Modi’s criminal spying on Mansi Soni

A crime punishable with THREE YEARS imprisonment

8 policemen spied on Mansi Soni for one month, "trapped" her, and followed her on a plane to Mumbai, reporting each movement to Amit Shah who directly reported to Modi, and provided direct feedback from Modi.

Was Mansi Soni a “terrorist” or “depraved” (as Madhu Kishwar has alleged) or was Modi misusing public machinery as a private investigative agency to gratify his “voyeuristic instincts”?

Sanjeev Sabhlok
Draft 1 June 2014

This is a preliminary compilation. More as I find time. I anticipate that Modi (being the vindictive man he is) will attempt to black out all information in the public domain about his criminal exploits.

I’m trying to compile this information before he blanks out everything. I encourage you to download and retain this booklet in your computer, so Modi’s dream of blacking out the records of his misdeeds can be prevented.
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1. The public reports on the case

1.1 The report by Ashish Khetan in Gulail.com on 15 November 2013

The Stalkers
by Ashish Khetan (khetan@gulail.com) - on 15/11/2013

An important covenant in a democracy is that those voted to power shall protect the weak and the vulnerable. That is why when the system fails to protect a Nirbhaya or do justice to a Jessica Lal or protect the children of Nithari, even the most compromising among us take to the streets and demand a reckoning. That is why we collectively called for stricter laws and swifter punishment for crime against women and children in the wake of the brutal Delhi gangrape.

This story is, however, not about the inadequacies of the system or its indifference. It is far more sordid. This story is about the misuse of police machinery and powers of the State by a top minister in the Gujarat government to stalk a young woman from Bangalore, subjecting her to constant surveillance for reasons not immediately apparent.

Gujarat IPS officer G.L. Singhal, who is an accused in the Ishrat Jahan fake encounter case (Ishrat was killed, along with three others, by Gujarat Police in 2004) and out on bail, has handed over hundreds of recorded telephonic conversations to the CBI revealing how three key wings of the Gujarat Police—the State Intelligence Bureau, also known as CID Intelligence, the Crime Branch and the Anti-Terrorist Squad—misused their powers to stalk an unmarried young woman from Bangalore, who had her parents staying in Gujarat.

The entire surveillance-cum-phone interception operation was mounted in August 2009 on oral orders, without any valid legal authorization, and was meant only to serve the interests of someone whom the then minister of state for home, Amit Shah, addressed as ‘saheb’.

The illegal spying operation in which Singhal has confessed to his key role was initiated on the instructions of Shah sometime in the month of August 2009 and continued for several weeks thereafter. The 267 audio recordings submitted to the CBI primarily contain telephonic conversations between Shah and Singhal, who was at the time posted as SP with ATS. In at least half a dozen conversations, Shah is alluding to his saheb’s acute personal interest in the snooping of the woman. The conversations suggest Shah was
passing minute-by-minute details gathered through this snooping operation to his ‘saheb’. A close confidant of Narendra Modi, Shah held his office as Minister of State for Home for seven years between 2003 and 2010. Modi besides being the CM has also been Gujarat’s home minister since October 2001. Shah was arrested in the Sohrabuddin fake encounter case in 2010 and is out on bail, looking after BJP’s poll campaign in Uttar Pradesh.

Investigative news portals Gulail and Cobrapost have accessed both the entire set of recordings and the three explosive self-incriminatory statements given by Singhal before the CBI between April and June this year. We also have the 10-page panchnama prepared by the CBI, as the agency took possession of the phone recordings from Singhal. All conversations were recorded by Singhal who at that time was close to Shah. Apparently, it was only after the CBI arrested him in the Ishrat Jahan killing case in February this year that he cracked up and chose to cooperate with the CBI.

To protect the identity of the victim, we have decided to not reveal her name or present location. For the purpose of this story, we call her Madhuri.

Along with Madhuri, a senior IAS officer from Gujarat named Pradeep Sharma was also put on watch, illegally.

‘In the latter half of 2009, when I was posted as SP (Operations) in the Anti-Terrorist Squad (ATS) at Ahmedabad, Shri Amit Shah had directed me several times to watch the movements of Shri Pradeep Sharma, who was then posted as Municipal Commissioner, Bhavnagar. He had also asked me to put a watch on a young woman named Madhuri. I had deputed some men of the Crime Branch (as ATS was short of subordinate staff) to follow her, as directed by Shri Amit Shah,’ reads Singhal’s statement recorded by the CBI on April 17, 2013, a copy of which is with us. Singhal was released on bail in the last week of May 2013.

On June 9, 2013, Singhal handed over the phone recordings to the CBI. ‘In furtherance of my statement dated 17.04.2013, I state that I have produced today before you the following: A pen drive containing 267 call recordings in the month of August September 2009 (beginning 04.08.2009 and ending 10.09.2009) between me and Shri Amit Shah primarily, barring some between me and Shri A.K. Sharma, me and Shri Vaishnav (DySP CID Intelligence), and me and Shri Rajendra Asari (then SP Bhavnagar). These conversations pertain to watching the young woman Madhuri at Ahmedabad and watching Shri Pradeep Sharma.’

In the last paragraph on page 8 of panchnama prepared by the CBI on July 9, 2013, the agency says: ‘Shri G.L. Singhal informed that these files contain telephonic conversation between him and Shri Amit Shah, the then MoS (Home), Gujarat State in the month of August and September 2009 relating to misuse of the police for extra legal purposes in miscarriage of justice.’

Singhal’s statements and phone recordings are now part of the Ishrat Jahan fake encounter case papers.

The tapes indicate that for at least over a month the Gujarat Police apparatus used its sweeping powers to rigorously monitor every private moment, every personal conversation and every daily movement of Madhuri. Singhal has told the CBI that the surveillance was illegal and was carried out only on the oral instructions of Shah. The recordings reveal that Madhuri was tailed even as she visited shopping malls, restaurants, ice-cream parlours, gyms, cinema halls, hotels and airports. She was followed even when she visited her ailing mother in a hospital in Ahmedabad. When she boarded a flight out of Ahmedabad, orders were issued to put cops on the flight so that she was not out of sight even when she was flying. Strict orders were given to closely observe and profile
those who met her. Shah was particularly interested in knowing the men she was meeting and whether she was alone or with some man when she checked into a hotel in Ahmedabad. Her phones and that of her family and friends were tapped. Every bit of information was conveyed to Shah in real time, who in turn claimed to be relaying it to his ‘saheb’. Listening to the conversations leaves no doubt that the people involved in the operation knew who this ‘saheb’ was.

Such was the importance attached to the surveillance operation that many senior state police officials were instructed to personally supervise the movements and activities of the woman. Besides Singhal, who was at that time posted as a Superintendent of Police with the ATS, the then IG (Intelligence) A.K. Sharma, the then Deputy SP (CID Intelligence) DB Vaishnav and then DCP (Crime) Abhay Chudasama were some of the other senior officers who were roped in for the operation. At present, Sharma is posted as Joint Commissioner of Crime in Ahmedabad city. While Vaishnav has retired, Chudasama is cooling his heels in jail on charges of stage-managing the Sohrabuddin Shaikh encounter.

The phone recordings in possession of the CBI primarily contain conversations between Singhal and Shah. Some conversations are between Singhal and other state police officers such as A.K. Sharma, Vaishnav and the then Bhavnagar SP Rajendra Asari. All conversations were recorded by Singhal between August 4, 2009 and September 6, 2009. At many places in the tapes, Shah can be heard complaining that Singhal’s men were not doing a thorough job as ‘saheb’ was obtaining information about her movements from his independent sources and his information network was at times more efficient than that of Shah.

For instance, on August 9, Shah in a panicky call to Singhal said, ‘I talked to Saheb and he got to know from someone that they did go outside twice. I think our men are not watching properly. They are still there. They went for shopping as well and also moved out along with that boy who came to see her.’

A little later, Shah again rings up Singhal to say, ‘Today they are going out for a meal in a hotel. Sahib received a phone about this. So watch out as she is going with someone. It is the boy who is coming to see her. Pay proper attention. The fact is that Saheb gets all the information, so our loopholes might get found out (if our input is late).’

The tapes also reveal that Shah had instructed Singhal to mount surveillance on a senior IAS officer, Pradeep Sharma, and tap his phones to find out if he was meeting with Madhuri “something that Singhal has also admitted before the CBI. Unaware of the existence of these tapes, Sharma had independently filed a writ petition in the Supreme Court in May 2011 alleging that he was being framed in bogus corruption cases by the Gujarat government and the reason for this was Chief Minister Narendra Modi association with a young woman. It now emerges from Singhal’s statements and tapes that the name of the woman mentioned by Sharma in his petition is the same as the name of the woman who was kept under watch by Shah and Co. At several places in the tapes, both Shah and Singhal have named the woman leaving no doubt about her identity.

The question then arises whether it is just a co-incidence that the name of the woman Sharma alleges to have been associated with Modi matches with that of the woman put under surveillance. Or, there is something more to it than meets the eye?

In one of the phone recordings, Shah is also heard telling Singhal to put a man, who was meeting Madhuri, behind bars for a period longer than served by former DIG of ATS D.G. Vanzara who has been in jail since 2007 on charges of a slew of fake encounter killings. When the conversation between Shah and Singhal took place, Vanzara had already been in jail for more than two years. What is significant is that within three months of this
surveillance operation, Sharma was arrested by the state police on various corruption charges in the wee hours of January 1, 2010.

The disclosures in the Singhal "Shah tapes raise several disturbing questions. Who wanted Madhuri to be watched and why? Why were Madhuri and Sharma snooped around at the same time? Is it a co-incidence that within three months of this snooping, Sharma was arrested on corruption charges?

Why the cops from the ATS, CID Intelligence and the Crime Branch, whose job is to protect the life of ordinary citizens, were used instead to snoop around a woman, who was not wanted in any crime and did not pose any threat to law and order. Not once did any officer involved object to the blatant illegality involved in the surveillance-cum-phone interception operation or expressed displeasure for violating an individual’s privacy. It needs to be remembered that Singhal has clearly stated before the CBI that the entire snooping operation was illegal. The explanation that it was being done for Shah’s ‘saheb’ was a good enough for the top police officials such as Singhal to toe the line. The question is who Shah’s ‘saheb’ was and what were his motives?

The tapes also reveal how phone tapping guidelines as laid down by the Supreme Court in several landmark cases were blatantly violated. It also brings the telecom companies under a cloud, as they willingly obliged the Gujarat Police to tap the phones, without any valid legal orders or written permission.

In his statements, besides accusing politicians like Shah, Singhal has incriminated himself. He has confessed to have played a part in planting arms on the person of Ishrat Jahan and three others. He also disclosed that D.G. Vanzara had told him that the killings of Ishrat Jahan and her associates were cleared by ‘safed’ and ‘kali’ dadhis, the alleged code names that Vanzara had, respectively, for Modi and Shah’s ‘saheb’ a charge which has to be proved in a court of law.

Singhal has also provided a 70-minute audio recording of a meeting held in the office of Gujarat Advocate General Kamal Trivedi and attended by two of Modi’s ministers’ Pratapsinh Jadeja (MoS, Law) and Praful Patel (MoS, Home)’ and an ex-cabinet minister, Bhupender Chudasama. In the meeting, Singhal and his co-accused in the Ishrat Jahan killing were assured of the best possible legal protection by the State. According to Singhal, expensive encrypted cell phones were purchased and distributed to select government officials like G.C. Murmu (Secretary to Chief Minister), P.P. Pandey (suspended ADG of Gujarat Police and now prime accused in the Ishrat Jahan encounter case), A.K. Sharma (JCP, Ahmedabad city) and Singhal himself, who could then discuss over these secured phone lines the tactics of subverting the investigations into encounter killings.

Singhal has further revealed in detail how he was used to threaten two key prosecution witnesses against Shah in the Sohrabuddin fake encounter case. The witnesses were threatened in the presence of Bhupendrasinh Chudasama, a senior member of the ruling party and a former minister. Thus reads his statement given to the CBI on April 17, 20013, ‘Shri Bhupendrasinh Chudasama had stated that he had directions from the Chief Minister Shri Narendra Modi for these two witnesses to turn hostile, in lieu of which he had stated that the Chief Minister had promised all protection and immunity’.

Since people like Shah and Chudasama constantly reassured him that their actions had Modi’s blessings, Singhal indulged in various illegal activities. Says Singhal in his statement to the CBI, ‘I restate the fact that previously I had been coerced to participate in and help in certain activities intended to obstruct the process of law. Although illegal, unethical and improper, I had not declined to follow instructions because I was under a cloud in this case and Shri Amit Shah used to wield his authority by making it appear that I and my
subordinate officers were being protected from incarceration by his and the Chief Minister’s efforts. At this point of time, Gulail and Cobrapost have no means to independently verify these charges.

Whether Singhal’s statements and evidence stand the scrutiny of the courts or not, they nonetheless reveal a chilling modus operandi of the Modi regime. Officers like Singhal who were willing to do all the dirty work would take instructions from Shah who would freely use Modi’s name and mandate them to indulge in all kinds of criminal activities. The question arises was all this happening without Modi’s knowledge? Is Madhuri the only private citizen to have fallen victim to the state’s secret surveillance? How many more people “political opponents, human rights activists, journalists, witnesses, police officers” have been snooped around? One also wonders how did the snooping operation on Madhuri end? Why did Singhal record his conversations with Shah for just over a month and not beyond that? How the information procured about her was put to use?

This is a closet that only opens from the inside. Singhal has cranked it open, but just a bit. Perhaps, the full scale of illegal snooping that may have gone on for years in Gujarat will never be fully known.

Ashish Khetan is Editor, Gulail.com
Raja Chowdhury is a Senior Correspondent with Cobrapost.com

YOUTUBE VIDEOS WITH DETAILED TRANSCRIPT OF AUDIO:
https://www.youtube.com/watch?v=KYmIWaLdYv8
and
https://www.youtube.com/watch?v=w-p5JQd6kws

How the media responded to the Gulail Investigation :-

1.2 A Spool of Filth – a report in Outlook:

A Spool Of Filth: How Gujarat used state and police machinery to stalk a lady
ASHISH KHETAN, RAJA CHOWDHURY

The Master’s Voice
Snatches from the taped conversations

Amit Shah: She must have gone. Sahib comes to know of everything.

G.L. Singhal: Sir, our men are there and I am continuously checking the location with the mobile company.

***
Singhal: Sir, I have seen the place and the hotel. Men are well deployed and all arrangements have been made. The moment she leaves, she will be followed.

Shah: Get it checked whether she is inside or not. I am in a meeting with Sahib, just send the message “the guests are inside.”

***

Shah: I talked to Sahib and he got to know from someone that they did go outside twice. They went for shopping as well. Our men are not watching properly.

Singhal: Yes, sir. Security has been placed in such a way there that our men have to go there ostensibly to make enquiry about car insurance.

***

Shah: This evening the person is supposed to leave. That is the info with Sahib. Check out what flight it could be in the evening. Maybe GoAir. And has that man reached Bhavnagar?

Singhal: Yes sir...he has. I have checked out his location and he reached last night.

Shah: If this girl is going to Mumbai. make sure he does not go to Mumbai.

***

Suspended Gujarat IPS officer G.L. Singhal, an accused in the 2004 Ishrat Jahan murder case, has handed over hundreds of recorded telephonic conversations to the CBI revealing how three key wings of the Gujarat police—the State Intelligence Bureau, also known as CID Intelligence, the Crime Branch and the Anti-Terrorist Squad (ATS)—deployed their combined might to stalk a young woman in her 20s for more than a month in 2009. The surveillance-cum-telephone interception operation was mounted on oral orders, without any valid legal authorisation or paper work, and was meant to serve the interests of someone whom the then minister of state for home, Amit Shah, repeatedly refers to as ‘sahib’.

The illegal spying operation, in which Singhal has confessed to playing a key role, was initiated on the instructions of Shah sometime in July 2009 and continued for several weeks thereafter. The 267 audio recordings submitted to the CBI primarily contain telephonic conversations between minister Shah and officer Singhal. The latter recorded all conversations on his cellphone between August 4, 2009, and September 6, 2009. In at least half-a-dozen of these conversations, Shah has been recorded admitting that ‘sahib’ was taking an acute personal interest in the snooping on the woman and that he was relaying information thus procured to his ‘sahib’.

Shah was the minister of state for home in Narendra Modi’s team from 2003 until his arrest in the Sohrabuddin Sheikh fake encounter case in 2010. He is currently in charge of the BJP’s election strategy in Uttar Pradesh. Singhal, who was arrested in the Ishrat Jahan encounter case in February this year, was released on bail in May. He is currently under suspension as SP, state crime records bureau.
8 policemen spied on Mansi Soni for one month, "trapped" her, and followed her on a plane to Mumbai, reporting each movement to Amit Shah who directly reported to Modi, and provided direct feedback from Modi.

Investigative websites Gulail and Cobrapost have accessed the entire set of recordings as well as three explosive self-incriminatory statements Singhal gave before the CBI in June this year. We have also obtained the 10-page panchnama the CBI prepared while taking possession of the phone recordings from Singhal. To protect the identity of the surveillance victim, we have decided not to reveal her real name or location. For the purpose of this story, we will call her Madhuri.

“In the latter half of 2009, when I was posted as SP (operations) in the Anti-Terrorist Squad (ATS) at Ahmedabad, Shri Amit Shah had directed me several times to watch the movements of Shri Pradeep Sharma, who was then posted as municipal commissioner, Bhavnagar. He had also asked me to put a watch on a young woman named Madhuri (name changed). I had deputed some men of the Crime Branch (as ATS was short of subordinate staff) to follow her, as directed by Shri Amit Shah,” reads Singhal’s statement that was duly recorded by the CBI on April 17 this year.

The tapes indicate that for at least over a month the Gujarat police apparatus used its sweeping powers to rigorously monitor every private moment, every personal conversation and every daily movement of Madhuri. She was tailed even as she visited shopping malls, restaurants, ice-cream parlours, the gym, cinema halls, hotels and airports. When she took flights out of Ahmedabad, orders were issued to put cops on the flight so that she was not out of sight even when she was flying. She was not spared even while visiting her mother in hospital. Strict orders were also given to closely observe and profile those who met her. Shah was particularly interested in knowing the men she was meeting and whether she was alone or with some man when she checked into hotels in Ahmedabad. Her phones and those of her family and friends were illegally tapped. Every bit of information was conveyed to Shah in real time, who in turn claimed to be relaying it to his ‘sahib’.

Such was the importance attached to the surveillance operation that many senior state police officials were instructed to personally supervise Madhuri’s movements and activities. Besides Singhal, the then inspector-general, Intelligence, A.K. Sharma; then deputy SP, CID Intelligence, D.B. Vaishnav; and then DCP (crime) Abhay Chudasama were some of the other senior officers who were in the loop for the snooping. At present,
Sharma is posted as joint commissioner of crime in Ahmedabad city. Vaishnav has retired, and Chudasama is himself in jail for stagemanaging the Sohrabuddin killing.

Amit Shah, then Home Minister

The disclosures in the Singhal-Shah tapes raise several disturbing questions.

- Who wanted Madhuri to be under surveillance and why?
- Who is the ‘sahib’ Shah refers to, and what were his motives?
- Was the surveillance for official reasons or for private ones?
- Why were there no proper authorisations if this was a legitimate exercise?
- Why did it take Singhal four years to reveal recordings he made in 2009?
- Are the recordings made by Singhal the only ones which exist?
- Has the Gujarat police tailed other private individuals similarly?

Listening to the conversations, it is clear that the cops from the Gujarat ATS, CID Intelligence and the Crime Branch, whose job is to protect the life of ordinary citizens from organised crime and terrorism, snooped on an unmarried woman, without once questioning the blatant illegality of it. At many places in the tapes, Shah can be heard complaining that Singhal’s men were not doing a thorough job as ‘sahib’ was obtaining information about her movements from his independent sources and his information network was at times faster than that of Shah.

For instance, on August 9, 2009, Shah is heard saying in a panicky call to Singhal, “I talked to Sahib and he got to know from someone that they did go outside twice. I think our men are not watching properly. They are still there. They went for shopping as well and also moved out along with that boy who came to see her.”

A little later, Shah again rings up Singhal. “Today they are going out for a meal in a hotel. Sahib received a phone about this. So watch out as she is going with someone. It is the
8 policemen spied on Mansi Soni for one month, "trapped" her, and followed her on a plane to Mumbai, reporting each movement to Amit Shah who directly reported to Modi, and provided direct feedback from Modi.

Singhal’s statements and the whole evidence reveal a telling modus operandi of the Modi regime. Officers like Singhal who were doing all the dirty work would take instructions from Shah who would freely use Modi’s name and mandate while asking the cops to indulge in all kinds of criminal activities. Is Madhuri the only victim of the state’s secret surveillance? How many more people—political opponents, human rights activists, journalists, witnesses, cops—have been snooped on? How did the snooping operation on Madhuri end? This is a closet that only opens from the inside. Singhal has cranked it open, but just a bit.

By Ashish Khetan and Raja Chowdhury (Ashish Khetan is publisher of gulail.com, Raja Chowdhury is senior correspondent with cobrapost.com.)

1.3 **Report in Times of India**

[** This report in Times of India – I’ve cited in my blog post, later]

Amit Shah deployed illegal Gujarat Police surveillance on woman for 'saheb': Cop

TNN | Nov 15, 2013, 08.00 PM IST

NEW DELHI: BJP general secretary Amit Shah made Gujarat Police deploy illegal police surveillance on a young woman because his "saheb" was obsessed about knowing every moment of hers.

The details were made public by investigative websites Cobrapost and Gulail, based on taped phone conversations between IPS officer GL Singhal, Shah and others. The tapes were submitted to CBI by Singhal, who is an accused in the Ishrat Jahan fake encounter case.

According to tapes played out before the media on Friday here, the "illegal spying" operation was initiated sometime in August 2009, when Shah was Gujarat’s minister of state for home, and continued for several weeks thereafter. According to these tapes, Gujarat Anti Terrorist Squad (ATS), where Singhal was an SP, illegally listened in on the woman's mobile phones, had policemen deployed at airport, hotel, and even in hospital where her mother was undergoing a surgery.

Besides the woman, a senior Gujarat IAS officer Pradeep Sharma was also put under illegal watch.

"In the latter half of 2009, when I was posted as SP (operations) in the anti-terrorist squad (ATS) at Ahmedabad, Shri Amit Shah had directed me several times to watch the movements of Shri Pradeep Sharma, who was then posted as municipal commissioner, Bhavnagar. He had also asked me to put a watch on a young woman named Madhuri. I had deputed some men of the crime branch (as ATS was short of subordinate staff) to follow her, as directed by Shri Amit Shah," the investigative websites quoted Singhal as having told the CBI on April 17, 2013.

The websites calimed that for over a month the Gujarat Police apparatus "used its sweeping powers to rigorously monitor every private moment, every personal conversation and every daily movement of Madhuri (name given by the websites). Singhal has told the CBI that the surveillance was illegal and was carried out only on the oral instructions of Shah."

According to recordings played before the media on Friday, the woman was tailed as she visited shopping malls, restaurants, ice cream parlours, gyms, cinema halls, hotels and
airports. The recordings also show that she was followed even as she visited her ailing mother in a hospital. When she boarded a flight from Ahmedabad, cops were asked to board the same aircraft so that she was not out of sight even for a moment.

According to the recordings, Shah was keen to know about the men who met the woman, and if she was with some man when she checked into a hotel in Ahmedabad. Not just her phone, but also those of her family and friends were tapped by the ATS, the tapes reveal.

Shah kept collecting information almost real time, while also revealing that his "saheb" had other sources for information on the woman.

According to the tapes, Shah also instructed Singhal to put surveillance on IAS officer Pradeep Sharma. Shah was keen to know if Sharma was meeting with the particular woman. The websites claim that unaware of the existence of these tapes Sharma had independently filed a writ petition in the Supreme Court in May 2011 alleging that he was being framed in bogus corruption cases by the Gujarat government, and among the allegations he mentions is about Narendra Modi's association with a young woman.

"It now emerges from Singhal's statements and tapes that the name of the woman mentioned by Sharma in his petition is the same as the name of the woman who was kept under watch by Shah and company," the websites said in a statement.
2. The identity of the snooped ‘terrorist’

2.1 Madhu Kishwar denounces Mansi Soni as a terrorist

My blog post

Madhu Kishwar, please provide proof of your STRONG claims against Mansi Soni

Madhu, you know we both have a common interest in good governance and liberty. We have been fighting the same fight for many years: for India's liberty and future.

So it is important that we always speak the truth to the best of our ability.

I note that you have made the following claims against Mansi Soni:

a) That she is a terrorist:

What is the charge? Why were they doing this surveillance? At least this much should be clear. Was it that she was involved with a terror group? You better find this out as that's important. Please, find out whether she was another Ishrat Jahan, and if she was another Ishrat Jahan, she should be having surveillance. [Source]

First, there is no proof that Ishrat Jahan was a terrorist. Indeed, there is evidence to the contrary. Second, you realise that this kind of a statement requires proof. What proof do you have to suggest that Mansi Soni was a terrorist? This a very strong statement and you may be liable for libel if it turns out to be false.

b) That she had an affair with Pradeep Sharma, IAS

[Note: I've taken a snapshot of this tweet should Madhu chose to delete it in the future]

Here's one more extremely strong statement, that you MUST provide proof of, else once again, you expose yourself to libel.

Note that I've the greatest regard and sympathy for Mansi Soni. I don't see ANY reason why Modi would spy on her. I believe she should lead a national movement against Modi.
But you are now suggesting that I may have mis-read the issue of Mansi Soni, and that she is a terrorist who has affairs with senior IAS officers?

Which terrorist organisation does she work for? All I know is that she is an accomplished architect.

**ADDENDUM**

Pradeep Sharma is preparing to sue Madhu Kishwar

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**SCREENSHOT OF MADHU’S CLAIMS ABOUT MANSI SONI BEING A TERRORIST**

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Very easy to identify Mansi Soni from publicly available data

I had published this blog post on November 16, 2013, and today (29 May 2014) note that some information has been since changed (e.g. the Linkedin profile http://www.linkedin.com/pub/mansi-soni/2/982/2b has been removed, and the website http://www.cityshor.com/ahmedabad/starz-club has changed.

Fortunately, I had extracted key information from Linkedin – which was cited on my blog post of 16 November), and also retained a screenshot from http://www.cityshor.com/ahmedabad/starz-club of that date (again, on my blog post). It took me precisely 10 minutes to make the link between information regarding Mansi Soni (source: Pradeep Sharma’s petition of the Supreme Court) - being an architect from Bangalore, her Linkedin profile (since removed), the comment on Staz Club restaurant, and her Facebook account (of which I had taken screen shots).

This information was in the public domain and all one had to do was to link it together in ten minutes.
Modi and Madhuri. Mansi Soni is “Madhuri”. So is THIS Mansi the one?

The following linkages can now be made:

From here (petition of Pradeep Sharma, IAS, to the Supreme Court), we determine that the name of "Madhuri" is Ms Mansi Soni.

This is PUBLICLY AVAILABLE. And widely so [e.g. here or here]. Since 2011.

From here (LinkedIn) we determine that there is one Mansi Soni, architect, with qualifications from BMS College of Engineering, Bangalore and Co Founder at Ecolibrium Energy (P) Ltd.

From here, we determine that Ms. Mansi Soni has a Facebook account: https://www.facebook.com/mansi.soni.355.

From the Facebook account of Mansi Soni we CONFIRM that she has extensively travelled to Gujarat:

Mansi Soni has a youtube channel.

From the data compiled above, it does SEEM that this Mansi Soni is the person of interest, although there may well be ANOTHER Mansi Soni who is an architect from Bangalore and who has travelled to Gujarat.

IF this is the "Madhuri" that we are talking about, then this is what she looks like:

[ADDENDUM 13 APRIL 2014 - PHOTO REMOVED TO THE BOTTOM]
I would hope that the actual "Madhuri" speaks up urgently – since her security has been violated by Modi and his gang of thugs.

If this profile is the incorrect Mansi, I request to be excused for any unintended attention this post might attract – and would appreciate an email at sabhlok@gmail.com so I can quickly correct this post.

ADDENDUM

I've sent the following message to Mansi Soni on FB to ensure that I'm able to correct any error as soon as possible [Click for larger image]

ADDENDUM

This article contains a picture of Mansi Soni, as well. I don't think it matches well with the previous one on the Mansi Soni public profile, though.

Further, Gulail has posted this picture (see this for details).

ADDENDUM 13 April 2014
I received this info from a classmate of Mansi Soni, Vishnu Prakash

Dear Sanjeev
I thank you for sharing this article. I am a graduate from BMS College of Engineering (Architecture) Bangalore. I have been vehemently reading on the so called links of Modi with 'Madhuri' and that's what led me to you writing. Mansi Soni absolutely joins the dot. I have know her personally in the past. We joined the Architecture department in BMS College of Engineering, Bangalore in 1994. Her older brother Chintan too graduated from the same College. I personally think she should come out and speak about it. I can confirm the picture of her (blurred image) with Narendra Modi, the individual pic in sepia is not her, neither the pic of Narendra Modi holding a woman’s hand is not her. I can also confirm the facebook account that you have sent a message too as hers.

As a result I'm doing the following:
1) I'm moving the sepia photo (earlier posted above) taken from the relevant youtube page, and putting it here, below. This, according to her classmate Vishnu Prakash, is NOT "the" Mansi's photo:

![Mansi Soni's Photo](http://onedrive.live.com/download?resid=CDF444DE552B7D7B%216878)

This photo was (and continues to be) on the youtube account named Mansi Soni (http://www.youtube.com/user/mansihsoni1). Fine. But the FB account definitely was the correct account.

2) I'll try to get in touch with Gulail to tell them that the photos they have of "Mansi" are NOT of Mansi.
2.3 Why did you give a terrorist ‘discreet security’?

<table>
<thead>
<tr>
<th>Modi, why did you give “terrorist” Mansi Soni “discreet security”? Please release all your Soni spying documents.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Madhu Kishwar has clearly suggested that Mansi Soni is a terrorist. Mansi Soni has not denied it or sued Madhu Kishwar. Nor has Modi denied it. Given Madhu Kishwar’s claim that she has studied Modi extensively (which I don’t find credible, since Modinama had made seriously false assumptions about the Godhra incident), this leaves open the possibility that Modi was doing the right thing for India by spying on Mansi. But ...</td>
</tr>
<tr>
<td>If so, why has Mansi Soni’s father alleged that Mansi was being provided &quot;security&quot; by Modi (who was busy &quot;trapping&quot; her and following her secretly on planes)? Something is missing.</td>
</tr>
<tr>
<td>Either Mansi Soni is a terrorist (as Madhu Kishwar alleges) and Gujarat police needed to spy on her, or she was OK but being given security by Modi (but then the type of &quot;security&quot; was more like spying. Modi calls it &quot;discreet security&quot;). This is REALLY PROBLEMATIC. Nothing adds up. This whole incident is stinking like a dead fish.</td>
</tr>
<tr>
<td>The matter can be resolved if ALL official documents in relation to this security &quot;request&quot; are published. And/or Madhu Kishwar should publish proof that Mansi Soni is a terrorist. I don’t agree with the FAKE inquiry that Modi has set up. Let him release ALL documents regarding Mansi Soni. That will help clear this MASSIVE STINK.</td>
</tr>
</tbody>
</table>
3. Charge 1: CRIME. Crime punishable with three years imprisonment

3.1 The violation of Specific violation of law

Rule 419A of the Indian Telegraph Rules, 1951 makes it compulsory for the state home secretary and the inspector general of police’s permission to be sought before any communication is intercepted.

Moreover, under the Indian Telegraph Act, 1951, communication can be intercepted only on account of a public emergency or for public safety. If either of those two preconditions is satisfied, then the government may cite any of the following five reasons: “the sovereignty and integrity of India, the security of the state, friendly relations with foreign states, or public order, or for preventing incitement to the commission of an offence”.

As per reports, none of those who were in charge at that time had any inkling of what was going on, thereby making the entire operation illegal.

3.2 Punishment under s.26(b) of Indian Telegraph Act

Illegal phone tapping could invite three years of imprisonment under Section 26 (b) of the Indian Telegraph Act. The aggrieved person can file an FIR and also move the Human Rights Commission as unauthorised tapping is violation of right to privacy.
4. Charge 2: Subversion of taxpayer funds for private purposes

4.1 Modi and Amit Shah used TAXPAYER FUNDS to stalk Madhuri

<table>
<thead>
<tr>
<th>Modi and Madhuri – Modi and Amit Shah had no business to use TAXPAYER FUNDS to stalk Madhuri</th>
</tr>
</thead>
<tbody>
<tr>
<td>This report is shocking that Modi used his entire police machinery to literally &quot;stalk&quot; &quot;Madhuri&quot;, a Bangalore based female architect. [Sanjeev: I’ve copied this separately, below [see **], to ensure that Modi doesn’t force Times of India to remove the report]</td>
</tr>
<tr>
<td>The motive</td>
</tr>
<tr>
<td>The girl's father, however, said in a statement that his daughter, who was based in Bangalore, had come to Ahmedabad when her mother was to undergo a surgery. She was required to commute at odd hours between the hospital and a nearby hotel which was a matter of concern to him. He had, therefore, orally requested Modi, &quot;with whom we have long-standing family relations&quot; to &quot;take care&quot; of her. He was shocked that some &quot;vested interests&quot; were approaching the media in this regard. [Source]</td>
</tr>
<tr>
<td>It would appear at first sight this that Modi was interested in providing security to &quot;Madhuri&quot;.</td>
</tr>
<tr>
<td>But there are two pieces of contrary information:</td>
</tr>
<tr>
<td>a) That Pradeep Sharma, an IAS officer, mentioned that Modi has an interest in this woman.</td>
</tr>
<tr>
<td>Sharma had independently filed a writ petition in the Supreme Court in May 2011 alleging that he was being framed in bogus corruption cases by the Gujarat government, and among the allegations he mentions is about Narendra Modi’s association with a young woman. [Source]</td>
</tr>
<tr>
<td>b) That Shah was passing details to Modi on a minute-by-minute basis:</td>
</tr>
<tr>
<td>The conversations suggest Shah was passing minute-by-minute details gathered through this snooping operation to his ‘saheb’. [Source]</td>
</tr>
<tr>
<td>Why would such minute-by-minute transfer of information occur if Modi was simply ‘protecting’ Madhuri?</td>
</tr>
<tr>
<td>Thereafter Pradeep Sharma was allegedly hounded by Modi. He was allegedly framed and is under suspension. Despite WARNINGS from CAT, Modi has been refusing to even pay suspension allowance to this officer.</td>
</tr>
<tr>
<td>CONCLUSION</td>
</tr>
<tr>
<td>It is unclear what the motive for this stalking was. It is clear, however, that stalking and surveillance DID occur. At taxpayer cost.</td>
</tr>
<tr>
<td>It is CRUCIAL to determine whether any PUBLIC purpose was served by this expense, and whether appropriate permissions were taken for such expense.</td>
</tr>
<tr>
<td>This is one more sign of a Modi-centred mafia.</td>
</tr>
</tbody>
</table>
Modi doesn’t believe in any constraints of the law, and is willing to use his police machine in any way to suit his needs.

The destruction by Modi of the machinery of government in Gujarat is complete.
5. Charge 3: CRIME: Victimisation and imprisonment of an officer without basis

5.1 Pradeep Sharma’s petition

Pradeep Sharma’s 200+ page petition to the Supreme Court is available here (taken from Sanjiv Bhatt’s Scribd account).

5.2 Pradeep Sharma: ‘I will fight till the last for my dignity’

Suspended IAS officer Pradeep Sharma opens up on ‘God-send’ Singhal and the reasons why the state govt victimised him

Roxy Gagdekar January 08, 2014

A day after he tried to file a complaint against Chief Minister Narendra Modi and his close aide Amit Shah, suspended IAS officer Pradeep Sharma broke his silence.

Talking to Ahmedabad Mirror, Sharma said that after G L Singhal’s tapes revealed that even the family of the woman was snooped on by the team of Gujarat police, the BJP has ducked questions.

“They cannot defend themselves, as it is clear that the state’s fund was illegally used and documents were forged to snoop on me and the woman as well as her family,” he said.

Currently, Sharma is busy consulting lawyers for advice to fight the case legally. The recent incidents have also affected him personally. “My family too has suffered a lot,” he said.

After being arrested by the state government in January 6, 2010, when he was Kutch collector and subsequently released on bail, Sharma struck back after the details of the tapes submitted to CBI by suspended IPS officer G L Singhal revealed that, Sharma and a woman along with her family were snooped on by the then minister of state for home Amit Shah at the behest of a person identified as ‘Saheb’ by Shah.

On being victimised

“There is no doubt that, I have been booked for six cases due to the vindictive nature of Narendra Modi. In the first case, I was shocked as it came as a surprise to all of us. The second case unnerved me; the subsequent cases emboldened me and eventually made me stronger. I am not frightened of the future. I will fight till my last breath for my dignity.”

Being the brother of Kuldeep Sharma
“Of course, one of the reasons of victimising me was the prejudice against my brother Kuldeep Sharma (retired DGP) by the state government. As my brother did not fall in the line like other officers, he was sidelined and later harassed by the state government.”

**For being snooped**

“I was intimated by some friends in 2009, when I was posted as the municipal commissioner, Bhavnagar, that I was being spied upon by some people. At that time I was not sure why the state government was keeping a watch on me. I believed that I was being watched because I was Kuldeep’s brother. However, the exact reason was known to me after I was falsely implicated in criminal cases.”

**On the mysterious woman**

“I was the one who introduced her to the chief minister. Her family even invited me to finalise the boy for her marriage and we shared a good relationship till the time I was posted in Bhavnagar. Her family was in good terms with me.”

**On the recent tapes**

Before these tapes were revealed, I had included similar facts in an affidavit to the Supreme Court. However, as I was not able to attribute the affidavit with the valid proofs I had to remove the part of the ‘woman’ from the affidavit. However, I have again submitted another affidavit in the Supreme Court based on the proofs provided in the tapes and the hearing is scheduled in mid-January.

**On G L Singhal**

“He is no less than a god for me. The evidence submitted by him has proved that I have been falsely booked in all six cases and have also opened up the reasons as why the state government acted in so vindictive a manner against me. Singhal is no less than an angel sent to me by God.” In his compliant to the Gandhinagar police he had mentioned Singhal’s name as a key witness.

**Reacting to the approach of the state police for not filing the complaint**

Sharad Singhal, the district superintendent of police, Gandhinagar district, said that as there is a commission formed by the state government to inquire into the snooping case, the police will not get into the investigation on Sharma’s application. However, reacting to this statement, Sharma said that, how were the accused of the Naroda Patiya booked and even a trial conducted despite Nanavati-Mehta Commission inquiring into the case and the report yet to be submitted.

**On being falsely implicated**

“In a career spanning 30 years, there has not been a single inquiry conducted against me. And in one year I was booked for six criminal cases. This is what, a vindictive man can do.”
6. Proofs

6.1 Proof 1: Modi has never denied the surveillance

As Ashish Khetan pointed out in his affidavit to the Sugnyaben commission: “the State government which is the wrong-doer has not even denied the existence of such surveillance” [Source]

6.2 Proof 2: The 100 per cent authenticity of the tapes

G.L. Singhal, who was on Wednesday reintegrated into the Gujarat IPS after a one-and-half-year suspension, continues to stand by the authenticity of the recorded tapes that fuelled the ‘Snoopgate’ controversy.

Asked if he would still defend the audio recordings of conversations between him and former Home Minister Amit Shah, which the Central Bureau of Investigation had seized from his house, Mr. Singhal told The Hindu “definitely” [Source]
6.3 Charges proven

**Modi has to go. Two out of three criminal charges against him in the Mansi Soni case are now proven BEYOND ANY DOUBT.**

Pradeep Sharma has spoken boldly [here](#) and [here](#).

This much is now clear:

**CHARGE 1: MISUSE OF PUBLIC POLICE MACHINERY AND ILLEGAL SPYING BY MODI**

- Now PROVEN BEYOND REASONABLE DOUBT, including the motive. This is a CRIMINAL act. Modi used the state machinery (at extensive cost) in a matter of his personal relationship with Mansi Soni.

  Modi should be chargesheeted. In addition, as Pradeep Sharma says, even surveillance over him was illegal. Modi thinks the machinery of the state is his plaything. He HAS to go. This is not the kind of PM India needs.

**CHARGE 2: TRANSFERRING PUBLIC FUNDS TO MANSI SONI**

This has already been proven beyond ANY doubt, it being disclosed as part of an RTI application. The amount is immaterial. Given the NEXUS between Modi and Mansi Soni, this payment is illegal and criminal, amounting to corruption. [Also see this](#).

**CHARGE 3: SUPPORTING MANSI SONI AND HER BROTHERS ILLEGALLY IN THEIR BUSINESS**

My preliminary examination of the data presented in the media led me to conclude that this matter was NOT proven.

However, the matter deserves scrutiny once again, given Pradeep Sharma’s statement below (refer the last parts of his statement). Also see the second half of his second statement below. There are a LOT of allegations that Pradeep makes about Modi’s attempt to support Mansi Soni’s business. These now need to be investigated.

**ALSO:**

- [https://www.youtube.com/watch?v=-Kb8tEjgYkQ](https://www.youtube.com/watch?v=-Kb8tEjgYkQ)
- [https://www.youtube.com/watch?v=RB-fJAMTIuA](https://www.youtube.com/watch?v=RB-fJAMTIuA)

6.4 This was tip of iceberg: Modi HABITUALLY and illegally spied on people

**One more IPS officer (JS Mohapatra) hammers a nail into Modi’s coffin**

Modi is proving to be worse than I had thought. In every way.

After confirmed complicity in the killing hundreds of innocents, he has now been shown to be a MEGA-SPY. The Mansi Soni saga is of one piece. J Mohapatra, IPS 74 batch, protested to Modi’s government in 2004 itself.

Details below.

“an official letter and demanded a strict phone interception policy. The Modi government could be in fresh trouble with this official letter by senior IPS officers which blows the lid on illegal phone-tapping by the police in Gujarat”

“I will soon expose how the then minister of state Amit Shah gave regular orders to intercept phones of political rivals, private citizens and even journalists,” an IPS officer told...
Mirror adding that Modi government wanted to have a hawk’s eye on all developments in the state.

the then additional director general of police (intelligence) J Mohapatra in his letter dated NG0/473 on July 13, 2004 wrote to the principal secretary how there were examples of Gujarat police indulging in illegal phone interception. He gave five illustrations also of top offices and officers “flagrantly violating set rules and indulging in phone tapping”.

former director general of police Amitabh Pathak had made it public on May 31, 2013 that he was shocked to learn that from May to December 2012, Gujarat police had obtained call detail records (CDR) of 93,000 mobile owners without his knowledge or following legal procedure.

“Besides political rivals, the government was keen to know what journalists and media barons in the state were up to and their mindsets,” he claimed. He added Shah’s orders for phone tapping were usually laced with the prefix “saheb wants it”. [Source]

Why is Modi, usually vocal on every topic, so quiet now?

He has been cornered.

This man has been running the Gujarat state as his private fiefdom. Why is no one filing charges against him yet? Let him explain his actions to the courts.

THE CRIME

Illegal phone tapping could invite three years of imprisonment under Section 26 (b) of the Indian Telegraph Act. The aggrieved person can file an FIR and also move the Human Rights Commission as unauthorised tapping is violation of right to privacy.
7. Various attempts at obfuscation of the truth

7.1 Mansi was not being protected for visiting her mother, as alleged by her father

**Modi, Mansi Soni visited her mother in your unsafe city only on 11 and 12 August 2009. So why did you spy on her for over 35 days?**

**Modi’s Ahmedabad is EXTREMELY UNSAFE FOR WOMEN.**

Or at least that’s the import of the letter from Mansi Soni’s father. This utter lack of safety for women made Pranlal Soni seek special security from Modi for his daughter Mansi during her mother’s gall bladder surgery in Ahmedabad [Sanjiv Bhatt has uploaded the Hospital discharge report here].

The operation was on 11 August 2009. Admission was at 10:09 am.

Mansi Soni presumably was going to be extremely unsafe when she left the hospital at night to go to her hotel. She was not told she was being provided “security”.

Security was provided to her “discreetly” – spooky people watched her from a distance. That’s how Modi provides “security” to his friend’s daughters.

Of course, security was needed only for a **couple of hours** on the way to the hotel on 11 and 12 August.

Thereafter, on 13 August, Mansi’s mother was discharged.

Everyone was thereafter supposed to **flee** unsafe Ahmedabad.

But Mansi Soni did not flee unsafe Ahmedabad. She hung around.

Indeed, she had direct access to Modi’s house and it is alleged by Pradeep Sharma that she stayed for two nights in Modi’s house in early 2006.

One PSO for Mansi for two hours each night on 11 and 12 August was ALL that Modi should have provided – assuming he had actually received a request for Mansi’s “safety”, and assuming his Director General of Police has publicly admitted to everyone that Ahmedabad is SO UNSAFE that NO woman can safely reach her hotel from the hospital without being attacked or molested on the way.

This throws up an important question: What is Ahmedabad’s crime rate against women? How many women are molested daily while travelling at night by taxi/autorickshaw from the hospital to the hotel? And if Modi can’t even ensure a modicum of safety for women in the city, what qualifies him as a future leader of India?

We know that Modi is excellent at killing Muslims. He also seems to have a particularly poor capacity to protect women.

But hold on! There is a further twist to this man’s capacities.

**Modi is telepathic.**

Modi knew that Mansi’s father would call him for her "protection" FOUR DAYS BEFORE he actually called her. Four days before her mother needed to be admitted in hospital.

Modi had already arranged "discreet security" for Mansi Soni in advance – from at least 4 August 2009.
Very nice telepathic man, is this Modi. Very caring of his friends. He has so many spare policemen twiddling their thumbs with nothing to do that he can provide security to ONE woman for more than a month (this went on till at least 10 September 2009) – when it was only needed for two hours each for two nights.

But there is a glitch. Modi only provides security if you know him. Without that, you are extremely unsafe in Ahmedabad. Particularly if you are a woman travelling by taxi from a hospital to a hotel.

Given this information, can Modi please give us his personal phone number so we can all request him personally for this Rolls Royce security that commences BEFORE it is needed, and continues WELL AFTER it is no longer required?

And it is "discreet". No one will ever come to know that it is being provided. Unless the tapes and recordings are leaked by some naughty policemen in due course.

And, of course, his HOME MINISTER has so much time on his hands (when he is not organising the killing of innocent Muslims) that he is busy monitoring the "security" of these special women on a regular basis.

Very nice people, these two : Modi and Amit Shah.

7.2 Pranlal Soni is lying

Pranlal Soni’s testimony about Mansi Soni is contaminated by Modi-worship

Someone has provided me the link to Pranlal Soni’s facebook account.

Pranlal is Mansi Soni’s father and is the one who said there is NO PROBLEM with Modi and his goondas stalking his daughter since Modi was allegedly only providing "security".

I’ve earlier discussed the impropriety of Modi providing "security" to an ordinary citizen without due security assessment. There can be no grounds (no "Dharma") to waste Home Minister’s and senior IPS officers’ time, and taxpayer money in airtickets for policemen to spy on Mansi during a flight to Mumbai. The whole thing is not security, anyway, but one solid month SPYING on Mansi.

What has bothered me, however, is that NO CARING FATHER WOULD HAVE TOLERATED THESE ACTIONS OF MODI. I believe that Pranlal Soni’s testimony is inconsistent with what a FATHER would normally be expected to say.

There seem to two possible reasons for Pranlal making this kind of unnatural statement:

a) Pranlal Soni being threatened with violence by Modi: This is quite possible. Modi is capable of killing to protect his career.

b) Pranlal Soni’s paternal sentiments have been clouded by Modi-worship: After a review of Pranlal Soni’s FB account (which is PUBLIC), this seems to be a clear possibility.

I’m posting the following snippets from his FB profile and will discuss the implications at the end of this post. [Click for larger image]
8 policemen spied on Mansi Soni for one month, "trapped" her, and followed her on a plane to Mumbai, reporting each movement to Amit Shah who directly reported to Modi, and provided direct feedback from Modi.
It is clear from this that Pranlal Soni is a MAJOR FAN OF MODI. He not only writes glowingly about Modi on his FB page, he is member of two groups that promote Modi. It is almost certain, therefore, that he allowed himself to be coached by Modi's team to make the statement he made (about this being a case of "security" for his daughter by Modi). **If Pranlal Soni's phone records or visitor records are accessed, there will undoubtedly be proof of EXTENSIVE collaboration with Modi/BJP before he made his UNNATURAL public statement.**

Pranlal Soni has allowed his sentiments as father to be over-ridden by even stronger sentiments in favour of Modi.

I request Pranlal Soni to look within his soul – as a father. Is THIS the kind of India he wants to live in – where Modi and his team of goondas spy on people's daughters without any valid reason?

In any event, this is a matter on which Mansi Soni should speak, and lead a CAMPAIGN AGAINST MODI.
Mansi Soni should speak out (and be subject to a lie detector test)

Why Mansi Soni (not her father) must speak out: an IAS officer is in prison, and Modi has been spying on her

I’m combining my comments in response to comments from two commentators [Comment 1 | Comment 2] into a separate blog post for those who don’t subscribe to my comments feed. It is important to emphasise that I am focusing on this case (as with other Modi cases) in the PUBLIC INTEREST. Anyone who wants to be PM of India must be subject to intense scrutiny.

This is a very serious case and highlights once again the TOTAL DESTRUCTION OF THE PUBLIC MACHINERY OF GOVERNANCE IN GUJARAT and extra-judicial ENCROACHMENT OF CITIZENS’ LIBERTIES.

Officers like Sreekumar and Sanjiv Bhatt would have refused point blank to spy on private citizens. So Modi booted them out. Now he has a free hand with PLIANT, CORRUPT OFFICERS and uses the public machine of government for his private purposes.

First let Mansi Soni speak and then let Modi tell the country what’s going on.

Modi tried to LAY A TRAP FOR MANSI: "Actually we also tried to lay a trap at night"

Why Mansi’s father’s statement is a red herring

The statement by the father doesn’t hold water, but is also problematic in a serious way.

1) Let the “girl” say what she has to. The father has no business to tell us HER story since she was NOT a little girl but an independent businesswoman (architect), and has allegedly visited Gujarat not just once but extensively. The petition by Pradeep Sharma in the Supreme court makes that abundantly clear, apart from the FB entry. Let Mansi Soni speak out and clarify the number of times she has visited Gujarat and whether she stayed for two days in Modi’s residence – as alleged by Pradeep Sharma, Also why was her security a problem only during the period when her mother was to undergo surgery? What about the other times?

2) Just because one knows Modi, is that sufficient reason to expect taxpayer funded POLICE security for your daughter? When police security has been withdrawn by Modi from Sreekumar, DGP, and reduced for Sanjiv Bhatt – peoole with GENUINE and well-evaluated needs for security, what security assessment was conducted by Modi before giving Mansi Soni security? What process is followed by Modi’s government to provide “security” to private citizens? Recall that Modi failed to provide security to 1000 people who were killed after the Godhra incident. He actively incited these killings. So what makes him provide security to one Indian and not to the residents of Gujarat?

3) The father is assuming that this was a case of security being provided to his daughter. That is incorrect. This is a case of prying into the privacy of his daugther. Modi and his forces were SNOOPING on his daughter. There is a HUGE difference between security and spying. This is a case of extra-judicial spying, in which Gujarat police was used by Modi as his private detective agency. Which constitutional power entitles him to use police as his private detective agency? Is the father not bothered that someone with whom he has an old relationship is snooping on his daugther/ stalking her? What about his daughter’s self-respect and liberty? Why has he not CONDEMNED the spying on his daugther? I condemn it.

4) The father forgets that Modi has imprisoned a senior IAS officer who had raised some questions regarding this matter. So this is NOT a case of private “security” for his daughter. It is a case of PENAL action being taken by Modi against an (allegedly) honest
IAS officer in a matter in which his daughter is involved. This is one more case of the DESTRUCTION of administration, police and justice by Modi.

The case has raised too many further questions about Modi and his goondas, and their ongoing misuse of a machinery from which the PUBLIC get no protection but he gets to use to expand his private purposes. And his penchant to liquidate/imprison anyone who raises questions.

Let Mansi Soni – who has been spied by Modi – speak and clarify to India. Let her also explain the petition by Pradeep Sharma. Did she know him. Which parts of the petition are correct, which are wrong?

I’m surprised that the media has been sitting tight on this issue. What happened to the concept of investigative journalism?

This is not just a matter of taxpayer funds (alleged “security” for Mansi) but a matter of due process and how a PUBLIC machinery has been hijacked for private purposes. Due process, spying on private citizens, etc.

Why is India’s PAID MEDIA (since these guys don’t do anything till they are bribed) sitting tight? Why are the liberties of Indians not being protected by the media?

The "private" relationship (whether paternal or otherwise) NEEDS to be clarified

I DO believe it is crucial that the “private” issue be clarified for two reasons:

a) An officer has been imprisoned with allegedly false charges because of this alleged relationship. This is no private matter if a PUBLIC officer can be imprisoned this way by Modi.

b) Modi claims to be a paragon of “virtue”. But he is a married man. The public is entitled to know his standard of personal integrity and decide whether they want such a man as their PM.

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### 7.4 Atrocious falsification of facts by Modi/Mansi/Pranlal Soni

Atrocious falsification of facts by Modi/Mansi/Pranlal Soni. The Supreme Court should be very firm on this.

I chanced upon this article. [Snoopgate: 'Thankful' for Surveillance, Woman Tells Supreme Court]

It suggests a backdoor process being put in place by Modi to sabotage the investigation of ILLEGAL surveillance of Mansi Soni using taxpayer funds.

I do hope the Supreme Court will uphold the BASIC dictates of justice.

This is NOT about Mansi Soni or Pranlal Soni’s “perception” about what happened. The fact that both Mansi and Pranlal are lying is an obvious, but irrelevant matter (Mansi was clearly unaware of the surveillance as can be readily deduced from the tapes).

The issue is that TAXPAYER MONEY was used – and SENIOR police resources diverted from normal duties – towards extensive surveillance which is entirely unrelated to safety. The surveillance included sending a person IN AN AIRCRAFT TO SPY ON MANSI SONI.

A HUGE bill was racked up for this "discreet surveillance" (the idea of "discreet surveillance" is, of course, nonsense. This was pure and clear surveillance). And it is clear that Modi had a strong personal interest in finding out what was going on. Constant communication indicated that Amit Shah was reporting to Modi.
And remember, Madhu Kishwar called Mansi Soni a TERRORIST. And many people I’ve come across have justified this "surveillance" on the ground that Mansi Soni is a terrorist!

Further, this surveillance was totally unrelated to Mansi Soni’s mother’s operation – a matter I’ve dealt with earlier after looking at the documents released on Gulail, etc. The surveillance started well before the operation and continued well after it.

So the issue is that the laws of the land have been violated. This is an open and shut criminal matter.

Let the Supreme Court enforce the rule of law. I can understand Gujarat judges being totally bought out by Modi. But the Supreme Court as well? I hope not (although I've heard enough, by now, about the corruptibility of SC judges that I wouldn't be surprised if the relevant judge is bought out and gives some ridiculous "judgement". The idea of justice is simply NON-EXISTENT in India.).

7.5 Modi paid Mansi Soni Rs. 5,153 in 2005 for mobile recharge when no one else was similarly paid

So, Modi, why did you pay Mansi Soni Rs. 5,153 on October 25, 2005?

It is clear that the issue of "security" for Mansi Soni raised by her father is a red herring. There are SIGNIFICANT PUBLIC INTEREST issues involved here.

It is now reported that:

Documents accessed under the Right to Information Act reveal that in 2005, when all was well between her and Sahib, the woman was invited to attend the Gujarat government’s annual Winter Festival in Kutch, even though she had no role to play in its organisation. Item number 81 in the festival’s balance sheet lists payment of Rs 5,153 made to the woman towards mobile recharge and petrol expenses. The payment was made by cheque (6740282) on October 25, 2005. In the festival’s total bill of Rs 2.43 crore, nobody else was paid for mobile recharge.

A Gujarat Tourism Department official, who did not wish to be identified, said: "Though the amount she was paid is not big, but it is clear that an exception was made in her case. She was not involved in any project, but merely attended the inauguration." The festival was inaugurated by Chief Minister Narendra Modi.

[Source]

So, Modi, the fact that you have been in good relations with Mansi Soni for a very long time before the "security" (surveillance) drama, seems to now be clear.

There is a RELATIONSHIP involved which made you (a) PAY Mansi Soni with public funds and (b) spend taxpayer funds to spy on her with 8 policemen for a month, including "trapping" her and sending a spy on a plane to Mumbai to watch her actions.

You are not obliged to speak up and tell the world what is going on?

Also, why is Mansi Soni NOT speaking up? It was a simple matter for her to clarify issues. Her father should stop wasting our time with fake "stories".

Only Modi and Mansi should speak. What kind of a government (a private fiefdom?) have you been running, Modi?
7.6 Allegations that Modi supported Mansi Soni and her brother’s Ecolibrium company

Prima facie there is NO case against Modi for supporting Mansi Soni’s Ecolibrium (”Equilibrium Energy” – Gohil) company

The question of snooping by Modi on Mansi Soni has now expanded in the media to possible corruption in Modi’s awarding a key contract to Mansi’s (and her brothers’) company Ecolibrium Energy, founded in November 2008. [Company’s profile | Facebook page | Linkedin page | Blog].

The annual return filed by Ecolibrium with the corporate affairs ministry offers, filed in September 2012, shows 96 per cent of the company is owned by two individuals, Chintan P Soni and Harit P Soni – their father’s name is Pranlal Soni. Another member of the Soni family – Pranlal’s 36-year-old Bangalore-based daughter [Mansi Soni] is one of the firm’s directors since its inception in November 2008.[Source]

Mansi Soni and her younger brother, Harit Soni, ran the company for the first two years, while her elder brother, Ahmedabad-based Chintan, joined the board in 2010.

EE has been recently funded for $1.6 million by IFC and Infuse (Infuse Capital is a sustainable energy and cleantech early-stage venture capital fund).

The facts to date:

[Congress party’s] Gohil said a “compromise” was worked out later. He claimed that a "big project in Gandhinagar running into crores" was allotted to a company, whose "founder and promoter was the madam who was being snooped on." He said her two brothers are directors in the company which he identified as Equilibrium Energy Company. "Ninety-six per cent of the shares of the company are with her brothers," he said. He claimed the firm got the contract in 2010. He demanded the resignation of Modi on moral grounds and argued the offence was "non-compoundable" for which no compromise is allowed between the accused and the victim under law. [Source]

BJP is denying any culpability:

The BJP denied the charges with former party chief Venkaiah Naidu saying that solar energy project was a Central government-funded project and the
Modi government has not made payments as alleged. “Not a single penny worth of contract was awarded by the government of Gujarat (to the said company). The initiative is run by renewable energy department at the Centre,” Naidu said adding, “if someone has violated rules, law will take its own course”. [Source]

IIM Ahmedabad and Gujarat Government insist that the project was awarded on merit:

"state government and Indian Institute of Management-Ahmedabad officials said the firm bagged the projects "on merit". [Source]

So what’s the truth?

Ecolibrium Energy, the energy management company floated by the Soni family, has said the smart-grid project implemented in the Gujarat Secretariat was funded by Torrent Power, a private sector distribution company, and that the state nodal agency for the energy sector, Gujarat Energy Development Agency (Geda), did not make any financial contribution to the project. In response to a Business Standard story on the start-up company’s first big break coming from the Gujarat government in 2010, Chintan Soni, managing director, said: “To implement the project, a tri-partite MoU (memorandum of understanding) was signed between Torrent Power, Geda and Ecolibrium Energy, where it has been clearly laid out that Geda will not incur any expenses and will merely provide access to its facilities for installation of the project.”

Soni further clarified, “We would also like to hereby reiterate that we did not receive our first project from Gujarat government.”

When Ecolibrium approached Torrent Power for funding the project, the latter agreed. According to Soni, a separate agreement was signed with Torrent Power to detail the understanding.

Soni said the company started development of the smart grid solution in 2009-10, and had approached Geda for piloting of the technology. "We got to know about the Renewable Energy Search programme supported by Ministry of New and Renewable Energy (MNRE) and approached CIIE (Center for Innovation Incubation and Entrepreneurship) for incubation support by presenting our solution of smart grid along with our business plan in October 2009."

The screening committee at Renewable Energy Search comprising industry, academia and representatives from MNRE, accepted the proposal for incubation support at CIIE under the Renewable Energy Search programme. "To help expedite the project, in January 2010 CIIE wrote to Geda requesting it to give us a chance to implement the project. The project was carried out to pilot a useful concept – which actually resulted in savings for the Gujarat government without any investment of resources from Geda," he added.

Ecolibrium has since received a separate smart micro-grid pilot project from MNRE, which has been implemented at its Solar Energy Centre in Gurgaon. [Source]

KEY POINTS

Ecolibrium Energy started in November 2008. The company is apparently India's first smart grid company: "nothing much was happening in Smart Grid Startups space, until Ecolibrium Energy entered into Smart Grid" [Source]

EE sought support from Government of India and IIM Ahmedabad for its smart grid pilot for Gujarat in October 2009. Gujarat Government was persuaded by IIM Ahmedabad to
give this pilot project in January 2009. There was NO EXPENSE from Gujarat into the pilot project.

From preliminary research, there is NOTHING problematic with Ecolibrium Energy's activities in Gujarat.

The only question would be whether Modi influenced Torrent Power in any way. I'm inclined to give Modi the benefit of doubt in this case since the amounts involved are INSIGNIFICANT. Ecolibrium is barely established at this stage, and much of its success is attributable to private sector (voluntary) purchase of its services.

The case by Congress against Modi's corruption – in this case – is NOT established. However, the key issue – of Modi's snooping on Mansi Soni, needs to be elaborated by Modi.

Why has Modi's government /BJP been quick to jump in with the Ecolibrium Energy issue but reluctant to speak re: snooping on Mansi Soni?

Note that Madhu Kishwar believes that Mansi Soni is a TERRORIST. Why is a terrorist running an energy company? Did the company plant "devices" in the Gujarat Secretariat? (Just joking ... Madhu has surely made a huge mistake in this case)

I would expect Mansi Soni, her brothers and her father to be REALLY ANGRY at (a) Mansi being snooped by Modi and (b) Madhu Kishwar calling Mansi a terrorist.

If they don't display these NATURAL behaviours, we would have reason to suspect something fishy.
8. What was the motivation? Was there a relationship?

8.1 Modi-Madhuri relationship allegations

Modi and Madhuri – more details of the alleged relationship. And no, this is not a father-daughter relationship.

This statement by suspended IAS officer Pradeep Sharma is from the following source. I’m sure more will come out fairly soon. This whole thing is getting quite ugly.

Note that Modi is a married man. The issue of his extra-marital alliances should be of concern, but this is much more than that: the case of misuse of the taxpayer machinery to spy on "Madhuri". Modi may have a problematic personal life, but he has no business to use TAXPAYER FUNDS to support his private relationships.

Note that Madhuri’s father’s statement needs to be taken with a strong pinch of salt, since Madhuri is an adult and she is not necessarily expected to talk about her private affairs with her father.

“THE CHIEF MINISTER’S ILLICIT LIASON WITH MS –name removed–:

It was in between 2003 to 2006 that the Petitioner, in the capacity of District Collector of Kutch, commissioned a series of projects toward the beautification of Bhuj city and overall development of Kutch district. A site was selected for developing a hill garden in 2005, for which [MADHURI] —name removed—from Bangalore was selected as the Landscape Architect. [Sanjeev: This is the give-away: Bangalore based architect] The Chief Minister, Shri Narendra Modi, visited Kutch to inaugurate the hill garden project upon its completion, and was at this time introduced to Ms.[MADHURI]—name removed—.

Thereafter, Ms. —name removed— communicated to the Petitioner her decision to return to Bangalore as well as shared her ongoing interaction with the Chief Minister. The fact of the intimacy between Shri Modi and Ms. —name removed— was confirmed when the Petitioner was in close proximity of the two and overheard their conversation during one of the official functions. Subsequently, Ms. —name removed— further revealed to the Petitioner that when she called Shri Modi in his office, he would freely interrupt scheduled meetings, walking out of his office on senior officials in order to speak to her privately.

During the second week of March 2006 at approximately 5:00 PM, Ms. —name removed— called the Petitioner and conveyed that she had just landed in Ahmedabad city and was planning to visit Bhuj. Shortly thereafter, when the Petitioner attempted to telephone her, Ms. —name removed—’s cell phone was switched off and remained so for the next 48 hours. Two days later at approximately 11:00 AM, Ms. —name removed— called the Petitioner and conveyed that she was at the residence of Shri Modi, and had spent the duration of the previous two days at his residence. Subsequently, she met the Petitioner in Bhuj and described in detail her stay with Shri Modi.

Ms. —name removed— described that the next day being Holi, many people visited Shri Modi for the festival and played with colour. Shri Modi attended to them briefly and returned to his quarters. In the meantime, Ms. —name removed— had developed fever and requested a physician, but Shri Modi conveyed that calling a physician was impossible,
given the peculiarity of their situation. The following morning she left for Vadodara in a car sent for by Shri Modi.

In November 2008, while the Petitioner was posted as Municipal Commissioner, Bhavnagar, Ms. —name removed—contacted the Petitioner to inform him that Shri Modi had asked her to do a project on Alang Shipyard for which she would like to come to Bhavnagar. She came to Bhavnagar and, during that time, the Petitioner observed that she was constantly in touch with Shri Modi, who was abroad and probably in South Africa. She also conveyed to the Petitioner that Shri Modi had asked her about the Petitioner and whether the Petitioner knew about her intimate relationship with Shri Modi. In one conversation, Ms. —name removed—showed the Petitioner a text message that the Chief Minister had sent to her from abroad. The Petitioner made a note of the cell phone number from which it had originated. The number was 9909923400.

It is submitted that the Petitioner had two cell phones at the time, with Nos. 99251 99799 and 98240 01729. On one of these, the Petitioner had saved the aforesaid number from which Ms. —name removed—had received personal message from Shri Modi. Once, the Petitioner accidentally dialed Shri Modi’s number, thinking that he was actually calling someone else, but the Petitioner got no reply on Shri Modi’s phone. The Petitioner realized his mistake and promptly disconnected. The Petitioner verily believes that Shri Modi must have found out the address of the holder of the SIM card from which his personal number was [accidentally] dialed, and placed it under observation either with the help of State CID (Intelligence) or illegal phone tapping methods involving the use of electronic equipment through unauthorized collaboration. Shri Modi could then have found that Ms. —name removed—was speaking to the Petitioner often over phone.

Around this time, the Petitioner received an anonymous letter conveying that a video of sexual activity between Ms. —name removed—and one person, was available on an internet website, and the letter advised the Petitioner to desist from contacting Ms. —name removed—, as her character and actions were not befitting of her company with Gujarat State officials. The Petitioner did indeed come across such a video clipping and it now appears to the Petitioner that Shri Modi, who was monitoring the Petitioner’s cell phone calls, started believing that videos involving Ms. —name removed— perhaps included him i.e. Shri Modi…”

**ADDENDUM**

More details of the situation.

### 8.2 Testing the allegation – Did Modi own 9909923400?

*A simple way to test Pradeep Sharma’s claim. Did Modi own 9909923400?*

Pradeep Sharma has clearly stated the phone number of Modi: 9909923400.

I was intrigued by Pradeep Sharma's claim that he memorised this number when Mansi Soni had shown it to him. But if you look at this number it is EXTREMELY SIMPLE to memorise. There is a strong likelihood, therefore, that Pradeep Sharma is telling the truth.

The simplicity of the phone number indicates ownership by someone well placed – who has managed to get access to a relatively easy number to recall. The average punter can't choose mobile numbers, and generally ends up with complex and difficult numbers. Those who have deeper access can get the simpler numbers – which have "status value".
Also, given the STUNNED SILENCE from Mansi Soni and Modi, it is clear that there is something SERIOUSLY FISHY that happened between them. It was so easy to refute these claims – by speaking up in public. But BOTH have kept quiet. (And recall that Madhu Kishwar called Mansi a terrorist.

The following picture purporting to be Modi with Mansi Soni – I can’t validate it – would: if true, indicate that Modi was quite friendly with a terrorist). [Source]

I have no reason to disbelieve Pradeep Sharma’s claim. There are CLEAR pictures that validate his claim that Mansi Soni and Modi participated in an event where he was present.

Madhu Kishwar’s allegations against Pradeep have been challenged in court and it is certain that Madhu Kishwar will lose since she has failed to provide ANY evidence in support of her wild charges against Pradeep Sharma. In any event, why would she want to go to court? Why not provide the evidence in public? That would eliminate the possibility of a defamation case, since speaking the truth about a crook is not defamation. If Pradeep is a crook, let’s have the facts. If not, there is nothing to disbelieve him.

But the KEY PIECE of evidence in this case is this mobile number. If Modi EVER had access to this number, we’ll nail the case.

Further, we would need records of phone calls made between Mansi Soni’s phone and this phone number.

I hope the SHAM INQUIRY commission established by Modi will verify these phone records as the first step in the inquiry.

ADDENDUM

Based on Raghu Venugopalan’s comment, I was able to trace out the following information. The phone number belongs to one Atit Modi. [Source]
Further confirmation: here | here + confirmation it is Vodafone phone.

This still doesn't disprove Pradeep Sharma's claims, but leads to many further questions.

In particular, the key questions are: (a) whether Atit Modi owned this phone number prior to November 2008 when the particular call was alleged to have been made by Pradeep Sharma; and (b) whether Atit Modi knows Narendra Modi or is a relative of Modi and ever gave this SIM card to Modi for use in November 2008. [In this regard I had a quick look at Atit Modi's FB page yesterday and noticed that he had posted the picture of an event in Surat in which Modi attended. But today that link seems to have gone. Might have been just the way FB displays profiles. No conclusion can be drawn from this about connections with Narendra Modi, particularly since Modi is such a common name in Gujarat.]

In particular, I would like Mr Pradeep Sharma to present his thoughts.

Another way would be to call Mr Atit Modi and ask. Maybe someone who lives in Surat can check with Atit.

Third would be to call Vodafone and ask.
9. The fraudulent ‘inquiry’ commission

9.1 Discreet security “commission” established

Modi wants us to believe there is a thing called “DISCREET SECURITY”. Ha ha!! What a crook!

The Sugnyaben Bhatt inquiry terms of reference are typical of Modi and his work: a scrupulously well-planned attempt to SABOTAGE the truth.

It is widely known that both RSS and Nazism come from the same stable. The idea of systematic obfuscation of the truth must surely form part of the RSS toolkit. That’s why Modi is so good at it. Goebbels would have been proud of him.

Not only has Modi diluted the urgent pressure on him to speak (he has kept "masterfully silent") by setting up this FAKE inquiry, he has prepared the inquiry for the answer he wants to hear (that this was a "conspiracy" against him – see item number v of the terms of reference), and has innovatively created a new term: "discreet security". A masterpiece of OBFUSCATION.

This term of this sort is purportedly a combination of "security" (which Mansi Soni’s father ALLEGEDLY wanted for his daughter – but none can believe Pranlal Soni since he is a Modi bhakt) and "surveillance" (which Modi wanted – since he had doubts about Mansi Soni).

Modi has TOTALLY MISUSED the government police machine to BLATANTLY SPY on Mansi Soni.

In doing so he breached ALL relevant laws and deprived Mansi of her constitutionally guaranteed human rights and dignity. Modi’s taxpayer sleuths followed her around everywhere, and set "traps" for her.

Now he wants the world to believe this was a form of "security"!

Ha ha!! You surely take us all to be fools, Modi, don’t you!

The EVIL jester (joker) comes to mind.
Now Modi has planted the seeds of his public story: something that his paid stooges running his sham inquiry will gladly provide him words with: that he was doing a good thing by providing "discreet security" to "a woman if the circumstances so warrant". And he'll get one more FAKE "CLEAN CHIT".

Clean chit. Clean chit. Nothing but a load of ....

It will take a really intelligent and honest man to destroy the fraud being perpetrated on the world by this MASSIVE criminal – Modi. Destroying his web of crime and deceit is not within the capacity of the ordinary corrupt and criminal run-of-the-mill politicians of India.

But amazingly, even honest Arvind Kejriwal has not uttered one word regarding this recent incident, nor has he studied and provided his views on Modi's past actions in Gujarat's violence.

And Swami Ramdev is entirely quiet regarding this crime against an India citizen. Why?

So the country is left adrift. Who is actually out there to replace Modi as the "hero" in the public mind? Not Rahul Gandhi and Congress, surely. NO ONE in his or her right mind will EVER vote for Congress.

So what/ who is left to vote for, in India?

It is time for good people to come together to fight the twin evils of Congress and BJP. **Swarna Bharat Party** is being registered by ECI, and should be ready to take on BOTH Congress and BJP soon.

If India ever needed a liberal party, that is NOW. With corrupt fools like Rahul Gandhi or criminals like Modi at the helm, India will be lost.

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Since the Gujarat Government has entirely removed references to the Sugnyaben inquiry, and there is a risk that they will black out all traces of the inquiry commission, I’ve uploaded the copy of the terms of reference on two separate servers, and also providing a JPG below:
NOTIFICATION

Legal Department
Sachivalaya, Gandhinagar.
Dated the 26th November, 2013.

WHEREAS certain news items have appeared in the print and electronic media quoting certain audio-tapes published on web portals “Cobra Post” and “Gulail.com” regarding some alleged incident/s of security/surveillance of a woman in the State of Gujarat in 2009:

AND WHEREAS the said news items are connected with the questions regarding policing and other issues concerning the governance;

AND WHEREAS it is in larger public interest to gather, assimilate and establish the truth;

AND WHEREAS it is in the interest of justice that the image and/or identity of the woman in question is not jeopardized;

AND WHEREAS the Government of Gujarat is of the considered opinion that an inquiry should be held/conducted into this matter of definite public importance;

NOW THEREFORE, in exercise of the powers conferred by section 3 of The Commissions of Inquiry Act, 1952 (60 of 1952), the Government of Gujarat hereby appoints a two-member Commission of Inquiry consisting of Hon. Justice (Retd.) Ms. Sugnyaben K. Bhatt, former Judge of the High Court of Gujarat and Shri K.C. Kapoor, IAS (Retd.), Retired Additional Chief Secretary as its members.

Justice (Retd.) Ms. Sugnyaben Bhatt shall be the Chairperson of the Commission.

The Commission shall inquire into and report on and in respect of the following terms of reference;

...
1. Authenticity and veracity of the tapes.
2. Whether the incident(s) of security/surveillance as alleged in the web portals “Cobra Post” and “Gulail.com” and subsequently published/telecast in various news media actually took place;
3. The facts, circumstances, reasons and causes that led to the alleged security/surveillance, if any, and/or steps taken by the government agencies;
4. Whether there was any breach of or noncompliance with any laid down mandatory legal provisions and/or administrative procedures in the process;
5. Whether the circumstances leading to the release of the audio-tapes after a long gap of four years reveal any conspiracy;
6. What shall be the objective considerations while arranging discreet security to a woman if the circumstances so warrant;

The Commission shall submit its report to the State Government within a period of three months.

By order and in the name of the Governor of Gujarat,

[Signature]

(I. D. Patel)

Joint Secretary to Government.
4. Whether there was any breach of or non compliance with any laid down mandatory legal provisions and/or administrative procedures in the process.

5. Whether the circumstances leading to the release of the audio tapes after a long gap of four years reveal any conspiracy.

6. What shall be the objective considerations while arrangements are made to provide discreet security to a woman if the circumstances so warrant. [Source]

Justice Sugnya Bhatt takes charge
Kapil Dave | TNN

Gandhinagar: Amid speculations that she may decline to be a member of the commission, retired high court judge, Justice Sugnyaben Bhatt, took charge of the inquiry commission set up to investigate the misuse of government machinery for snooping on a woman. Sources said that the state government had allotted a bungalow in Sector 19 of Gandhinagar (near Justice Bhatt’s current office as chairperson of the states other backward classes commission). She has taken charge and started work on the issue, said an official. The other member of the commission, Kuldip Chand Kapoor, is expected to join Justice Bhatt after a month. Kapoor, 67, is a 1973 batch IAS officer who last served as additional chief secretary (Home) in Gujarat. He retired in December 2006. Earlier, Justice Bhatt, 72, had headed the one-member panel that had investigated the 2006 Surat floods. In her report that was submitted after almost three years, she did not pinpoint responsibility for the devastating floods on any official or politician. Her report just had recommendations on how to avoid such floods in the future. The state government is yet to accept her suggestions. [Source]

9.2 Modi’s website promotes this FAKE inquiry as an “accountability” mechanism
Source:
And his twitter:
https://twitter.com/DeshGujarat/statuses/405331469825896449
Interesting! Six 'terms of reference' of inquiry commission on alleged security/surveillance of Gujarat woman
deshgujarat.com/2013/11/26/six...

9.3 Snoopgate: Sugnyaben Commission is ILLEGALLY appointed. WHEN will the Central Government ACT?

Snoopgate: Sugnyaben Commission is ILLEGALLY appointed. WHEN will the Central Government ACT? [Mukul Sinha December 21, 2013]

Investigate Amit Shah and his ‘Saheb’, Sugnyaben Commission is illegally appointed

The latest discovery in the Mansi snooping scandal clearly points the fingers at the Chief Minister Narendra Modi, the then Minister of State (MoS) for Home Amit Shah, IGP Arun K Sharma and GL Singhal as the main culprits who are responsible for the illegal snooping and phone tapping of Mansi Soni and Pradeep Sharma IAS. When the Chief Minister stands in the accused box, can a Commission appointed by him ever uncover the truth?? Perhaps that is the very reason why Modi hurriedly appointed the Commission under the Commissions of Inquiry Act on 26th November, 2013 to put a lid on the controversy.

The Government of Gujarat, as expected did not frame any terms of reference as to whether the CM Narendra Modi, MoS Amit Shah or the Police officers were guilty of illegal and unauthorized phone tapping. The terms of reference made were vague and motivated. The Commission was asked to give its report within three months. One month is almost over and as per reports, the Commission comprising of Sugnyaben Bhatt and KC Kapoor have not been given a workable office. Kapoor is not even available. Whereabouts of Mansi Soni is not known. A newspaper reported she has been sent abroad. A typical Modi’s ploy to avoid truth as he did in Nanavati Commission for the 2002 massacre.

Quite apart from the political chicanery of Modi, the real question is whether the Gujarat Government has the authority or power to appoint a Commission under the...
Commissions of Inquiry Act to inquire into acts or offenses which are beyond the boundaries of Gujarat. In the Mansi Soni case, she was followed and her phone and location tracked from Bangalore to Ahmedabad and back to Bangalore. We produce herein below a small extract of the conversation between Amit Shah and GL Singhal to show that Mansi’s location in Bangalore was being regularly tracked.

<table>
<thead>
<tr>
<th>Mansi being tracked from Bangalore on 9.8.2009</th>
<th>Mansi tracked in Bangalore on 22.8.09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amit Shah: Singhal, Amit this side</td>
<td>G.L.Singhal: Secondly, that lady has reached there and her location is coming as North Bangalore Sir at quarter to eight now.</td>
</tr>
<tr>
<td>G.L.Singhal: Yes sir</td>
<td>Amit Shah: Alright</td>
</tr>
<tr>
<td>Amit Shah: Please keep a proper tab of the phone</td>
<td>G.L.Singhal: Yes</td>
</tr>
<tr>
<td>G.L.Singhal: Yes yes sir....</td>
<td>AS: In short, they she’s there</td>
</tr>
<tr>
<td>Amit Shah: Whether it has been switched on</td>
<td>G.L.Singhal: Yes</td>
</tr>
<tr>
<td>G.L.Singhal: Yes yes sir.....actually sir</td>
<td>GoAir arrives at 5:40 and Indigo</td>
</tr>
<tr>
<td>GoAir arrives at 8:20</td>
<td>arrives at 8:20</td>
</tr>
<tr>
<td>Amit Shah: She is travelling by Indigo only</td>
<td>Amit Shah: Understood. So that we know the location.</td>
</tr>
<tr>
<td>G.L.Singhal: yes yes sir, sir</td>
<td>G.L.Singhal: Yes yes</td>
</tr>
<tr>
<td>Amit Shah: From Bangalore to....Ahmedabad</td>
<td></td>
</tr>
<tr>
<td>G.L.Singhal: Yes yes sir</td>
<td></td>
</tr>
</tbody>
</table>

Further the conversation below between GL Singhal and AK Sharma, clearly shows that the then IG AK Sharma of CID Intelligence, Gujarat, was intercepting-tapping-recording-archiving Mansi Soni’s phone and sending audio cds to the ‘Saheb’.

**AK Sharma:** Then I think that must be his voice because that voice was a bit doubtful.. and..he said that he would eat together. He was talking about lunch.

**GL Singhal:** yes..yes

**AK Sharma:** He said that they would eat together.

**AK Sharma:** okay let me enquire about it. I was doubtful about the voice but I have sent it to Saheb

**GL Singhal:** ok..

**AK Sharma:** Because I was doubtful about the voice but I sent it to saheb in CD.

**GL Singhal:** yes..yes.

To understand the legal provisions involved in this matter, we must first notice that even the Central Government does not have any authority to tap any phone or intercept any
message unless a legal order is passed under section (5)(2) of the Indian Telegraph Act read with Rule 419A of the India Telegraph rules. Briefly, Section 5(2) reads as under:

5(2) On the occurrence of any public emergency, or in the interest of the public safety ... any officer specially authorized in this behalf by the Central Government or a State Government may, if satisfied that it is necessary ... the security of the State ... direct that any message or class of messages to or from any person or class of persons, ... shall be intercepted...

Further under the Rule 419A, no direction for interception can be issued except by an order made by the Secretary to the Government of India in Ministry of Home Affairs and by the Secretary to the State Government in charge of Home Department in case of a State. Moreover, under Rule 419A(17), a Review Committee has to review whether the order is made as per law or not within two months. Thus, as per the law, neither GL Singhal on behalf of Amit Shah or IGP AK Sharma on behalf of CM could have tapped the phone or tracked the location of either Mansi Soni resident of Bangalore or Pradeep Sharma resident of Bhavnagar without orders from Secretary Government of India or the Secretary of Home, Gujarat Government, respectively.

The above facts and law brings us to the next issue. Under the aforesaid situation, can Government of Gujarat inquire into the snooping? Under section 3 of the Commission of Inquiry Act, the Central Government can appoint Commissions to inquire into matters relatable to matters enumerated in List I or List II or List III in the Seventh Schedule to the Constitution; similarly, the State Government can appoint Commissions into matters relatable to matters enumerated in List II or List III in the Seventh Schedule to the Constitution. All matters relatable to posts, telegraphs, telephones, wireless etc are to be found in entry No. 31 of the Union list that is List-I.

In simple language therefore, only the Central Government can appoint the Commission to inquire into the illegal and unauthorized tapping and interception of phone calls and not the State Government. Why has the Central Government abdicated its own constitutional power to govern the country – is it weak or is it scared? Here we have a Chief Minister who personally contravenes the rule of law and then goes on to illegally appoint a commission to cover up his guilt! We would like to remind the Centre that it has a duty cast upon it under Article 355 of the Constitution to govern the country in accordance to the provisions of the Constitution. If the Centre cannot govern the country in accordance to the provisions of the Constitution, it might as well quit NOW.

9.4 An attempt to whitewash the crime

It’s a save Modi panel, says Cong

Express News Service : Ahmedabad, Wed Nov 27 2013,

Reacting to the state government’s decision to appoint a two-member commission to probe the "Singhal tapes" that reveal the surveillance of a young woman allegedly by former Minister of State for Home Amit Shah at the behest of Chief Minister Narendra Modi, state Congress president Arjun Modhwadia alleged that "it was like a burglar deciding who will investigate his crime". He said that the appointment of the commission was nothing, but an attempt to whitewash the whole crime. "In reality, it is a Modi bachao commission (save Modi commission)," the Congress leader alleged.

In a statement issued here, Modhwadia said that a reliable probe was not expected from the commission given the background of the members of the panel. Modhwadia said that the Congress party wanted Modi to resign from his post. It wanted the
registration of a criminal case against him for a fair probe. Modhwadia said that even if
the family members of the woman did not come forward to register a case, suspended
IAS officer Pradeep Sharma, who was also allegedly put under surveillance, was
demanding a probe by an independent agency. Yet, the Gujarat police had not
registered any complaint in this connection.

K C Kapoor, the first member of the commission, had worked as Home Secretary under
Shah. As a post-retirement benefit, he was appointed as head of the State Election
Commission. Justice (Retd) Sugnaben Bhatt, the second member, Modhwadia said, had
resigned when she was transferred out of Gujarat High Court 10 years ago. For the last
one decade, Modhwadia alleged, Justice (Retd) Bhatt had been heading the Gujarat
State Other Backward Castes Commission. "Hence, there is no hope of a fair report from
this commission," he alleged. He said that the Modi government had set up the
commission to pre-empt the registration of a case against him and a probe by a sitting
judge of the Supreme Court.

9.5 Ashish Khetan’s affidavit

Ashish Khetan filed an affidavit before the Sugnyaben commission. Download here.

9.5.1 Commission is a ploy to shield Modi Govt, Gulail tells ‘Snoopgate’ probe
panel

Commission is a ploy to shield Modi Govt, Gulail tells ‘Snoopgate’ probe panel

by Ashish Khetan (khetan@gulail.com) - on 27/01/2014

In a response to the commission headed by Justice Sugnyaben Bhatt, Ashish Khetan lists
out the reasons why this commission has neither the mandate nor the jurisdiction to
conduct a free and fair probe against Chief Minister Narendar Modi and his aides.

This is in response to the notice dated 30 December, 2013 issued by the Justice (Retd.)
Sugnyaben K Bhatt Inquiry Commission. I have been asked to file an affidavit pertaining to

I have seen the terms of reference for the Commission. I regret to say that the
Commission lacks the mandate to look at the most significant public interest concerns
as disclosed by the matter published. In fact, the terms of reference clearly point
towards an attempt to shield the State government and its functionaries from grave
charges of violation of privacy of a young woman as well as of perverting the facilities
and forces available to the State government for the completely unlawful purpose of
stalking a woman.

Such behavior, which is rightly condemned by any right-thinking person, cannot be
condoned when carried out by high functionaries of the State administration. It cannot be
the scope of any commission of inquiry to condone any action that serves to curtail the
fundamental rights of any citizen of this country. The right to privacy is a fundamental
right and in these days, with so much concern being expressed towards the rights, safety
and security of women, for the Commission to presume (as is evident from the sixth term
of reference) that an adult woman can be provided so-called security without her consent
or even knowledge is unfortunate. For my part, I say that I reported on the illegal stalking
and snooping of a young, vulnerable woman by the intelligence and anti-terror wings of
the Gujarat police quite evidently working at the behest of the highest functionaries of
the Gujarat Government.
The scandal of what has now come to be termed ‘Snoopgate’ is not an ordinary act of illegality or misuse of power. Indeed, what is involved here is the violation of one of the basic covenants in a free democracy: that the State shall use the levers of power to protect innocent citizens and that extraordinary powers like phone tapping and police surveillance only in the larger public interest. Furthermore, in the rare instances when public interest may require such surveillance, the same should be manifested by the written order of an authorized official under the Telegraph Act and other applicable laws. An order, even of an officer competent to authorize the same, is of fixed duration, and extendable on the same rigorous conditions as an original order of that nature. From the recordings available it does not appear that the lady concerned and, even her family, had any idea that she was under surveillance. Even if they had, the operation would still be a preposterous misuse of power.

The ‘Snoopgate story’ had produced compelling evidence of how an unsuspecting, innocent woman was stalked and snooped, her personal life was surveilled and analysed, her private telephone conversations with friends and family members and even with her husband to-be were illegally listened to, taped and then circulated among top Gujarat state functionaries. It is this blatant infringement of civil liberties and violation of constitutional rights that led to a public outcry and public demands for an independent, fair and effective inquiry. It is further unfortunate that the father of the young lady was forced to come into the public-eye claiming he had asked for surveillance (which is an obvious falsehood as it is clear from the recordings that even her conversations with her family were being reported to the State Government) whereas the State government which is the wrong-doer has not even denied the existence of such surveillance. In such circumstances, for this Commission of inquiry to inquire into the purported conspiracy in the release of such recordings, instead of trying to affix responsibility on the offending officers and ministers, is a tragic dereliction of public duty and an equally tragic distortion of public interest.

Justification for surveillance has to be proven by the State, the burden of proof is not on the person who questions such surveillance. This is a basic principle of our constitutional scheme. Hence the purpose and intent of your commission ought to have been to address these seminal issues of public interest and restore people’s faith in the System.

This commission has been mandated to inquire whether the leak of these tapes ‘after a long gap of four years reveal any conspiracy’. Conspiracy lies not in the publication howsoever delayed, but in the orchestration of security forces maintained for law enforcement out of public funds to gratify voyeuristic instincts of men in high places.

This Commission has been asked to ascertain the objective considerations while providing ‘discreet security’ to a woman. The defense of ‘discreet security’ was raised by BJP spokespersons after the Gulail expose. A letter purportedly written by the father of the woman in question raising a similar plea was also circulated through BJP offices. The Gujarat Government on its part has not issued a single statement till date calling the alleged incident, an act of ‘discreet security.’ Nor has the government produced a shred of paper work to suggest that surveillance was mounted to extend ‘discreet security.’

It is unfortunate that at every point in the notification the issue of surveillance has been hyphenated with the term ‘security’. This begs the question whether it is the job of a Commission of Inquiry to pitch the issues of public concern against the motivated defense of a political party and to give both the same weightage? Can the explanations randomly put forth by the BJP members during TV debates in the defense of its prime ministerial candidate become the basis for framing the scope of the inquiry of this Commission?
Why has the commission been asked to inquire if there was any conspiracy behind the surfacing of the tapes? Does it mean that in any crime that gets reported after a gap of few years, there is an automatic presumption of some kind of a conspiracy behind such report? Doesn’t this amount to attacking the freedom of the press and burdening ordinary journalists with motivated inquiries every time their stories go against those in positions of power?

Now, contrast this with the complete absence of any reference to the alleged role of the Chief Minister who was also holding the Home Ministry during the relevant period in the terms of reference. Nor is there a reference to inquire the role of agencies like State IB and ATS and the alleged violation of license conditions by private telecom companies. Under the existing terms, it is the journalists who have brought to light the alleged acts of illegality of an elected chief minister who are under inquiry and not the chief minister or his deputies who have, as per the recordings, misused state powers and police machinery. An inquiry into the alleged breach of constitutional guarantees, like Article 19 and Article 21, too doesn’t find a mention in the terms of reference.

It is further pertinent to mention here that soon after this Commission was announced Gulail.com released another set of tapes that showed that snooping and illegal surveillance was carried out beyond the boundaries of Gujarat into other states as well (the story was published on December 24 and can be found on our website). The question is whether this Commission has the mandate to conduct its inquiry beyond Gujarat and summon officials from States like Karnataka with whom apparently the Gujarat Home Ministry had communicated with regard to phone tapping of the woman in question? As per my understanding the existing Terms of Reference don’t empower you to take the probe beyond Gujarat. Given the inter-state nature of the alleged illegal surveillance, this Commission does not have jurisdiction to inquire into the matter.

These are the questions for the Commission to ponder over. In my view it will be a travesty if this Commission formed and run with public money defeats the public interest. As a responsible citizen I’m sending herewith a copy of the documentary film ‘The Stalkers’ released by us on November 15, along with 267 phone recordings submitted by GL Singhal to CBI for your kind perusal.

Deponent
Ashish Khetan
9.6 Sugnyaben Bhatt has taken India for a ride

The alleged “Justice” Sugnyaben Bhatt and CROOK Modi have successfully taken India for a ride


Modi’s crookedness has no limits.
This FAKE inquiry (which did not even attempt to ask the necessary questions) was supposed to submit its report by 26 February 2014.
Now nearly two months later, no sign of the report.
And the media of India has been FULLY BOUGHT. They aren't even raising the question!
How very convenient.
What kind of a "justice" system India has, or has been operating under Modi, is now even MORE clear.

[Turns out that this inquiry commission was “discreetly” extended till 31 May. But even that date is over]
9.7 Mukul Sinha predicted how this commission would be used to tide over the period till the 2014 elections

We at Truth of Gujarat, firmly believe that the appointment of this commission is merely an eye-wash and specifically aimed to tide over the period from now till 2014 Elections such that the most illegal and immoral act of Narendra Modi remains in the closet of the Commission and the real truth is subverted.

[Source]

9.8 Modi needs to go to jail for his actions

**Modi, you must get up and walk into jail. Don’t hide behind an “inquiry commission”**

Modi-government appointed commissions, judges, even allegedly Supreme Court-appointed SIT (in which 99 per cent of the people are from Gujarat) have NO CREDIBILITY.

All of these have been proven to be fake and false. These entities distort data, pay witnesses, and bribe the judges.

Modi always hand picks those who are GUARANTEED to be favourable to him. That’s how he manages to fool those who haven’t got the time to read the actual reports. I myself used to give him the benefit of doubt till I read the fraudulent reports produced by his men.

In this case the Gujarat government must file an FIR against Modi. The evidence is clear and unambiguous. If someone had been spying on Modi, that person would have long ago been put behind bars. This time, MODI MUST BE PUT BEHIND BARS.

Don’t fool the world through your fake inquiries. No one believes them. Why is Gujarat government not filing an FIR against you??? Where’s the missing evidence needed for such FIR against YOU?

Let there be the rule of law in Gujarat. Please get up and walk into the nearest jail.

9.9 BJP imagines this is a POLITICAL matter. It is not. It is a about the rule of law

**BJP, Congress may “stop” chasing Modi in the Mansi Soni case but citizens won’t**

I’m shocked at the methods BJP is using to hush up the Mansi Soni case.

> "BJP spokesperson Prakash Javadekar said after the very self-explanatory letter to the NCW by the father, Congress should stop." [Source]

This is NOT about Congress, you fools.

This is about the suitability of Modi as a person to hold the position of PM of India. Citizens of India and OCIs like me have a right to know the truth about this case.

**LET MODI SPEAK OUT. In this case I'm sure of his guilt, and he must be charged for his crimes.**

Don’t hush up this matter, BJP. That may work with Congress. It won’t work with the ordinary citizen.
10. Modi has blocked a proper criminal investigation.

10.1 Criminal investigation avenues blocked

10.1.1 Snoopgate: Hearing on plea to file FIR against Narendra Modi adjourned

Source

AHMEDABAD: The Gujarat High Court today adjourned till Monday the hearing on an IAS officer's plea seeking filing of an FIR against BJP leader Narendra Modi and others in connection with the alleged snooping scandal.

The scandal revolves around a woman-architect, who was allegedly subjected to illegal surveillance by Gujarat Police.

Hearing the plea by Pradeep Sharma, a Gujarat cadre IAS officer, Justice G R Udhvani had earlier asked him to exhaust other alternative remedies for justice before moving the High Court.

Justice Udhvani had suggested the applicant to go to a Magisterial Court before approaching the HC.

Sharma’s advocate Amrish Patel today told the HC he will submit some judgements of the Supreme Court related to jurisdictional norms on filing FIR. Following this, the HC fixed March 31 for next hearing.

Sharma had filed a petition on March 20 before the HC seeking a direction to police to file an FIR against the BJP's PM candidate and others in connection with the scandal.

The senior bureaucrat had earlier approached Gandhinagar Police with a request to file a first information report, but his plea was turned down.

Sharma then sought Gujarat DGP PC Thakur and Gandhinagar SP Sharad Singhal's intervention in the matter, but his efforts did not yield any result.

Last year, investigative news portals Cobrapost.com and Gulail.com claimed, on the basis of taped conversation, that then Gujarat Minister of State for Home Amit Shah, a close aide of Modi, had ordered the illegal surveillance of the woman at the behest of one "Saheb" in 2009.

The 1984-batch officer, facing half a dozen criminal cases in the State, has claimed he was being victimised by the BJP Government in Gujarat for his knowledge of the "intimacy" shared by Modi with the architect.

On November 26, the Gujarat Government appointed a two-member judicial commission, headed by Justice (retd) Sugnaben Bhatt, to probe the scandal.

10.2 Why the courts should take up 'Snoopgate' even though the woman doesn't want it probed

Why the courts should take up 'Snoopgate' even though the woman doesn't want it probed
The Gujarat High Court must not let dubious claims come in the way of illegal surveillance being investigated.

Saurav Datta

The promiscuous use of the word “Snoopgate” has caused more harm than good. Although it draws reference to Watergate, the first political scandal involving illegal high-tech government surveillance, it confuses snooping with surveillance. Snooping and surveillance are different things. While snooping is an act of a private individual prying on or stalking another, surveillance is an organised activity carried out by the government. The term "Snoopgate" has also over-politicised the incident in which, just like Watergate, possibilities of a proper investigation – let alone justice – appear quite dim.

On May 9, the Supreme Court allowed a woman and her father to withdraw their petition and knock on the doors of the Gujarat High Court instead. Invoking their right to privacy, the petitioners urged the court to restrain the central government from setting up a commission of enquiry to look into claims made by two news websites, Cobrapost and Gulail, that in 2009, Amit Shah, the Gujarat home minister at the time, on Narendra Modi’s instructions, had used the state Anti Terrorism Squad, the Intelligence Bureau and the Ahmedabad Police to subject this woman to detailed round-the-clock surveillance. This included intercepting her telephonic communications as well as physically tailing her.

The woman’s father has repeatedly claimed that he had orally requested Modi, with whom his association stretches to a couple of decades, to keep an eye on his daughter while she was visiting her ailing mother in an Ahmedabad hospital. He has also stated that his daughter was aware of the going-ons and had consented to being kept under watch. Both have invoked their right to privacy because they fear that an investigation will reveal the nature of the woman’s relationship with Modi and other intimate personal details that are best kept out of the public eye and knowledge.

It could possibly be argued that from the accompanying maelstrom of conjectures and surmises that some of these details might be potentially embarrassing to a woman, and hence, privacy isn’t a specious plea to halt the probe. However, an equally pressing concern is that of public interest. Public interest is paramount because of the actors in the episode and the machinery of surveillance that was used.

Illegal surveillance

In 2010, Saikat Datta detailed how the central intelligence agencies were flouting all laws and ignoring judicial mandates while keeping specific sections of the population, especially Muslims, under surveillance. This was as egregious and alarming as the New York Police Department’s covert operations of a similar nature, which was halted after a national outrage in the United States. In the Gujarat case, all the intelligence agencies were put on the task. Surveillance per se is not illegal in India, provided mandatory provisions are followed.

The most important provision is Rule 419A of the Indian Telegraph Rules, 1951, which makes it compulsory for the state home secretary and the inspector general of police’s permission to be sought before any communication is intercepted. Moreover, under the Indian Telegraph Act, 1951, communication can be intercepted only on account of a public emergency or for public safety. If either of those two preconditions is satisfied, then the government may cite any of the following five reasons: “the sovereignty and integrity of India, the security of the state, friendly relations with foreign states, or public order, or for preventing incitement to the commission of an
8 policemen spied on Mansi Soni for one month, "trapped" her, and followed her on a plane to Mumbai, reporting each movement to Amit Shah who directly reported to Modi, and provided direct feedback from Modi.

The Gujarat government, on its part, has tried every manoeuvre to hide this patent illegality. In November 2013, it set up the Justice Sugnyaben Bhatt and KC Kapoor Commission of Inquiry whose terms of reference do not inspire confidence. This is mainly because it was tasked to challenge the authenticity of the tapes released by the two media channels and also unearth any political conspiracy behind the leaks. Moreover, this Commission’s jurisdiction was limited to only the present incident, thereby violating Section 3 the Commissions of Inquiry Act which lays down that only a matter of public importance can be investigated by such a probe panel.

In December 2013, a PIL in the Gujarat High Court challenged the legality of the Commission, but the case is still pending. The Congress government at the Centre announced in December that it would also probe through a commission of inquiry of its own, but that got mired in political muckraking.

Compelling public interest

Though there is no specific legislation on privacy, a 1996 Supreme Court judgement said it was part of a person’s fundamental right to life. In the same ruling, the court was circumspect enough to rule that such a right isn’t an unlimited one, and shall always be contingent upon public interest. Earlier, in 1994, the court had ruled that public figures have a lesser claim to privacy than private individuals. And, as the Delhi High Court unequivocally held in 2010, even Supreme Court judges aren’t exempted from mandatory disclosure if overwhelming public interest demands that personal details are put out in the public domain.

Does the Gujarat case qualify to be in this league? The very circumstances prove that it does. If the ATS and intelligence agencies can be deployed to gather intelligence on a person on the whims and caprices of a chief minister, then it’s evident that civil liberties are in grave jeopardy. What was the compelling public interest in putting a woman under surveillance because her father asked the chief minister to do so, using his personal friendship with the chief minister? The petitioners’ claims of privacy look extremely suspect, now that Modi has become so powerful. It doesn't take much to intimidate someone into filing a petition. This isn't the first time the right to privacy has been invoked to conceal sordid illegalities.

One has all the reasons to be critical of the Sugnyaben Bhatt Commission, but the Gujarat High Court still has the chance to accord compelling public interest the importance it deserves. Secrecy, after all, is the lynchpin of autocratic abuse of power.