

LETTER

TEESTA'S REBUTTAL

The report in the *The Times of India*, Mumbai edition dated April 14, 2009 and reportedly published prominently in all the newspapers editions titled "NGOS, Teesta spiced up Gujarat riots cases: SIT" is a clear example of 'black' reportage. It is a report aimed to deliberately distort and damage the reputation of a citizens' legal rights group working assiduously to ensure legal support to victims of the Gujarat carnage of 2002, (as also the victims of bomb blasts of 2006, 2009 and the Kandhamal victims).

The detailed report of SIT submitted to the Supreme Court on March 6, 2007 has not been available for study either to National Human Rights Commission (NHRC), the petitioners in this case, or the Citizens for Justice and Peace (CJP) who have intervened in this critical matter or to any in the media. In its written note that the Gujarat state circulated in court, the state had given its brief comments on the SIT report. In para four of this note the Gujarat government note refers to alleged statements made by some witnesses in the Gulberg case before SIT that name accused other than those named by them in the written statements that were (according to the state of Gujarat) given to them by Teesta Setalvad and advocates. This is the version of the Gujarat state.

The arrests of minister Dr Maya Kodnani and Dr Jaideep Patel in the past weeks were on the basis of SIT reinvestigations. Twelve FIRs filed by witnesses naming these accused in 2002 had been clubbed into a magnum FIR by the Ahrnedabad crime branch that had dropped the names of these powerful accused. The arrests of investigating officer KG Erda in the Gulberg case and of other policemen in the other cases over the past months has meant the claims of witness survivors and legal rights groups, prima facie, are valid.

That this was one of the issues why the court chose to appoint SIT, the full scale subversion of the process of justice, from the removal of names of accused who's names appeared in earlier statements simply because they enjoyed political patronage; the appointment of prosecutors with allegiances to the BJP and VHP which meant instead of promoting fair trial they were allegely sided with the politically powerful and protected accused.

More pertinently the tragic slaying of pregnant Kauser Bano at Naroda Patiya after slitting her womb was reported in *Deccan Herald*, (April 17, 2004) and *The Indian Express*, (March 23, 2005) among others apart from finding place in innumerable reports including the one authored by the Concerned Citizens Tribunal—Crimes Against Humanity 2002 headed by two Supreme Court judges, Justices Krishna Iyer and PB Sawant. Similarly the British national case was documented apart from being covered in *The Pioneer*, March 3, 2002 and *The Hindu*, April 23, 2002.

Besides several reports on the Gujarat genocide of 2002 showed the high level of state complicity in the violence including the "We Have No Orders To Save You"—State Participation and Complicity in Communal Violence in Gujarat (<http://www.hrw.org/reports/2002/india/>).

Identical allegations were made about Teesta Setalvad and the CJP during the course of the Best Bakery Trial.

--Citizens for Justice and Peace