavati told NDTV in an interview.

Kumar's indictment is likely to be used as a stick by the Opposition to beat the ruling coalition with. The BJP has disrupted Parliament proceedings, demanding the resignation of "tainted" UPA ministers. The Congress has hit back, charging George Fernandes, Uma Bharti and other NDA leaders with the same offence.



Sajjan Kumar

The Nanavati panel however, exonerated other Congress leaders, including Kamal Nath and Jagdish Tytler, saying no evidence had been found against them.

Kumar has, however, always denied the charges made by rights groups, among others, that he led mobs that killed innocent Sikhs. The Delhi Police had closed all cases against the Congress leader without filing a charge-sheet against him. The only case that is still open is one filed by the CBI on the basis of a complaint by Anwar Kaur, who had alleged that Kumar led a mob that killed her husband, Navin Singh, at Sultanpuri in west Delhi.

Reacting to Nanavati's interview, Congress spokesman Abhishek Singhvi said it was not proper for him to speak to the media before submitting his report. "It's surprising that just a few months before the conclusion of the inquiry, names are being mentioned."



# BJP pressured police, top cop tells Gujarat riots panel

HT-1 119  
9. Sep. 2004  
HT Correspondent  
Ahmedabad, August 31

BJP LEADERS pressured junior police officers to go soft in riot investigations, prompting them to disobey their superiors in the force, a former Gujarat intelligence chief told the Godhra probe panel today.

R.B. Sreekumar, who became the additional DGP (Intelligence) in Gujarat in April 2002, shortly after the February riots that year, told the Nanavati-Shah Commission that senior police officers in the state were "depressed" after the riots. He explained, "They were feeling handicapped in the performance of their duties as officers at the level of inspector were ignoring orders of higher officers due to instructions they were receiving directly from political leaders of



Sreekumar arrives to  
depose before the  
Nanavati-Shah panel

the ruling party."

Sreekumar said he was making this statement only in relation to investigation of cases and not about the riots that had happened before he became ADGP. He claimed privilege and declined to name these political leaders. The situation was remedied only after the first week of

May, he said, when officers — including police commissioners — were transferred after K.P.S. Gill was flown in to take charge of the situation.

Sreekumar himself was transferred from his sensitive post and put in charge of police reforms some time after he recommended, in a letter to the chief secretary, that action be taken against the VHP and Bajrang Dal for inciting communal hatred. He also contradicted former Gujarat DGP K.Chakravarthi's claims, saying the state Intelligence Bureau had been informed — five days before the Godhra carnage — by the Lucknow police about the return of *kar sevaks* from Ayodhya.

Chakravarthi had said in his affidavit as well as cross-examination recently that Lucknow police had not passed on such information.

# Nanavati panel seeks Alexander version

**Also asks ex-Cab Secy, home secy for comments on Gavai**

**EXPRESS NEWS SERVICE**  
NEW DELHI, AUGUST 26

**T**HE Justice G T Nanavati Commission today decided to seek comments from three retired bureaucrats on allegations made against them by former Lt Governor of Delhi, P G Gavai, that they delayed calling in

the Army during the 1984 Sikh massacre. The Commission said it would send questionnaires to the then principal secretary to the Prime Minister, P C Alexander, cabinet secretary Rao Saheb Krishnaswamy and home secretary MM K Wali.

In a statement filed before the Commission on August 20, Gavai alleged that these three had, in different ways,

disregarded his suggestions and delayed calling in the Army in the morning on November 1, 1984 when the killings had just begun.

The Commission, however, declined the request of the Carnage Justice Committee (CJC) to issue summons to the retired bureaucrats due to lack of time. The panel's term is due to lapse on November 2.

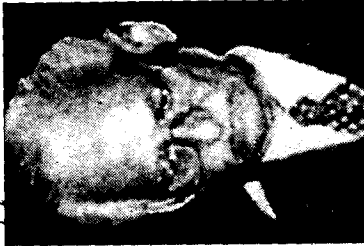
Justice Nanavati,

who is simultaneously conducting an inquiry into the Gujarat riots, indicated that he would not seek any further extension of the Delhi probe, which has been on for over four years. This means the submission of the inquiry report—the second on the 1984 carnage—will coincide with its 20th anniversary.

The earlier report, submitted by the Justice Ranganath Misra Commission in 1986, was widely alleged to have 'whitewashed' the role of the Rajiv Gandhi Government and the Congress in the violence that followed Indira Gandhi's assassination.

The Nanavati Commission is holding its last public sitting tomorrow, when it is due to hear the counsel for Gavai and two Union ministers, Kamal Nath and Jagdish Tytler, who had been issued notices for alleged complicity.

The Commission will also hear arguments on an application filed by the CJC over two years ago, seeking withdrawal of the President's gallantry medal from a senior police officer, Armod Kanth. Kanth had been honoured for arresting a Sikh family during the riots even though its members had said they fired from their own home in self defence.



**1984 RIOTS**

# Liberhan panel gives a last chance to UP govt

PRESS TRUST OF INDIA  
NEW DELHI, MAY 11

IRKED by Uttar Pradesh government's repeated tactics of seeking adjournment, the Liberhan Commission, probing the demolition of disputed structure at Ayodhya, today gave the state last opportunity to advance its arguments on the incident.

Warning that "the adjournment would not be granted under any eventuality", Justice M.S. Liberhan, Chairman of the Commission said: "The state is directed to express its opinion."

The Uttar Pradesh government was represented at the

Commission by its Advocate General Virender Bhatia and Advocate A.K. Srivastava.

Meanwhile, the All India Muslim Personal Law Board (AIMPLB), today said that it

## BABRI DEMOLITION

did not want to make any further submission. "We do not want to make any other oral submission than whatever we have already made during the previous hearings," AIMPLB's counsel Bahar-u-Barqi said.

The Board had earlier said it was unable to lay evidence whether there was a conspiracy to demolish the disputed structure on December 6, 1992. However, it had said that the incident was planned.

The Commission said after the conclusion of Uttar Pradesh government's arguments, counsel for respective party will be heard and fixed the next date of hearing for May 24.

The Commission which was constituted immediately after the demolition of the Ramjanambhoomi Babri Masjid structure is hearing the final arguments from the contesting parties.

# SIT to grill Vilasrao in Telgi case

## Likely to recommend action against guilty IPS officers

HTC & Agencies  
Pune, February 11

THE SPECIAL investigating team (SIT) probing the Telgi stamp paper scam will question former Chief Minister Vilasrao Deshmukh and former Deputy Chief Minister Chhagan Bhujbal.


The SIT is also likely to recommend departmental action against some serving and retired police officers, who have been grilled in the probe, or whose links have been established with the scam. "The findings of the scientific tests have to be verified and we may question some more people in this connection", a SIT official said.

Stamp scam kingpin Abdul Karim Telgi has reportedly confessed to having paid off former Deputy Chief Minister Chhagan Bhujbal and claimed that Vilasrao Deshmukh had helped him get a license. Telgi has undergone three types of truth checks, which include a lie-detector test, truth serum test and a brain-mapping test. However, most countries do not accept the results of these tests as evidence.

In his statement, Telgi reportedly said Deshmukh and the Samajwadi Janata Party MLA Anil Gote helped him get a stamp paper license in 1994 — a charge refuted by Gote, who claimed the government is involved in a cover-up and is trying to protect Bhujbal. However, Maharashtra Chief Minister Sushil Kumar Shinde has said there is no proof against Deshmukh or Bhujbal. "The investigations are still on. Deshmukh has said he'll cooperate fully", said Shinde.

Meanwhile, the special court on Wednesday deferred the hearing of the bail application of Deputy Commissioner of Police (DCP) Pradeep Sawant. The hearing was deferred as prosecution sought time to sub-

**NEEDLE OF SUSPICION**



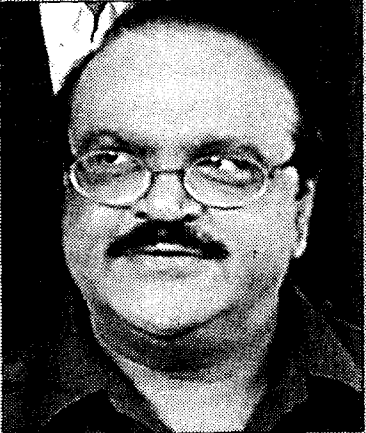
**Vilasrao Deshmukh**  
*In the eye of the storm*

**Court cases**

**FEBRUARY 9:** Abdul Karim Telgi admits bribing R.S. Sharma

**FEBRUARY 10:** Pune court hears DCP Pradeep Sawant's bail plea. Startling 'disclosure': Telgi implicates Deshmukh

**FEBRUARY 11:** IPS officer suspended



**“It was I who initiated, and pursued, cases against Telgi. So, his brain is bound to generate vibrations and send out strong signals at the mention of my name. And brain-mapping is not acceptable in the court....”**

**— CHHAGAN BHUJBAL**

mit arguments. Sawant was arrested on January 7 in Mumbai under the Maharashtra Control of Organised Crime Act (MCOCA) for allegedly shielding Telgi.

A Mumbai court is also expected to hear former Mumbai Police Commissioner R.S. Sharma's challenge of the appointment of S.S. Suri as SIT chief. In Bangalore, the CBI is trying to get court permission to interro-

gate Telgi, who is in a Bangalore jail.

Meanwhile, former Deputy Chief Minister of Maharashtra and senior NCP leader Chhagan Bhujbal has questioned the veracity of the narco-analysis and brain mapping carried out on Abdul Karim Telgi and questioned the legal veracity of the SIT report. Bhujbal also said he would submit further proof of other people involved in the stamp scam.

Parts of the report of the brain mapping conducted on Telgi had shown results that could implicate Bhujbal as a beneficiary of Telgi's stamp scam. The investigating officers had reached this conclusion based on the changes in signals emanating from Telgi's brain after being asked questions about Bhujbal.

Addressing the media in Mumbai on Wednesday, Bhujbal said such tests were not acceptable in a court of law and not considered authentic anywhere in the world. "Narco-analysis and brain mapping is not acceptable in a court of law. It's not admissible evidence. Such tests aren't accepted anywhere in the world", Bhujbal said.

Bhujbal also claimed it was he who had destroyed Telgi's empire. "It was I who initiated, and pursued, cases against Telgi. So, his brain is bound generate vibrations and send out strong signals at the mention of my name", Bhujbal said.

Bhujbal also accused Anil Gote, who is said to have helped Telgi enormously with his political contacts, of funding the attempt to topple the Vilasrao Deshmukh-led Maharashtra government in June 2002. "The funds for this came from Gote and the six people involved in the whole episode have links with Gote and Telgi. Gote is the *jigri dost* of BJP leader Gopinath Munde and used this connection to secure things for Telgi from the Centre", Bhujbal said.

Meanwhile, Maharashtra Chief Minister Sushilkumar Shinde said on Wednesday that the Congress would cooperate as a party and government in any inquiry by the SIT in this matter. Telgi's brain-mapping had shown results implicating senior Congress minister Ashok Chavan. On the other hand, Vilasrao Deshmukh has said he will cooperate with the SIT inquiry.

IN CAMERA ON BABARI-EVE

# Liberhan

# looks at Atal tape

Statesman News Service

## Amrinder buzzes PM

NEW DELHI, Feb. 9. — The Liberhan Ayodhya Commission, probing the sequence of events leading to the Babari Masjid demolition, for the first time today viewed a video cassette showing Mr Atal Behari Vajpayee addressing a rally at Ayodhya, a day before the structure was razed.

In the cassette, supplied by the UP police intelligence, Mr Vajpayee was seen — and heard — telling his audience that he had wanted to go to Ayodhya, but was stopped by other leaders. (He also said he was unaware what would happen the next day, 6 December 1992, PTI adds).

Interpreting a Supreme Court order, Mr Vajpayee said though the court had banned *kar seva* at the disputed site, there was no such bar on *bhajans* and *kirtans*, which would require a *shami-ana* to be erected to take care of the people in winter. The cassette also contained excerpts of Mr LK Advani's address at the same rally.

The cassette, which has been with the commission for some time, was shown at the request of the then DM and SSP of Faizabad, Mr RN Shrivastava and Mr DB Roy. Appearing for the two, lawyer Mr IB Singh said security at the disputed site on 6 December 1992 was "not insufficient". "That the structure was demolished could not be a scale to determine that security was insufficient."

He also accused the then Union government of Mr PV Narasimha Rao of confining the commission's terms of reference to probing the events till 6 December. The cut-off date should have been 8 December since construction of the makeshift temple at the disputed site continued till that date. "The events of 7 and 8 December are not covered though they were in continuity," Mr Singh said.

NEW DELHI, Feb. 9. — In a major security breach, a Punjab government plane carrying chief minister Mr Amrinder Singh flew dangerously close to the Prime Minister's residence this evening.

The Beach King aircraft flew very low around 5 p.m. over the area that has been a "no-fly zone" ever since the 9/11 attacks in the USA. Investigation by intelligence agencies revealed that the pilot had deviated from his path en route to Safdarjung Airport because of birds on his flight path. — SNS

Details on page 5

# Speaker rejects Cong demand on Bofors

HT Correspondent  
New Delhi, February 5

THE LOK Sabha Speaker on Thursday ignored the Congress demand to put on record the Delhi High Court judgment absolving Rajiv Gandhi and his family in the Bofors case.

Immediately after the House met on Thursday, Congress member Shivraj Patil demanded that the final verdict of the high court be made part of the proceedings since the accusations against Rajiv and his family formed part of the record.

"Serious accusations had been flung at Rajiv and his family, who had been tortured in the most despicable manner since 1987," Patil said.

Even before Patil could complete his statement, BJP and Shiv Sena members made a counter-demand that the report of the Phukan panel clearing George Fernandes be also placed on record.

The Opposition members objected to the BJP-Sena demand, saying that the commission report was only an interim one. The Congress members also

## Record row

Shivraj Patil demanded that the HC verdict be made part of the LS proceedings since the accusations against Rajiv and his family formed part of the record

BJP and Shiv Sena made a counter-demand that the report of the Phukan panel clearing George Fernandes be also placed on record



Rajiv Gandhi

raised objections over what they perceived as "equating of the HC with a judicial commission."

Once the Congress leader finished his statement amid considerable

din, the Speaker directed that the Question Hour be taken up. This put an end to the early morning controversy and also the Congress's demand.

In Rajya Sabha, the Congress members disrupted the proceedings for 30 minutes demanding an apology from the government after Arun Jaitley said the CBI could consider moving a higher court in the Bofors case.

In response to Congress member Arjun Singh's contention that the House should concur with the fact that Rajiv was unnecessarily persecuted for 17 years, Jaitley said it was not an appropriate occasion to make such a mention as the CBI could consider moving a higher court in this regard.

Following this, agitated Congress members asked the government to apologise for tarnishing the image of the Gandhi family. When Kapil Sibal started to speak, Jaitley said he should bear in mind that he was a counsel for the Bofors case. Sibal pointed out that Jaitley too was a counsel in the case in which he appeared for the prosecution.

# Liberhan to resume hearing

HT Correspondent  
New Delhi, Jan 16

THE LIBERHAN Commission - probing incidents relating to the Babri mosque demolition - has decided to resume final arguments from January 30, while keeping open the option of examining former Uttar Chief Minister Kalyan Singh.

In an order passed by the panel here on Friday, its Chairman Justice M.S. Liberhan said: "Without prejudice to its stand before Delhi High Court on summoning and examination of Kalyan, counsel for the parties are directed to resume the final arguments and file written submissions to conclude the arguments by February 25 since no adjourn-

ment would be given under any circumstances".

He further observed that, in view of the government notification extending the panel's term only upto March 31, 2004, and the stay order granted by the High Court in the writ petition filed by Kalyan, the commission is compelled to hear resumed arguments from the stage where they were adjourned on the request of counsel for the parties other than that of the Union government.

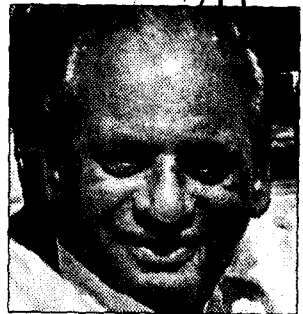
"In case Kalyan is examined by the panel at any stage, the parties would be at liberty to address additional arguments in the light of his testimony or of any other person", the commission further said.

Centre's counsel Lala

Ram Gupta, who had concluded the final arguments, said he would add to the arguments only if Kalyan was examined.

It may be recalled that the High Court had, on November 21, 2003, restored Kalyan's petition against his summoning by the panel. The court had directed the panel not to take coercive steps to force the former Uttar Pradesh Chief Minister to appear before it as witness till the petition was disposed of.

The commission had issued summons to Singh following his public statement alleging that there was a big conspiracy behind the demolition of the disputed structure. Singh has refused to depose before the commission as a witness on the



Kalyan Singh

ground that it will adversely affect his defence in the criminal case relating to the demolition pending in a CBI court in UP.

The petition, which has been restored, was dismissed as "infructuous" on April 1, 2003, after conclusion of recording of evidence by the commission.