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Item Type	Preprint
Authors	Engineer, Asghar Ali
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Download date	2026-07-16 00:54:16
Link to Item	http://hdl.handle.net/20.500.12424/188349

AN OPEN LETTER TO SIT CHIEF SHRI R.K.RAGHAVAN

(Secular Perspective May 16-31, 2012)

Dear Shri R.K. Raghavan,

We have been reading these days every day about your 'clean chit' to Shri Narendra Modi, the Gujarat Chief Minister about his responsibility about the Gujarat riots of 2002 in general and about the Ahsan Jafri brutal murder in Gulbarg Society, in particular. The Supreme Court had appointed you as chief of Special Investigation Team (SIT) putting full trust in your impartiality and integrity.

We also put full trust in you and were sure that your investigation will throw full light on the happenings of Gujarat riots and we will be able to judge, through your investigation, what is right and what is wrong. However, your investigations have raised storm of controversy and it is also surprising that you have given differing reports one in 2010 and another final closure report in 2012 finally giving 'clean chit' to Shri Narendra Modi.

What is more surprising is that in defending your investigation and its 'truth' you have defended Narendra Modi the way even BJP could not have defended or perhaps even Modi himself could not have defended himself. It appears as if you were appointed by the Gujarat Government and not by the Supreme Court of India. I read your point by point refutation of Shri Raju Ramchandran (Amicus Curie) 'views on your report.

The fact that the Supreme Court had to appoint Amicus Curie itself is a reflection of controversial nature of the Report. Shri Raghavanji, you were head of CBI, the prestigious investigation agency of our country and is the ultimate report of victims denied justice by other investigation agencies. One can hope for justice from CBI and not even from politicians. Politicians have their own logic. Whereas investigation agencies like the CBI are supposed to go strictly by the law of the land.

As a student of politics and as a political analyst I can tell you that what happened in Gujarat in 2002 had its own politics behind it. The BJP was loosing all elections even at local levels and lost even Assembly bye-election and had panicked as the Assembly elections were due in December 2002. The reason was several corruption scandals in which BJP members were involved had surfaced and people of Gujarat were very unhappy with its performance and BJP leaders feared its government will be thrown out in 2002 elections.

One easiest way in our country, to win elections, unfortunately, is to polarize the voters on caste and community basis and BJP was resorting it steadily to hide its corrupt practices and to win 2002 elections it had to do it on much larger scale and with much more intensification. It needed some event to do that and Godhra incident on 27th February 2002 in which 59 *Karsevaks* were burnt came handy to the BJP leaders.

The Godhra incident, as you must have known, itself is shrouded in mystery as to who did it? Was it done by those 120 people arrested by the Modi Government? The court verdict is not very supportive of conspiracy theory. The police had made Hussain Umarji as 'chief conspirator' but court found no evidence against him to declare him guilty. He was thus discharged by the session court. Some were held guilty but they were all poor vendors and could hardly plot a conspiracy to burn one coach of the train. This is not the place to go into

those details. Anyway whosoever was responsible the Modi Government got an opportunity to provoke riots against Muslims.

The fact that Government of Gujarat joined the *bandh* and allowed dead bodies to take out in procession itself is an indictment of Narendra Modi Government. No Government, worth its salt and interested in keeping peace would ever allow dead bodies to be taken into procession irrespective of who claimed the bodies. That is merely a technical problem. Real question is who gave permission to take the dead bodies out in the procession through the streets of Ahmedabad causing grave procession when all sorts of rumours were being spread and people were already agitated. As a police officer of such high rank you must be well aware of consequences of such a procession.

For your information Shri Raghavanji I have investigated all the major riots in this country from Jabalpur in 1961 to the Gujarat riots in 2002 and I am well aware of what government should or should not do when there is palpable tension in a town or a city. Government immediately imposes 144 and takes other steps to stop rioting and also tries its best to counter rumours.

The Modi Government did nothing. The Gujarati newspapers were carrying highly provocative articles and were publishing, most prominently, rumours as news and were also writing provocative editorials. You know there is something like Article 153 (A) in the Cr.P.C. under which action should have been taken against those newspapers but nothing of the sort was done and newspapers enjoyed full 'freedom' under the Modi Government to provoke riots.

You say there is no proof that in the high level officials' meeting Modi asked them to let Hindus to take out their anger and not to stop them. Okay though such a firm stands is controversial but even if it was so Modi is not culpable. But you go a step further and say even if he said this so what? He said this in a closed door meeting and so he is not culpable. Raghavanji how can you forget that he was not saying this to ordinary people in a closed door meeting but to high police and other officials who were responsible for controlling the riots? In fact it is worse than saying such a thing in a public meeting.

But it seems you are so keen to defend Narendra Modi that you are not taking such elementary things into account. And you know what happened in Gujarat in coming days. You also did not take into account the sting operation by Tehelka which had completely exposed Modi government how it had given them assurance of protection after committing heinous crimes of killing hundreds of innocent people. They also told the person carrying out sting operation that we were provided all hiding facilities by the Modi Government.

Sting operation is considered credible evidence in any court and it was on this basis that former BJP President Shri Bangaru Laxman was convicted by the Delhi Court. You should have taken sting operation into account at least for further investigation. Raju Ramchandran, the amicus curie, is of the opinion that whether Modi gave instruction to high police officials or not and whether Sanjiv Bhatt was present or not, should have been investigated further instead of dismissing Mr.Bhatt's claim. He could have been cross questioned but you did not consider this worthwhile.

You even found Narendra Modi not anyway responsible for what happened with Jafri and instead blamed Ehsan Jafri responsible for his death saying he fired on the mob. It is disputed

whether he fired or not and even if we accept for a moment the theory that he fired on the mob, tell me Raghavanji who will not try to save himself from such a violent mob when all your pleas fail? And when no one is ready to come to your rescue. I have investigated Gujarat riots and found how desperate was Jafri's position and about 60 other innocent persons who had taken refuge in his Bungalow. I am not a super cop like you but still possess certain faculties and can vouch for the position Jafri was in,

Even the People's Panel which was presided by a Supreme Court retired Judge, Justice Samant and Justice Suresh have falsified your claims. Both judges are men of known integrity they are, after all, judges and judge the investigations done by the men of your tribe i.e. the police. I personally talked to Justice Suresh and he was of the firm opinion that Narendra Modi was responsible for all that happened in Gujarat in 2002.

Also, in your 2010 closure report prepared by Mr. Malhotra, one of your colleagues, you had found some problems with Mr. Modi and had blamed him on some counts. *Tahelka* the well known fortnightly which is known for its exposures had published it and that report was closer to truth than your final one in 2012. *Tahelka* had also alleged that your to and fro trip to London for your personal work was paid for by the Gujarat Government. I do not know whether it is true or not but such an allegation against you is a serious matter.

I have spoken to many eyewitnesses of Gujarat riots of 2002 from police officers to victims to members of political parties to survivors of these riots and all of them have blamed Narendra Modi. I have also heard Modi's speeches which were video-recorded including the one in which he justified riots as per Newtonian law of equal and opposite reaction to action (though reaction in Gujarat by no means was equal but several hundred times more in number and in brutalities) and the one in which he calls relief camps as 'Baby-producing Factories'.

These speeches may not constitute hard evidence of his complicity in the riots but certainly indicate his mentality and his collusion. Apart from his collusion or not his failure to control riots itself places great moral responsibility on him. You also must have read in papers what Mr. A.B.Vajpayee said when he visited Ahmedabad after riots in 2012 that what face will I show when I go abroad and, addressing Modi, he said you must know your *rajdharm* i.e. your responsibility for governance. A chief minister who cannot stop riots for weeks and lets innocent people be killed in hundreds is not worth continuing. He not only continues but now takes out *sadbhavna yatras*.

Raghavanji, such people are not fit for multi-religious democratic governance who, for the sake of power, do not mind thousands being killed. We thought you will, as an honest officer, expose such politicians. But alas we were disappointed.

Yours sincerely,

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