

## ***Concerned Citizens Inquiry***

Nanded, February 2007

### **Members of the Inquiry:**

Justice (Retd) BG Kolse Patil, Pune (Chairperson)

Teesta Setalvad, Mumbai (Convener) and Arvind Deshmukh, Nagpur (Member)

### **Local Support:**

Vijay Gabhane, Altaf Ahmed, Riyaz Siddiqui, Pradeep Nagarpurkar, Suryakant Wani, Feroz Khan, PD Joshi Patodekar, PG Dasturkar, Chandrakant Gavane.

**Technical Experts:** Medico-Legal and Forensic Experts, Pune (requested anonymity).

### **Interviews Conducted by CCI Team**

SP Fatehsingh Patil of the district, in the presence of DYSP (Home) Mohsin Khan, PI Ramesh Bhurewar, Assistant SP Sabde.

On the spot interviews at the site with neighbours, many of whom chose confidentiality.

Interviews with the owner of the site, Shankarrao Shivram Mangalikar, and his son.

Interview with the Civil Surgeon, Dr DL Gaikwad.

Interview with the Fire Brigade Officer, Shri V. Jogdand.

Visit to the Itwara Police Station, Rangargalli, Nanded.

Meeting with IG Dr Suryaprakash Gupta along with SP Fatehsingh Patil, DYSP Abdul Razzak and DYSP (Rural) Sunita Salunke.

## THE INCIDENT:

**Nanded, February 10, 2007**

At about 12.15 a.m. on Saturday, February 10, 2007, 28-year-old Pandurang Bhagwan Amilkanthwar, resident of Rangargalli, Nanded, died on the spot after 'biscuit boxes' he was lifting at the unearthly hour of 12.15 a.m. exploded, charring his body to coal. His cousin, Dnyaneshwar Manikwar (30), who rented the space from a retired headmaster, was also present at the spot when the incident took place and sustained 70-72 per cent burn injuries. Manikwar was first admitted to SGGM Hospital, Nanded. In this extremely fragile condition he was transferred to JJ Hospital, Mumbai, where he also succumbed to his injuries late on Friday, February 16, 2007.

Shankarrao Shivram Mangalikar, a retired headmaster, is the owner of the site where the biscuit godown is located within his home at Shastrinagar in the Taroda area of Nanded within the police station area of Bhagyenagar, Nanded. It was Shankarrao who reported the incident to the local police station. The incident is recorded as AD 9/07 and though the police are cautiously terming it as an accidental death, in actuality it has raised grave doubts after an earlier similar blast had injured and killed two persons belonging to the RSS/Bajrang Dal in April 2006.

"Amol Biscuits", a bakery shop, was run by the deceased, Pandurang Bhagwanrao Amilkanthwar, at Shastrinagar, Nanded. Various pastry products in addition to pickles and some groceries were reportedly sold at the shop. The store's main purpose was to repack biscuits on purchasing them from the market.

According to the owner (retired headmaster) of the godown/shop where the incident with such a powerful impact occurred, just prior to the incident i.e. at about 11.30 p.m. on Friday, February 9, 2007, the tenant and his cousin were in the shop although the shop was closed from inside. Later on, within about an hour, the owner of the house heard the deafening sound of a blast from the shop. He rushed out of the house to see that the shop had caught fire. He then made efforts, along with other local residents, to put out the fire. In the said blast, Mr Amilkanthwar died on the spot while Mr Manikwar sustained 70-72 per cent burn injuries to which he succumbed six days later. Both the deceased and his injured cousin who died later live at Rangargalli, (about 6 kilometres from the site of the impact). Rangargalli falls within the Itwara Police Station area of Nanded, a known communally sensitive area in the town.

The impact was so strong in intensity that not only was 28-year-old Pandurang's body charred to coal, with his tongue hanging out (photographic evidence) but the long metal shutter in the shopfront was uprooted and thrown across the road, to a distance about 40 feet away. Window frames were burnt and glasses cracked. Walls had cracked and the site was in complete disarray.

A spot visit by the CCI team on Saturday February 17, 2007 and thereafter on Sunday February 18, 2007 was illuminating. Glass panes of the ventilators located not just in the godown but in neighbouring rooms of the house owned by Shankarrao Shivram

Mangalika, including the kitchen, sitting room and bedroom, had shattered. There were marks of some substances on the kitchen floor that had been covered, on instructions from the local police, by dry groundnut shells (photographic evidence).

Though the team visited the site on the seventh day after the incident, the stench of burning was strong. At the site there were biscuit packets that were within the expiry date; on the floor were samples of nails of quarter- and half-inch length and several blades found lying around.

The shutter of the godown had been closed when the two cousins came in and got down to business from about 11.30 p.m. that night. Dnyaneshwar, the survivor who later succumbed, first told the police that the place caught fire because of a short circuit and 14 hours later changed his version and stated that they had set the godown on fire to claim false insurance monies. Hence in the first instance the police have recorded AD 9/2007 (in the middle of the night) and thereafter CR 47/2002, 20 hours later.

The man who died lives at Rangargalli, which is a good 6 kilometres away from the spot and hence doubts have been voiced about his presence at the godown in the middle of the night – clear questions are also being asked about the nature of actual activities in this so-called 'biscuit' godown! The police have sent the explosive substance for chemical analysis to Aurangabad.

Significantly, a scooter bearing registration No. MH-35/C-6897 registered with the office of the Asst. Regional Transport Officer, Wardha, was parked on the road outside the shop at a 6-7 foot distance from it. The said scooter (photographic evidence) was completely burnt out as the photographs show.

Spot inspections by the CCI team backed by photographic evidence shows that the kitchen of the owner's house is adjacent to the bakery shop. Ironically, despite this (and according to the injured person's version, which is backed by the police), in this kitchen the gas cylinder can be seen as remaining completely unscathed. The kitchen floor is covered by groundnut shells.

Neighbours from the locality around the shop/godown at Shastrinagar told the visiting team that there was a third person present at the spot who was injured in the explosion, marks of which were seen on the kitchen floor.

The team was also told in confidence by citizens requesting anonymity that a police officer belonging to a neighbouring police station who is closely involved in the ongoing investigation actually supervised critical evidentiary material being seized and spirited away from this spot.

## Police Investigations

- ◆ According to the information given by Dnyaneshwar Manikwar to the police:  
"There was no light in the said biscuit shop/ godown and one person (not named) from Parbhani district was scheduled to arrive that night to purchase biscuits. Hence, according to the first version given by the injured (now deceased) Dnyaneshwar, he and Pandurang brought in electricity for lighting through a makeshift wire arrangement by putting a wire in the plug inside the shop. "
- ◆ On Saturday, February 10, after the incident, at about 2.15 a.m. one Kiran Shankarrao Mangalikar, who is the son of the site owner, filed a complaint reporting the incident and death to have occurred due to an electrical short circuit fire during which Pandurang Amilkantwar died. On accepting his complaint, the Police Station Bhagyenagar, Nanded registered a case of accidental death bearing No. 09/2007 and further investigation was handed over to PSI Mr BB Bansode of the said police station.
- ◆ The owner of the house, Shankarrao Mangalikar, also made a statement after the incident (which can be heard on the video recording) that both the deceased and the injured had come to the site around 11.30 p.m. and told him specifically that they were expecting the arrival of a truck from outside Nanded and hence both of them were waiting for the arrival of the said truck. Thereafter the two went into the shop/godown and within an hour of this conversation he heard the sound of the explosion.
- ◆ Inquiries and investigations reveal that the said truck was supposed to proceed towards Beed to reach a person by the name of Mr Thakur.
- ◆ However, about 20 hours later, during inquiry by higher officials of the police machinery, Dnyaneshwar Manikwar disclosed that he had told untruths earlier while attributing the impact to a short circuit and in fact the two cousins had tried to set the shop/godown alight so as to claim insurance monies from the insurance company, as he was in debt. Therefore, he stated, he had poured 5 litres of petrol on the stock of expired (time barred) biscuits. Incidentally, our investigations found that the second complaint (CR 47/2002) was recorded by one Navghare, a tracer, in the presence of PI Nitin Gokave of the neighbouring Vazirabad Police Station, around 9.30 p.m. on Saturday, February 10. Shri Navghare, a tracer from the PWD department, was brought in from the CIDCO area almost 15 kilometres away when in Nanded there are as many as 16 JFMCs (judicial magistrates in whose presence such a sensitive statement could have been recorded).
- ◆ The theory now put forth was that it was a well thought out plan to claim Rs 15 lakh in insurance from Bajaj Allianz to which the injured Manikwar had recently

subscribed and that the explosion was the result of vaporised petrol unable to escape from the airtight godown. (There are at least two ventilators on site.)

- ◆ The team also met the Fire Brigade Officer, Shri V. Jogdand, who stated that the first call reporting a blaze had been received by his office as per the entry on his register at 12.27 a.m. from Police Constable Kamble and it had taken the fire brigade not more than 7 minutes to reach the spot. One fire brigade van contains about 4,500 litres of water. He stated that by 1 a.m. he received the call that the fire had been put out completely. At 2.30 a.m. he personally visited the spot again to check and found the fire had been completely put out.
- ◆ The team visited the Rangargalli area where residents informed the team that the deceased, Pandurang Bhagwan Amilkantwar, was a former Shiv Sena *shakha pramukh* and he also had links with the Bajrang Dal. Persons from the neighbourhood pointed out that the Rangargalli area was known to be communally volatile and a hotbed of many Hindu political groups.

#### **Interview with SP, Nanded District, Shri Fatehsingh Patil**

The CCI team met the SP Shri Patil on Saturday, February 17, 2007. The SP met the team in the presence of DYSP (Home) Mohsin Khan, PI Ramesh Bhurewar, Assistant SP Sabde. He stated clearly that though the investigations are still on and the police is open to receiving information from all quarters, he was prima facie confident that this incident was nothing like the earlier incident of April 2006 and was simply a fire created to claim false insurance. He clarified that contrary to some reports in the press, it was the police vehicle that took the surviving injured Dnyaneshwar to the district hospital. He also stated that senior officials, including him, had reached the spot in the morning.

He reiterated firmly that there was a strong smell of petrol on the site and hence he was prima facie convinced of the same. He also stated that so far *no evidence had come forth to link any of the dead or injured (now also dead) with any political outfit*. He was firm in stating that the police as much as citizens are concerned that this incident was in no way linked to any conspiracy.

One of the main reasons why the police are ruling out a blast, he said, was that the bodies were not in pieces but were charred. He also stated that he had specifically asked the civil surgeon to check for any foreign body parts, which had not been found.

He stressed that as far as the Nanded police were concerned, investigations were not closed at all.

#### **Interview with the IG, Nanded range, Dr Suryaprakash Gupta**

The team met the IG Shri Gupta in the presence of other officers including the SP Fatehsingh Patil, DYSP Abdul Razzak and DYSP (Rural) Sunita Salunke.

The IG was also confident prima facie that this was not an explosion at all but said that he was open to any inputs and suggestions or leads.

When in the evening the team met SP Shri Patil again in the office of the IG Shri Suryaprakash Gupta and said that they had received information that far from having no links to any political group the deceased was in fact a former *shakha pramukh* belonging to the Shiv Sena and hence operated with a certain ideology, the SP said that he would look into it.

The police were shown photographs by the team that showed the conditions of the shutter and the scooter outside the site but the SP did not comment on this. Shri Patil also said that many witnesses were still being interrogated by the police and their statements were being recorded.

Specifically, questions were put about the shutter being blown 40 feet away, the scooter outside being damaged in the impact and also the kitchen next door showing both the gas cylinder intact and also the heap of groundnut shells covering some marks on the floor. The police were tight-lipped about this. There was also no explanation for the windowpanes in neighbouring rooms being shattered.

**The Team also met Dr DL Gaikwad and Fire Officer Vishwanath Vithalrao Jogdand**  
Dr Gaikwad stated that since the bodies were not in pieces it was clearly the result of burn injuries. Post-mortem reports and a panchnama of the scene of the crime are awaited.

### **Findings:**

The severity of the impact of a possible explosion by unstable and liquid organic substances *cannot be ruled out*. CCI's Expert Analysis indicates that such substances are highly unstable, have the immediate impact of creating almost 1000-degree temperatures and result in such a fierce chemical reaction that there is first an ignition, then flames and thereafter an explosion. The flames are at such high temperatures that a person can be burnt alive in 5-10 seconds.

The CCI commissioned a team of experts to visit the site and give their findings after inspection and examination as to what sort of substances may have been used for such an explosion. Due to the sensitivity of the matter their identities have been kept confidential.

### **Preliminary Findings of the Experts:**

I. The Dimensions of the Godown: 20x12x15 feet

## 2. Possible Materials used for explosion

- a) Phosphorus
- b) Magnesium
- c) Dynamite which consists of various explosives
  - Such as i) Nitroglycerol
  - ii) Ammonium Nitrate
  - iii) Saltpetre
  - iv) Aromatic Nitrocompounds

3. As per the details of the police panchnama, the dead person had brought turpentine/thinner etc, and similar substances were brought to the site to wipe out expiry dates on the biscuit boxes. However, our on-site findings reveal that many of the remaining biscuit packets found on site had not expired.

4. What are the properties of turpentine/thinner that the police admits were found on the spot:

- a) Highly flammable and explosive
- b) They have to be stored at 25 degrees centigrade temperature, that is in cold storage
- c) They have to be kept in a tightly closed and clean container
- d) They must be stored in a smoke free area.
- e) They must be stored away from sunlight
- f) They are highly volatile.
- g) Both substances have low boiling point
- h) The mixture of solvent vapours and air can explode
- i) Vapours can form inflammable mixture with air
- j) Sealed container may explode if heated
- h) Most of them have low auto-ignition temperature

5. Such materials that may have been used for explosion (that is explosive and inflammable materials) are colourless and odourless so they cannot be easily distinguished from other substances but delicate for handling.

## 6. Preliminary Analysis of Incident/Accident

In the accident that took place on February 10, 2007, one person was totally burnt on the spot. The second person was screaming because of fire. The landlord of the godown used his (lungi) to save that person, according to what he stated on the site visit. The lungi shown by the landlord does not have any burn marks. The landlord moreover insisted that the severely injured person did not say anything while crying out in screams of distress.

According to the police panchnama, the injured person had given his statement deposition twice in the hospital. The police panchnama is silent on the fact as to whether doctors' prior permission was sought as to whether or not this severely injured person, who had a tracheotomy through his throat and lungs, was in any position to speak and give a statement. There is no mention in the panchnama as to whether the severely injured person was conscious and had any time or place orientation at the time.

7. From the photographic evidence, the dead person has severe and complete burn injuries. But whether there has been an explosion or not needs to be thoroughly investigated after considering the following factors:

- a) Whether there are pressure injuries or not on the internal lung, hollow viscera, brain areas.
- b) Whether there are particles or flying missiles/pellets in the bodies or
- c) It is possible that blast chemical fluids are found on the body
- d) Has the blast blown the body to pieces?
- e) Has the impact of the blast caused shock waves that have thrown the body a long way due to which the body has fractures also
- f) Whether an X-ray has been taken before the post-mortem has been carried out

8. Following the blasts, the police were informed. How much time had they had taken to call the fire brigade and after how much time has the fire brigade reached the spot? If the cause of the incident had only been a fire, all other things kept in the godown should have been burnt to ashes because food had been kept in organic containers. This is another indicator that it may have been a blast.

9. Water does not extinguish fire set by turpentine/thinner or other explosive things.

10. The godown has two wooden doors, one iron shutter, one window, two ventilators. The shutter, due to the shock of the impact, fell in front of the opposite gate, approximately 30-40 feet away. A scooter lying in the way was also burnt. Similarly, one door fell apart in the hall because of the explosion. The two ventilators do not have glasses. One window was broken and burnt and had fallen out, other plastic or organic materials used for packing things are in the godown. There is a substantial amount of such material that is in the same condition as that day. If this incident was a fire as is being claimed by the police, all these things would have been burnt and the windows and ceilings of the rooms would have been blackened and charred. The indicators are that there is a disproportionate development of shock waves *but correspondingly no burns, indicating again that it was a blast.*

11. The plaster on the walls and ceilings has got cracks indicative of shock and heat effect.

12. Taking into consideration all the factors mentioned above, the inference is that it was not a planned explosion *but an impact explosion created due to the handling of large stocks of explosive/flammable materials* stored here. This handling could have been for transportation to another place.

13. The police have sent a few samples (4 to 6 objects) to the chemical analysis laboratory. It is important to find out whether the police have specifically asked whether the articles sent for analysis could or can be used for bomb explosions. If the police have not made these specific inquiries, it should be asked, why they have not?

There is no possible explanation about the impact on the shutter, the windowpanes and the fact that not all articles have been burnt in the nearing rooms. Bags of grain are still intact as also biscuit packets with dates that show they have not expired. There is no explanation from the authorities as to findings of nails and blades in some quantity that could have been used as pellets for the potential explosive.

### **Discrepancy and Undue Haste in Investigations**

The local police, Police Station Bhagyenagar, Nanded, appears to have been in undue haste to first register the Accidental Death No. 09/2007 on 10-02-2007 on the information of Mr Kiran Shankarrao Mangalikar (who is the son of the owner of the house and godown wherein the bomb blast occurred). Thereafter the second CR (47/2002) was recorded also under questionable circumstances using a writer who is a tracer from the PWD rather than a judicial magistrate.

- ◆ Our investigations found that the second complaint (CR 47/2002) was recorded by one Navghare, a tracer, in the presence of PI Nitin Gokave of the neighbouring Vazirabad Police Station around 9.30 p.m. on Saturday, February 10. Twenty hours later, during inquiry by higher officials of the police machinery, Dnyaneshwar Manikwar disclosed that he had told untruths earlier while attributing the impact to a short circuit and in fact the two cousins had tried to set the shop/godown alight so as to claim insurance monies from the insurance company, as he was in debt. Therefore, he stated, he had poured 5 litres of petrol on the stock of expired (time barred) biscuits. Incidentally, our investigations found that the second complaint (CR 47/2002) was recorded by one Navghare, a tracer, in the presence of PI Nitin Gokave of the neighbouring Vazirabad Police Station around 9.30 p.m. on February 10. Shri Navghare, a tracer from the PWD department, was brought in from the CIDCO area almost 15 kilometres away when in Nanded there are as many as 16 JFMCs (judicial magistrates in whose presence such a sensitive statement could have been recorded).
- ◆ Similarly, the state police, especially the SP and IGP Shri Suryaprakash Gupta, appear to be in undue haste to close all possibilities of a possible liquid substance driven explosion, preferring to quote oral findings of forensic experts from Aurangabad who are reported to have told them that it was a petrol-ignited fire. **What is the reason for the police not even waiting until the results of the forensic reports are out?**
- ◆ In the first instance it appears that the local police completely believed the story put forth by the injured Dnyaneshwar and appear to have failed to even report the matter to senior officials. The SP and others visited the spot 6 hours later. Significantly, a scooter bearing registration No. MH-35/C-6897 registered with the office of the Asst. Regional Transport Officer, Wardha, was standing on the road outside the shop at a 6-7 foot distance from it. The said scooter (photographic evidence) was completely burnt out, which prima facie is basic evidence that the story reported to the police was concocted and done so only to hide the real facts and that this scooter suffered the effects of a highly ignited explosion. The condition of the scooter, located at a 6-7 foot distance from the site, strongly suggests the occurrence of a high intensity explosion. The condition of the said scooter (photographic evidence) suggests prima facie evidence that the police version is half-baked, concocted and results in concealing the complete facts.
- ◆ Likewise, if the photograph of the uprooted shutter which fell at a 40 foot distance away is observed minutely this also points to a high intensity blast that broke off the shutter from the inside grill in the wall. Further, in the photographs of the kitchen of

the owner's house adjacent to the bakery shop the gas cylinder can be seen as remaining unscathed. There is also some evidence of some marks being covered by groundnut shells. All this is being kept under wraps by the police.

- ◆ There is enough evidence to suggest that there may have been other persons present at the site who have disappeared and whose identity is being protected. There are also some leads to suggest that some evidence from the site was picked up in large gunny bags and spirited away while the fire brigade was in the area by some officers of a neighbouring police station. This material could have contained thinners, gunny bags with blades etc, all of which could be material used to create liquid explosives.
- ◆ The police appear reluctant to explore the possible reasons for a truck visiting the site in Nanded from Parbhani and its onward move towards Beed; who were those persons and what connection did they have to the bakery shop?
- ◆ The police do not appear to have brought in the MSEB at all to explore the *first theory put forward by the injured that the incident was the result of a short circuit*. (MSEB officials were not available for comment.)
- ◆ There is no believable explanation as to why Dnyaneshwar Manikwar was suddenly shifted to the JJ Hospital in Mumbai when in such a critical condition.
- ◆ There is preliminary evidence to suggest some nexus between some police officials and the outfits that are using Nanded and the nearby belt to generate explosives and terror. Incidentally, Inspector Ramesh Bhurewar of the Nanded Police Station who is at the forefront of the present investigation was in charge of the investigation into the Parbhani blasts in which one person died and 40 were injured when similar low intensity explosives were placed in a mosque on April 25, 2003. He arrested no one during long investigations. The FIR, shockingly, was only registered after a legislator, Fauzia Khan (NCP), raised a question in the State Assembly. Thereafter the inspector had closed the file (16/2003 dated 21.11.2003). He stated in his report that there were no accused in the matter. Following the Nanded blasts of April 2006 and brain mapping tests that the police conducted (see Annexures) dated 19.07.2006, the accused admitted to having placed the bombs at Parbhani. The Nanded and state police are hence guilty of underplaying crimes wherein members of the minority community are the victims, causing a loss of face for the state police.
- ◆ Similarly, there were blasts in mosques at Purna on August 21, 2004 and the brain mapping tests of accused (see Annexures) show that the accused were being aided by state-level VHP and Bajrang Dal officials to execute bomb blasts at mosques in Parbhani, Jalna and Purna in central Maharashtra. According to reports (The Forensic Science Laboratory (FSL) Madivala, Bangalore, Report Number: No/FSL/4876/FPS/187/2006) conducted on Sanjay alias Bhaurao Vithalrao Choudhari, dated July 19, 2006, Sanjay operated with Himanshu Panse and three others – Maroti Wagh, Rahul Manoharao Pande and Yogesh Ravindra Vidholkar. All four were trained in bomb making at the Akash Resort at Sinhagad, Pune, in 2003. Pande's brothers stayed near Sinhagad and he frequently visited them. The report disclosed that individuals associated with Hindutva outfits like the Rashtriya Swayamsevak Sangh (RSS), the Vishwa Hindu Parishad (VHP) and the Bajrang Dal are developing terror networks in North Maharashtra targeting the region's Muslim population. (See Annexures for details.)

## Preliminary Conclusions

In conclusion, preliminary investigations guided by on-site inspections, interviews, and expert opinions indicate that the incident was not a short circuit fire nor was it a gas cylinder blast; on the contrary they indicate that this was an explosion that occurred during the preparation of liquid bombs. It is a collection and combination of liquid inflammable substances such as petrol, diesel, naphtha, solvent bomb, etc that are the main ingredients used to prepare and constitute a bomb. Glycerine, sulphuric acid and nitric acid are often used and blades, glass and nails, gelatine sticks are also similarly used to make crude liquid Molotov cocktails that have a powerful impact. Kerosene and diesel are also used. Recent blasts in the Samjhauta Express have shown similar techniques being used. These chemical compounds are unstable and need to be acquired from licensed/authorised sources.

## Recommendations

I. The central government should keep a close watch and monitor the increasing low intensity terror generating activities being conducted by political outfits that are misusing the Hindu religion. A special team of the central government, assisted by high ranking police officials, members of the National Human Rights Commission, Minorities Commission as also from citizens groups, needs to map and monitor this activity.

II. Independent investigations under a team of officers known for their utter professionalism and neutrality are a must. Giving in to the immediate outcry, the state home minister has already handed the matter over to the CBI. However, given the sensitivity of the matter, even now the progress of the investigations needs to be monitored on an ongoing basis.

III. An impartial inquiry into the Nanded incidents, Malegaon, and the Parbhani and Purna blasts needs to be instituted, which is open to the public, under a sitting judge not below the rank of a high court judge, to first and foremost investigate whether **state intelligence and police agencies** are professional and neutral in investigating instances of politically driven Hindu right wing terrorism. Such an official commission must investigate:

- A. The antecedents of outfits like the RSS, Hindu Mahasabha, Shiv Sena, Bajrang Dal and Vishwa Hindu Parishad
- B. The means they use including acquiring both arms licenses and licenses for manufacturing firearms;
- C. The sources for the procurement of organic substances like nitric acid, sulphuric acid, ammonium nitrate etc which are in all likelihood used to manufacture liquid cocktails that are highly unstable and ignite within 10 seconds to a temperature of 1000 degrees *have to be licensed*. **Acquiring these substances by individuals such as those involved in the February 2007 or April 2006 explosions therefore can be traced through authorised licensed dealers who out of inducement or ideology may have made these substances available.**
- D. The commission needs to investigate the background period, how long such activities have been going on; who are the main culprits

and masterminds; who are the associates and those who help indirectly; what were their main motives and aims; to find out the actual place of implanting the blast.

III. The state of Maharashtra needs to investigate these related crimes under the Unlawful Activities (Prevention) Act, 1967, the Arms Act and also under MCOCA. The team that has prepared this report is not in favour of draconian laws such as MCOCA. But in the circumstances in which such laws are only applied to one section of the population, it is important to suggest that outfits like the RSS, Bajrang Dal, VHP and Shiv Sena are treated by the intelligence and law and order wing as outfits indulging in organised crime and generating terror.

IV. The state police need to take stringent action so that the accused in the earlier Nanded blasts – including those *never* arrested by the police despite evidence – are arrested or not released on bail, as the case may be. Proceedings of these investigations must be conducted in full public view.

### **Background of Nanded First Blast Case**

#### **Annexures**

#### **(See Photocopied Sets: Investigations and Brain Mappings)**

On April 6, 2006 at Patbandharenagar, Nanded, within the same police station area of Nanded, an earlier blast incident occurred, which is registered under Crime No. 99/2006. Persons belonging to the Bajrang Dal, RSS, VHP, were the masterminds. Therefore, and after a failure by the local police, the said matter was handed over to the Anti-Terrorist Squad (ATS) and later on, taking into consideration the gravity of the offence, the matter was finally handed over to the Central Bureau of Investigation (CBI) for further investigation by the Government of Maharashtra as per an announcement made by Dy Chief Minister & Home Minister Shri RR Patil on December 21, 2006. No investigation has yet begun by the CBI, for want of notification from the state government in consonance with the Central Government of India.

Shockingly, 22 of the key accused in these cases have been discharged by the courts despite brain mapping tests that reveal a high-level conspiracy into creating bands of young men to “kill 300-400 innocent Muslims since Dawood Ibrahim cannot be found”.

It was in April last year that a powerful bomb explosion at the house of Rajkondwar, a retired irrigation department official, in Patbandharenagar, Nanded, killed two persons, Naresh Lakshman Rajkondwar and Himanshu Venkatesh Panse. Three others, Yogesh Ravindra Vidholkar, Maroti Kishore Wagh and Gururaj Jayaram Tuptewar, were seriously injured. Another injured, Rahul Manoharao Pande, managed to run away but was arrested later.

Incidentally, the response of the local police at the time was frighteningly similar. First, they made contradictory statements. Beginning with the stance that the explosion was due to firecrackers, they later changed this to say that it occurred due to a live bomb. No arrests were initially made. Soon after the blast a fire engine was rushed to the house

and began spraying water inside although there was no fire as such. A lot of crucial circumstantial evidence could and must have been washed away.

After a detailed enquiry the irresponsible conduct of police officers was revealed. It was disclosed by the Special IG Police, Mr Suryaprakash Gupta, that it was not an isolated event; rather a bomb-manufacturing centre (Bomb Nirmiti Kendra) was functional at the house of Rajkondwar. In an interview given to *Communalism Combat* in June 2006, head of the ATS, Maharashtra, KP Raghuvanshi admitted that it was an act of Hindu terror (see Interview). He said, "One is a terrorist act by Hindus and the other, by Muslims trained in Pakistan."

Controversy over the Malegaon blasts, for which a 10,000-page charge sheet has recently been filed, also dogs the administration. It is in this background that the role of the police becomes doubtful. In the background of state intelligence and a police force that appears reluctant to even connect and investigate the possibility of outfits like the RSS, Bajrang Dal, Shiv Sena and others training volunteers in terrorism, the faith of citizens remains shaken. The gravity of the case demands immediate removal of the irresponsible SP and handing over of the case to the CBI. This is not an isolated event. Impartial enquiry into the same may reveal the motives and plans of Hindu terrorists in India and may lend a totally different direction to the enquiries of many of the so far unsolved terrorist cases in Maharashtra. There is widespread belief in some sections that terrorist activities in Mumbai, Malegaon, etc were masterminded by right wing Hindu elements. Incidents like Nanded strengthen such theories. The two incidents in Nanded should be investigated with that direction also by an independent and fair agency. Unfortunately, the Maharashtra police do not enjoy such a reputation.