

Date:13-12-2009

**Further Statement of Shri Ashok Narayan, s/o Late ShivNarayan,
aged about 65 years r/o 'Ghar' Block No. 852, Sector 8,
Gandhinagar- 382 007 (Mobile Phone No. 9727682889)**

In continuation of my earlier statement dated 12-12-2009, I further state that after the riots it was proposed by the DGP Shri K. Chakravarthi that Shri G.C. Raiger, the then Addl. DG (Int.) may be replaced by Shri R.B. Sreekumar, Addl. DG, Armed Units as he had a background of Intelligence Bureau and would have been in a better position to look after the intelligence duties in the State. The proposal was approved by the Chief Minister and Shri R.B. Sreekumar took over as Addl. DG (Int.) with effect from 9-4-2002.

Que. Please see a D.O. letter dated 19-4-2002 addressed by Shri P.C. Pande, the then Commissioner of Police, Ahmedabad City addressed to DGP with a copy to Addl.DG (Int.) as well as you about the alleged involvement of Minister namely Shri Bharat Barot in a rioting incident. What action was taken by you on this letter?

Ans. On receipt of this letter the matter was brought to the notice of Hon'ble CM. The CM assured that he would take necessary action in the matter. To the best of my recollection, I had personally spoken to the CM about the matter. However, no similar incident was reported later. It may be mentioned here that some time after the riots, I was sitting with the Chief Minister when a telephone came on my mobile phone from some police officer that the presence of one Shri Prabhasinh Chauhan, the then Minister in the Govt. was agitating a mob and that it would be better if the Minister moved out from there. I immediately brought the matter to the notice of the CM, who spoke to Shri Prabhasinh Chauhan and called him back. I don't recollect the date, the name of the police officer or even the place where this event took place.

Que. Please see a copy of the D.O. letter dated 22-4-2002 addressed to you by Shri P.C. Pande, the then CP, Ahmedabad to you with a copy to DGP and ADG (Int.). What action was taken by you on the said letter?

Ans. I have gone through the D.O. letter and I recollect having discussed the issues raised by Shri P.C. Pande, the then CP in his letter with the DGP as well as the CM. I emphasized upon the CM to prevail upon or use his good offices on the Sangh Parivar activists including VHP and Bajrang Dal to restrain them from indulging in such activities. However, the CM was non-committal and used to make public statements in a general manner that the State Govt. was committed to the safety and security of all the citizens living in Gujarat. I don't recollect having put up these references in file

Que. Please see a letter dated 16-4-2002 addressed to the DGP with a copy to you regarding the two pamphlets in circulations in large number in Gujarat for which action was proposed u/s 153-A & 153-B IPC after taking legal opinion from the Law Department. What action was taken on this communication?

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Ans. The issues raised by ADG (Int.) in this letter were discussed with the DGP. However, I don't recollect any action taken thereon. However, it may be added here that several such pamphlets were brought to the notice of DGP, myself and Chief Secretary but in such cases the name of the printer/publisher had not been mentioned. Accordingly, we had impressed upon the police to trace out the culprits responsible for these pamphlets but unfortunately no material could be collected in this regard, with the result no action would be taken in this regard.

Que. Please see a copy of the D.O. letter dated 24-4-2002 sent by Shri R.B. Sreekumar, the then Addl. DG (Int.) to you with a copy to DGP regarding the current communal scenario in Ahmedabad city. What action was taken by you on the said letter?

Ans. This letter contained general observations and concrete details were missing. However, the matter was discussed with the DGP in the light of the intelligence inputs received from ADG (Int.). DGP was requested by me to take action at his level as far as possible. I don't recollect having shown or put up this letter to the CM. However, the subject matter in general was discussed with the CM a number of times and he agreed to do whatever was possible at his level.

Que. Please see law & order assessment report sent by Shri R.B. Sreekumar, the then Addl. DG (Int.) on 15-6-2002 to Shri P.S. Shah, the then Addl. Secretary (law & order). What action was taken by you on these reports?

Ans. This law & order assessment report was called for in view of the Rath-Yatra which was likely to be held some time in July, 2002. Shri R. B. Sreekumar, the then Addl DG (Int.) was of the view that on the various grounds mentioned by him in his letter, the Rath-Yatra should not be taken out in the near future till an atmosphere of durable peace and goodwill between the majority and minority community was established. On receipt of this report, the matter was discussed by me with the CM, who was of the view that the Rath-Yatra could not have been stopped simply on the grounds mentioned by ADG (Int.) in his letter and that the police should make fool proof bandobast so that no untoward incident took place. Accordingly, the administration did not agree with the views of ADG (Int.) and Rath-Yatra was taken out in the year 2002 under police bandobast, and no untoward incident took place anywhere.

Que. Who appointed Shri K.P.S. Gill as an Adviser to the Govt. of Gujarat and what was the purpose of his appointment? What were the discussions held with him and the conclusions arrived at?

Ans. As far as, I know Shri K.P.S. Gill was appointed as an Adviser at the instance of Central Govt. to bring normalcy in the Gujarat State as the situation in the State was still tense and not normal. Shri K.P.S. Gill was appointed basically to advise the Govt. and the police department to take necessary steps to bring normalcy in the State particularly in Ahmedabad as the stray incidents of violence had continued. I had attended several meetings with Shri K.P.S. Gill, Retired DGP. Shri K.P.S. Gill also had several meetings with the police officers. The final

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meeting was held with the CM and it was decided that the police officers at different levels at Ahmedabad should be immediately shifted to bring the situation under control. This suggestion was agreed upon by the CM and the police officers at various levels including CP were shifted in May, 2002 and immediately thereafter, the situation improved and there were no incidents.

On 9-8-2002, Shri J.M. Lyngdoh, the then Chief Election Commission and the other two Election Commissioner Members held a meeting in order to assess the law & order situation in Gujarat to decide to pre-pone the election in the State. This meeting was attended by Shri G. Subba Rao along with DGP, Shri K.R. Kaushik, the then CP, Ahmedabad, Shri C.K. Koshy, the then Principal Secretary, Revenue, Shri P.S. Shah, Addl. Secretary (Home), Shri R.B. Sreekkumar, Addl. DG (Int.), Shri K. Nityanandam, the then Secretary (Home) and myself. As instructed by Shri G. Subba Rao, the then Chief Secretary, Shri Nityanandam, the then Secretary (Home) started his presentation but he was cut short by Shri Lyngdoh with the remarks that they were not interested in an elaborate presentation. Thereafter, I took over and assured the Commission that in case in the event of election being held in near future, the Govt. would be in a position to hold the same in a fair and free manner and the voter who wants to exercise his franchise shall be given due protection. DGP also gave his view point. In the meanwhile, Shri R.B. Sreekkumar, the then ADG (Int.) intervened and told the Commission that he had a different view point on the subject. Shri R.B. Sreekkumar, the then ADG (Int.) was of the view that the tension still prevailed in a large number of Talukas which had witnessed riots and that 154 Assembly Constituencies were affected. The Election Commission passed a detailed order on 16-8-2002 and differed with the views of the government. The Election Commission was of the considered view that it was not in a position to conduct a free and fair election in the State.

Que. Why did the State Govt. not project the correct position and put up an incorrect facts before the Election Commission to pre-pone the election in Gujarat State?

Ans. As far as the Home Department is concerned the facts were correctly presented on the basis of the reports received from the DGP. The Home department was not concerned whether the election should be held or not at that time, but it assured the Election Commission that given the necessary additional force from the Central Govt., law & order situation could be maintained and safety of the voter would be ensured, if elections were held in near future. I may also add that ADG (Int.) had maintained that 154 Assembly Constituencies out of 182 were affected by communal riots. To the best of my recollection, this figure was arrived at by applying yardsticks which were determined by the Govt. in Revenue Deptt. in relation to distribution of food grains and other items of relief including those received by the Central Govt. These yardsticks were understandably liberal. The

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number of constituencies affected by the communal riots in the context of law & order situation relevant to holding of election was less.

After the meeting with the Election Commissioner on 9-8-2002, I had told Shri R.B. Sreekumar, the then ADG (Int.) that in case he had a different perception about the law & order situation of the State from the DGP and the Govt., he should have told us before the meeting of the Election Commission and that he wanted to make his presentation separately. His action of contradicting the DGP, ACS (Home) and CS in an open meeting was not proper and did not sound of his being a disciplined officer. I don't know as to whether Shri G. Subbarao, Chief Secretary shouted at Shri Sreekumar after the meeting about having been badly let down or not.

Que. Please see a copy of the letter dated 20-8-2002 sent by Shri E. Radhakrishna, DIG to you with a copy to DGP and ADG (Int.). What action was taken by you on this report?

Ans. I can not specify the purpose for which the said report was called for any action on the part of Govt. and it contains only an analysis of law & order situation. However, I responded to the said letter vide my D.O. letter dated 9-9-2002 in which I had clearly informed Shri Sreekumar that his assessment of the law & order situation conveyed vide letter dated 20-8-2002 was not in tune with the feedback received from other agencies like Revenue, District Officials where there was a grass root presence of the Govt. I did state that some apprehension and a feeling of insecurity amongst the members of the minority community was understandable in isolated pockets from where incidents were reported but the same do not indicate the feelings of insecurity anymore. I also mentioned that Dhoraji's incident was an isolated incident and that communal incidents had come down drastically during the last few months. I disagreed with the views of Shri Sreekumar on the ground that no broad based inputs were relied upon by him before arriving at conclusion. Shri Sreekumar replied to my letter dated 9-9-2002 in which he stated that there was a perceptual difference between the Home Department and the State IB in assessment of communal scenario at the relevant time in the State and that the Election Commission had observed that the appraisal of the communal situation by the State IB was in consonance with the inputs received by the Commission. I did not enter into any further correspondence with Shri Sreekumar as he had already been transferred.

Que. Please see a law & order assessment report sent by Shri R.B. Sreekumar, the then Addl. DG (Int.) vide his letter dated 28-8-2002 to you with a copy to DGP. What action was taken by you on the said letter?

Ans. I can not recall the action taken by me on the said letter but the suggestions made therein seem to be logical and in the normal course action must have been taken by the Home department. However, I am not in a position to say anything unless I go through the relevant file.

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Today I have seen a copy of the letter dated 10-9-2002 sent by Shri Gurubachhan Singh, Joint Secretary to the Govt. of India, National Commission for Minority, New Delhi requesting the Chief Secretary to send the full text of the inflammatory speeches against the minority communities during 'Gaurav Yatra' as reported in the news paper dated 10-9-2002. This letter appears to have been received through fax and a copy thereof was sent to DGP as well as ADG (Int.) for doing the needful. In response to the same Shri R.B. Sreekumar had sent a report to me vide letter dated 12-9-2002. I can not recollect, as to whether I had asked DGP not to send any report in this regard but possibly the Home department had already received the text of the speech through State IB. However, despite written instructions sent to Shri Sreekumar a copy of the verbatim speech was sent to me on 16-9-2002. The verbatim speech of the CM made at Becharaji on 9-9-2002, had been received by Home Department and in the normal course the same must have been forwarded to the NCM. However, I don't recollect as to whether either CM or anyone else had asked me not to send the same. As a cumulative effect of all the aforesaid events, the CM decided to transfer Shri R.B. Sreekumar, as an Addl. DG (PRM) on 17-9-2002.

Today, I have been shown a copy of a personal register supposed to have been maintained by Shri R.B. Sreekumar, the then Addl DG (Int.). This register had been maintained by Shri Sreekumar in his personal capacity and can not form the official record as the same had never been submitted to any of the senior officers for their perusal/information. In view of this, the said register can not be taken as an authentic document because the entries had been made by him of his own will and at his convenience. However, on looking into the two entries dated 22-4-2002 (06:30 pm), I can say that such a meeting might have been called by the Chief Secretary. I don't recall that in response to the suggestion made by Shri R.B. Sreekumar to arrest Hindu leaders involved in the heinous crimes committed during the recent communal riots the Chief Secretary had stated, "such action was not possible immediately as it was against the policy of the State Govt." However, it was quite possible that the Chief Secretary might have said that the arrest being a legal matter should not be gone into by the Mohalla committees. I have gone through the note recorded by Shri R.B. Sreekumar in his register dated 28-6-2002 regarding the proposed Rath-Yatra on 12-7-2002. As far as, I recollect such a meeting was held and I attended the same. However, I don't recollect the views expressed by the different officers. I am not aware of any personal talks held between CS and Shri Sreekumar after the meeting. I have gone through the note dated 5-8-2002 recorded by Shri Sreekumar in his register regarding the presentation of data about communal incidents in the State between 27-2-2002 to 31-5-2002. In this connection, it is stated that I don't recall whether there was any such discussion on 5-8-2002 as entered by Shri Sreekumar in his register, but it is true that the DGP and the Home Department did not agree with the assessment of Addl. DG (Int.) pertaining to the law & order situation of the State in the contest of proposed elections at that time. I have also gone through the entry dated 8-8-2002

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made by Shri R.B. Sreekumar in his register, but I don't recall having informed Shri Sreekumar to remain present in the Election Commission meeting to be held on 9-8-2002. I certainly did not give any such instructions to Shri Sreekumar for not making comments or any presentation which would go against the formal presentation prepared by Shri K. Nityanandam, the then Home Secretary. I have also gone through the entry dated 9-8-2002 made by Shri Sreekumar in his register about the Election Commission meeting held on 9-8-2002. The note recorded by Shri Sreekumar about the proceedings held by the Election Commission is broadly true, but I can not comment upon the aspect of shouting by the Chief Secretary on him. As regard the other aspect of my annoyance with him, I have already stated the talks held with him as above. I have also gone through the entry dated 2-9-2002 made by Shri R.B. Sreekumar in his register. I don't recall having attended any such meeting and as such I am not in a position to confirm or deny the contents of the said entry. I have also gone through the entries made by Shri R.B. Sreekumar in his register on 11/12/13/15-9-2002, regarding the text of the speeches called for by National Commission for Minority. In this connection, I have nothing to say beyond whatever I have stated above.

Today, I have been shown the call details of the government mobile phone no. 9825037405 allotted to me by the Govt. of Gujarat from the period 27-2-2002 to 4-3-2002. At the out set, I may state that I don't recollect any of the numbers called by me or the numbers from which the calls had been received. However, on 28-2-2002, I had made/received many calls from police officials as well as government officials mainly from CP, Ahmedabad City in connection with the ongoing riots in the City. I do not recollect the talks held with them at this stage. It may be added here that I had received several distress calls from the public on my landline phone as well as my mobile phone but I am unable to decipher the same. I did not know Late Ahesan Jafri, Ex-MP and had never met him. Late Ahesan Jafri did not telephone me either on my landline or my mobile phone on 28-2-2002, to seek protection during the riots.

Read over and admitted to be correct.

Ashok Narayan
13/12/09

Before me
[Signature]
13/12/09
(A. K. MALHOTRA)
Member, SIT,
Gandhinagar

Typed by me

[Signature]
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(A. K. PARMAR)
PSI, SIT,
Gandhinagar