

Citizens for Justice and Peace

CJP Condemns Scurrilous Reportage

December 22, 2014

The Citizens for Justice and Peace, Mumbai expresses outrage at the deliberate and vicious mis-reporting of the current witch hunt at the instances of the Gujarat Police Crime Branch and as scurrilously reported by dubious media channels like India TV, IBN7 and newspapers like the *Pioneer* with clear links to the ruling dispensation.

As stated by us in repeated Press Statements since the lodging of the False FIR against two functionaries, Teesta Setalvad and Javed Anand as also three Survivors of the Gulberg Carnage of 2002 (Firoz Gulzar Pathan, Salim Sandhi and Tanveer Jafri), the statements recorded by the Crime Branch (from December 15-20, 2014) as a consequence of the Order of the Gujarat High Court dated December 5, 2014 would in the normal course have been recorded after the grant of anticipatory bail by the courts. The application for ABA has been pending before the Gujarat High Court since April and the High Court has in fact given all five persons including the human rights defenders protection against arrest.

The December 5, 2014 Order of the High Court was a neutral order that simply said we should record our statements before the police. It is the Gujarat state's Crime Branch backed by powerful vested interests that have used the past 11 months to hurl baseless allegations in the public domain that we have, in the interests of transparency and accountability announced piece by piece even placing our audited accounts on the record of the Courts. Unsuccessful in the bullying and intimidation, the state and its allies are simply using media channels, already severely in the dock for unprofessional conduct, to air false and unsubstantiated stories. What has been heartening and consistent is the strong statements of outraged protest against the Gujarat police/government from the Polit Bureau, CPI M, former Gujarat CM Sureshbhai Mehta and other citizens of Gujarat, the People's Union for Civil Liberties (PUCL), Survivors across districts of the state, Justices PB Sawant, Justice BN Srikrishna, Romila Thapar and others that include Sahmat, Amnesty International, Jamia Teacher's Solidarity association, Saanjhi Duniya among others.

If the anticipatory bail (ABAs) had not been so viciously resisted, in the normal course we would have to have report to the Police station to answer questions once it had been granted. Hence given the adjournment sought month after month by the state to prevent the hearing, the December 5, 2014 hearing broke the stalemate. The puerile excuse that we do not cooperate will be met. We still have the right in law to defend ourselves and answer only those questions that are relevant. Upset by the movement forward, powerful vested interests have again, through scurrilous reportage done what they do best: publish false motivated once sided mis-information in the public domain.

The channels mentioned above, who's questionable journalism has extended to paid news benefitting certain interests have deliberately wrongly reported that we have been "charged" with financial misconduct. A false and unsubstantiated FIR has not resulted in any "evidence" and every false allegation has been answered by us in detail.

As the statement released by CJP reproduced below shows, this is nothing short of a witchhunt of an inquiry to stymie the struggle for justice for the Survivors of 2002. *Malicious Lies* statement by CJP can be read at <http://www.outlookindia.com/printarticle.aspx?289781>.

Another recent report may be read at

http://economictimes.indiatimes.com/articleshow/45526479.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

Trustees:

I.M. Kadri, Nandan Maluste, Teesta Setalvad, Cyrus Guzder, Alyque Padamsee, Anil Dharker, Shakuntala Kulkarni, Javed Anand, Rahul Bose, Cedric Prakash

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3. Allegations Baseless

<http://www.cjponline.org/prelease/12mar14.htm>

4. Other Statements In Support can be read at

www.cjponline.org

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'Malicious Lies'

'The Citizens for Justice and Peace strongly condemns and refutes the [malicious lies](#) being spread by advocate for the State of Gujarat Ajay Choksi in misleading the Court about the Citizens for Justice and Peace "cheating" victims of the riots'

[Citizens for Justice and Peace](#)

The Citizens for Justice and Peace strongly condemns and refutes the [malicious lies](#) being spread by advocate for the State of Gujarat Ajay Choksi in misleading the Court about the Citizens for Justice and Peace "cheating" victims of the riots.

The Secretary CJP Teesta Setalvad has filed a strong 41 page affidavit in rejoinder explaining point by point how baseless and malicious the allegations of the State are. The nexus of the Gujarat government headed by Narendra Modi, it's Crime Branch headed by powerful policemen who have been collaborators of the regime since 2002 and Rais Khan Pathan a former employee of the Organisation who is being used as a proxy in this malicious war have also been exposed. Before this, too, Khan has been "aided" in his malicious efforts by senior legal functionaries who are politically in allegiance with the Gujarat government (in the Gujarat high Court and Supreme Court). He has now been cited as "witness" by the Crime Branch

Ahmedabad in this false and malicious case. The timing of this "FIR" is revealing. A cooked up case has obviously been raked up to prevent an Appeal in the Smt Zakia Jafri v/s Narendra Modi Criminal Case. Shri Tanvir Jafri, son of Smt Zakia Jafri and the late Shri Ahsan Jafri has also been made a co-accused in the Criminal Complaint, a further sign of rank intimidation. Why is the Gujarat Government afraid of the higher Courts?

On behalf of herself and her husband Javed Anand, Teesta Setalvad has filed an affidavit in the Sessions Court in Ahmedabad, pointing out the gaping holes in the affidavit earlier filed by the crime branch of the Ahmedabad police in the same courts with bogus, false and mindless accusations against them for embezzling funds. Here below are some of the main points in the 41-page affidavit (attached with this press release) filed by her:

1. The full of falsehood affidavit of the crime branch is nothing short of intimidatory tactics with the ulterior motive of brow-beating the organizations with which she is associated with, and her and her husband personally, from pursuing the course of justice for the victims survivors of the 2002 carnage and punishment of the guilty, including those in high places. It may be noted, that directly as a result of our efforts, till date at least 117 accused have been convicted and given life imprisonment. This includes former BJP MLA and minister in Narendra Modi's cabinet, Dr. Maya Kodnani.

2. The dubious intent of the crime branch among other things evident from the fact that they have deliberately concealed the fact in their affidavit that while the Ahmedabad-based accomplice of the crime branch, Rais Khan, a disgruntled ex-employee of Citizens for Justice and Peace (CJP) till December 2007, was paid a total salary of Rs. 9,63,500, provided free housing and a vehicle, Teesta Setalvad (who functioned as chief executive) neither asked for, nor received a single rupee as salary from the organisation between April 2002 (when CJP was founded and December 2009 (nearly 8 years). Nor is there any mention of the fact that unlike Rais Khan, she neither asked for nor received any accommodation allowance.

3. With malicious intent, the crime branch has aggregated all the donations and grants received by CJP and Sabrang Trust and claimed that the entire amount was collected for the sole purpose of proposed Gulberg Memorial. The fact is that till date, while Sabrang Trust has in total received approximately Rs 4.5 lakh only earmarked by donors for the memorial, CJP did not receive a single rupee for the same.

4. It has been alleged that a total of around Rs. 2.62 crore was collected by Sabrang Trust between 10.4.2007 and 20.2.2014 for the museum. This is a blatant falsehood for two reasons. Firstly, a table contained in Teesta Setalvad's affidavit where the purpose for which the foreign contributions were strictly to be used were clearly specified by the donors is clearly spelt out, it is evident that only around Rs. 4.5 lakh in all was earmarked by the donors for the Gulberg Memorial. This is easily established through the donors' letters. Moreover, several of the donors have written to Sabrang Trust in the recent period, stating that in view of insufficient funds being received for the Gulberg memorial, Sabrang Trust is authorised to spend their donations on other activities. Secondly, it is also evident from the table that the total foreign contributions received by Sabrang Trust totaled around Rs. 1.33 crore and NOT Rs. 2.62 as falsely claimed by the crime branch. The highly exaggerated figure is the result of a simple accounting subterfuge: Of the total of Rs. 1.33 crore received over the relevant period, a total of Rs. 1.21 crore were transferred from the trust's savings a/c to term deposits in the same bank with a view to earning extra interest income for the trust. On maturity the same deposits along with interest totalling around Rs. 1.26 crore were credited back into the savings account. In its wisdom, or malafide intent, the crime branch has chosen to treat this Rs. 1.26 crore as fresh income!!

5. It has been alleged that Teesta Setalvad got over Rs. 21.6 lakh from Sabrang Trust between 1.10.2009 and 30.6.2013. Similarly, it has been alleged that Javed Anand received over Rs. 20 lakh from Sabrang Trust during the same period. Teesta Setalvad's affidavit clearly points out that were NOT paid this or even part of this amount in their capacity as trustees of Sabrang Trust. In fact, they were paid these amounts (averaging to Rs. 48,000 p.m. in case of Teesta Setalvad and around 47,700 p.m. in case of Javed Anand) for discharging their duties as Project Directors and Project Administrators as per the

budget approved by the Trustees of Sabrang Trust and sanctioned by the donor organizations for specific projects having nothing to do with the Gulberg Memorial.

6. It has been alleged that Rs 67 lakh odd “have been transferred” to employees/ staff salaries etc. Teesta Setalvad’s affidavit asks which organisation with large scale activities such as those implemented by Sabrang Trust and CJP functions without paid staff.

7. It has been alleged that over a 6 year period (between 12.4.2007 and 4.6.2013) a total of only Rs. 2,49,000 was spent on legal aid from the non-FCRA account of CJP. This is purely a figment of the crime branch’s twisted imagination. A detailed year-by-year account provided by Teesta Setalvad shows that CJP spent a total of over Rs 2 crore (100 times the crime branch’s figure) on legal aid.

8. It is claimed that there was ‘Zero’ credits in the savings accounts in UBI of both Teesta Setalvad and Javed Anand during the entire calendar years in 2001 and 2002. The monthly bank statements issued by the bank clearly show that a total of approximately Rs. 18.8 lakh was credited (deposited) in the said account of Teesta Setalvad during the relevant period. During the same period, a total of over Rs 9.2 lakh was credited to the said account of Javed Anand.

These and many such bogus and false charges have been rebutted in detail in the affidavit filed by Teesta Setalvad. We enclose it here for your reference. The method of “acquiring” details of the individuals and Organisations involved in bonafide legal activity simply to hamper the struggle for Justice and Accountability have been illegal and intimidatory and have also been questioned by Setalvad in her affidavit.

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