

# India's intelligence bureau and Gujarat police indicted for extrajudicial murders

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India's Central Bureau of Investigation (CBI) has accused senior Gujarat police officers and at least one senior official of India's Intelligence Bureau (IB), a secretive organization hidden within the bowels of the Indian government, of having jointly organized the phony "terrorist-encounter" killing of four young Muslims on June 15, 2004.

The murders were part of a spate of staged "terrorist encounters"—in which police summarily executed people they had previously apprehended—that took the lives of more than 20 young Muslims between 2002 and 2006.

Indictments filed by the CBI in a special court in Ahmadabad, Gujarat's largest city, in early July charge seven top Gujarat state police officers of criminal offenses, including kidnapping and murder. The CBI has also accused several IB officials of having acted as co-conspirators and asked the court's permission to continue its probe into their activities so as to bring charges against them.

The CBI charge-sheets carefully side-stepped, however, any mention of Gujarat Chief Minister Narendra Modi and Amit Shah, his close confidant and the state's former junior Home Minister. Yet the senior police officer in charge of the 2004 operation has given sworn testimony that they both personally "signed off" on the extra-judicial killings.

A notorious communalist who helped instigate the 2002 Gujarat anti-Muslim pogrom and has publicly defended the summary execution of "terrorists," Modi has been all but officially anointed by India's Official Opposition Bharatiya Janata Party as its prime ministerial candidate for the 2014 national elections.

The four murdered on June 15, 2004 were Ishrat Jahan, a 19-year-old college girl from Mumbai, her friend Javed Sheik, Amjad Ali Rana and Zeeshan Johar.

At the time, the police and government circulated a cooked-up tale, which was dutifully echoed by India's corporate media, that police had ambushed four terrorists connected to the Pakistan-based LeT (Lashkar-e-Tayiba – Army of the Righteous) who were on their way to assassinate Chief Minister Modi.

In reality, as the CBI charge-sheets document, the Gujarat police, in close partnership with the IB, had prearranged their cold-blooded murder in gruesome detail.

First they kidnapped Zeeshan Joshar in April 2004 and kept him prisoner in a farmhouse. Amjad Ali Rana was apprehended in May and similarly illegally detained. Ishrat Jahan and Javed Sheik were abducted a few days before their death. In the wee mourning hours of June 15, 2004 the four were brought by car to the scene of the "terrorist encounter" and executed in a hail of bullets. Subsequently an IB official supplied weapons that were placed on the dead-bodies in order to make it look like the victims had been armed.

The mother and family of Ishrat Jahan have mounted a years-long struggle to expose the police and government lies surrounding the staged encounter of June 15, 2004. Following the exposure of the police extra-judicial murder of Sohrabuddin Sheikh, they were able to prevail on a local Gujarat magistrate, S.P. Tamang, to investigate the 2004 events.

In a report submitted in an Ahmedabad court in September 2009, Magistrate Tamang pronounced the four had been victims of a fake police encounter. Contrary to police claims, the four were already in their custody and the weapons found on them had been planted. Magistrate Tamang further declared that there was no evidence of any of the four having LeT ties.

Tamang charged that the extra-judicial killings were part of an attempt by senior police officers to ingratiate

themselves with Chief Minister Modi, who found it politically advantageous to cast himself as a Hindu nationalist strongman standing up to “Muslim terrorism.” The report said that police officers saw the thwarting of phony terrorist plots—especially plots that allegedly had Modi as their target—as a mean of advancing their careers.

The Gujarat High Court stayed Tamang’s report but said that a previously-formed Special Investigation Team (SIT) could make use of it. More than two years later, after the SIT had said there was prima-facie evidence that the June 15, 2004 killings were a “fake-encounter,” the Gujarat High Court ordered the CBI—one of whose principal functions is to investigate government corruption and wrongdoing—to mount an investigation.

India’s police, judiciary and political establishment have shielded Modi, although he and his government have fomented communal reaction and presided over gross criminality. There is a mountain of evidence showing that he is both political and legally culpable for the Gujarat pogrom, which killed well over a 1,000 Muslims and left hundreds of thousands of homeless. Yet only one significant figure in his government—a Modi protégé who personally led mobs in attacking Muslims—has been convicted for their role in the 2002 pogrom.

In the case of the extra-judicial killings in Gujarat, the Congress-led central government has for years been seeking to derail and shut down the investigation. In so doing, it has also effectively embraced the argument advanced by the Modi that as “terrorists” the four could rightfully be shot down in cold blood without a trial.

In 2009 the Union Home Ministry filed an affidavit which categorically stated that the four victims in the June 2004 encounter were all “operatives” of the Pakistan-based LeT. It also declared that there was no central government proposal for a CBI investigation of their deaths under consideration and that it didn’t consider the case fit for a CBI probe.

Subsequently, the Home Ministry tried to cast doubt upon the evidence collected by the CBI.

The Intelligence Bureau has gone even further. After the CBI named several senior IB officers as implicated in the fake encounter killing, its director, Asif Ibrahim, shot off a letter to the Home Ministry in which it claimed that the CBI’s attempt to prosecute IB officials

would be “disastrous for the morale” of the spy agency and harm the country.

Today’s *Economic Times* reports that the CBI is considering petitioning the Gujarat High Court to force the Home Ministry to hand over files relating to the Ishrat Jahan fake encounter case that it is refusing to allow it to peruse. *The author also recommends:* Indian business whets Hindu communalist’s prime ministerial ambitions [27 May 2013]



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