

To

26th April 2018

Shri Rajnath Singh Ji,
Hon.ble Minister,
Ministry of Home Affairs,
Government of India,
New Delhi.

The Director General,
National Investigation Agency,
New Delhi.

The Deputy Inspector General,
National Investigation Agency,
Hyderabad Branch.

Dear Sir,

Sub: NIA's failure in securing the prosecution of perpetrators of bomb blast in Macca Masjid, Hyderabad in 2007. Request for immediate filing of appeal in higher court against judgment of lower court judgment for retrial/reinvestigation of the case for the sake of justice for the kin of victims – Reg.

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It is a matter of great concern that a bomb was planted and exploded by terrorists in Hyderabad's Macca Masjid on 18th May 2007 claimed lives of 8 innocent citizens and around 58 innocent citizens injured badly. All citizens of India were shaken up by this act of terror and expressed their sympathy to the victims and anguish against the act.

Hyderabad city police registered an FIR in Hussaini Alam Police Station in 2007, the said case was handed over to the CBI on 9th June 2007 later the same case was transferred to the NIA (National Investigation Agency) on: 7th April 2011 with a hope that the government of India will provide justice to the victims through NIA.

On 16th April 2018 the IV Additional Metropolitan and Session judge (NIA special court) in Hyderabad delivered his judgment in the above case and acquitted to all accused in the case due to insufficient evidence provided by the NIA. This has shocked the citizens of Hyderabad as NIA failed to provide justice to victims in a terror case after a lengthy investigation of 11 years. This clearly shows the lack of preparation, commitment and dedication of the agency to fight against the terrorism.

We the concerned citizens strongly believe that the Government of India should adopt a zero tolerance approach to all acts of terrorism, thereby sending a clear message that terrorism is unacceptable in all its forms. The Government should also take practical steps to prevent and

combat all kinds of terrorist acts. Those practical steps include a wide array of measures ranging from strengthening state capacity to counter-terrorism activities in the country.

The failure of Government agencies to secure prosecution of perpetrators and thereby justice for victims of terrorism is a gross violation of various articles of The Constitution of India, Resolutions of SAARC convention and other International laws.

The Constitution of India states that:

1. **“Article 14 - The State shall not deny to any person equality before the law and equal protection of laws within the territory of India.”** As you can see, this right is reserved not just for Indian citizens but to 'any person' within the territory of India”
2. **Article 15 - The state shall not discriminate against people on the basis of religion, race, sex, place of birth or any of them.**
3. **Article 21 - Deals with Protection of life and personal liberty.**
4. **Article 51- The State shall strive for the promotion and maintenance of international peace and security,** just and honorable relations between nations respect for international law and treaty obligations, as well as settlement of international disputes by arbitration.

The SAARC convention (Suppression of Terrorism) Act 1993, - This Convention on the Suppression of Terrorism was signed on behalf of the Government of India at Kathmandu on the 4th day of November, 1987.

UN has passed several resolutions to combat terrorism to which the Government of India is a signatory.

We strongly believe that India as a major partner in the SAARC group of countries should play an important role to promote Peace, Harmony and combating terrorism. However failure of government agencies to secure prosecution of perpetrators of terrorist acts will send a wrong signal in International community about the India's stand on fight against terrorism.

We feel common people especially minorities of the country are losing faith on the Judiciary and investigation agencies. It is thus the responsibility of Government of India to restore confidence of the community by providing justice as soon as possible as justice delayed is justice denied.

We would like to remind you that Section 21 (1) of National Investigation Agency Act 2008 provides 30 to 90 days time to file appeal against Judgment, Sentence and Order in the Honorable High Court. **There we demand that the Government of India should:**

1. NIA has failed to investigate, produce evidence and hire an experienced public prosecutor due to which all the accused have managed to get acquitted after 11 years. The government should immediately order an enquiry into the manner in which the whole investigation in this case was conducted and whether evidence collected by NIA since the beginning of investigation was placed before the court and what steps were taken by NIA for safeguarding the evidence,

material records and witnesses in the case. Responsibility may be fixed for lapses in the prosecution of the case at every stage and civil and criminal action may be initiated against those found guilty of dereliction of duties and destruction of evidence.

2. The government should ask the Attorney General of India to examine the trial court's order and tender advice within two weeks for taking necessary legal action including filing of a request for retrial of the case and an appeal in the concerned appellate court. NIA may be directed to take necessary legal action accordingly expeditiously within the limitation period.

3. Ensure innocent people do not face harassment during the course of investigation and adequate and effective steps are taken to protect witnesses from all intimidation and undue influence.

We hope the Government of India will take positive and immediate action in the matter as the real culprits are not punished till now and they victims of the dastardly act and their kin have not received justice till now.

Thanking You,

Endorsed by:

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