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UNION OF INDIA

& 24 OTHERS

FILED BY THE CENTRAL BUREAU OF INVESTIGATION

ISSUED ON 4TH OCTOBER, 1976.

VOLUME NO.I.

- * CHARGE SHEET
- ORDER OF THE GOVERNMENT
- LIST OF WITNESSES
- WITNESS NO. 1 TO 100

PADMANABH SHETTY BOMBAY LABOUR UNION .. BOMBAY 400 004.

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District: Investigating Gentral Unit(A) Station: Police.

R SPE/CBI

Date. Shot Charge

First in ormation report Nc: Police Inspector, PS Raceura, Baroda, Sh.M.G. Rijsinghani I complete or informent and occupation Mame, address

RC-2/6-CFU(A) Date: 23_3-1976

to Magistrate. Propercy Weapons) ted including abson abs conders ested or not ; rresof accused persons brial whather arr-Names & ridrerses ders (show persons sent recognizance Names and addresses C) bail Custody ace used uo for

when and by whom found and whather forwarded particulars of where, found with (Including

address ses Withess es N amps o.

names of offence and circumstances conneconcise details, and under what section of law charged. Charge

or information

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intervening 8/9-3-1976 Police at Baroda City, receiving reliable

State was lying in the meant for being trans-ported outside the information that some explosive material

godown of Messrs. Road Baroda searchéd the Link of India,

premises of the sai Sompany rensport

whereupon 7 wooden crates containing

sticks of Torch brand 836 Nitrogly cerine 5. G.80 manufacture

by the Indian Explosives Ltd. Gomia and 85 rolls of fuse wire were recovered. Following the search a case was registered at P.S.Raopura and its investigation was subsequently taken over by the C.B.I. on 23.3.76, on the request of the State Government of Gujarat and a case (RC.2/76) was registered in CIU(A) branch of the special Police Establishment, New Delhi. While investigation by C.B.I. was in progress the Delhi Police also registered two cases. One of these cases related to the recovery of 37 dynamite sticks, 49 Detonators and 8 Rolls of safety fuse wire. It was found that the two cases investigated by the Delhi Police had links with the case relating to the recovery of dynamite sticks at Baroda and therefore the investigation of these two cases was also taken up by the C.B.I. at the instance of the Delhi Administration.

Bridge near Kings Circle Railway Station, Bombay, the DCB, CID, Bombay registered a case No.281/76 and arrested some accused persons. Interrogation of these accused revealed that dynamite sticks and other explosive accessories were procured by the accused from Baroda. On receipt of this information, the C.B.I. Investigating Team went to Bombay to follow up the investigation and found that the facts under investigation in the Bombay case were very much connected with the Baroda Dynamite seizure case and the refore, the investigation of the three cases viz., 281/76 of Bombay mentioned above, 3457/75 P.S. Railway Police Station Bardra and 3376/76, Railway Police Station Bombay Central was also transferred

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to C.B.I. by the Govt. of India with the consent of the State Govt. of Maharashtra and three cases (RCs.6/76 to 8/76) were registered in CIU(A) Branch of SPE. Although four cases were registered by the C.B.I., on investigation it was found that events and offences indicated in all the four cases involved illegal acts of the accused persons in furtherance of the same conspiracy which was under investigation in case RC.2/76-CIU(A) and therefore, a consolidated charge-sheet is submitted in all the four cases.

- (i) Accused George Mathew Fernandes (hereinafter referred to as George Fernandes A-1) is the Chairman of the Socialist Party of India and also the President of the All India Railwaymen's Federation.
- (ii) Accused K. Vikram Rao and accused Kirit Bhatt (hereinafter referred to as A2 and A3 respectively) are two journalists of Baroda. A2 was the Staff Correspondent of the Time of India at Baroda and the Vice President of the All India Federation of Working Journalists. A-3 was the Baroda correspondent of the Indian Express, Ahmedabad and the President of the Union of Baroda Journalists.
- (iii) Accused Prabhu Dass Patwari (hereinafter referred to as A-4) is a prominent supporter of the Congress (0) in Gujarat and styles himself as a social worker.
- (iv) Accused G.G.Parikh (hereinafter referred to as 4-5) is the Chairman of the City Socialist Party, Bombay.

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(v) Accused Jashwant Sinh Chauhan (hereinafter referred to as A-6) is the Joint Secretary of Baroda Socialist Party and also a Municipal Corporator elected on the support of Janta Front.

Accused Govind Bhai Solanki and accused Motilal Kanojia (hereinafter referred to as A-7 and A-8 respectively) are active workers of the Baroda Unit of the Socialist Party of India.

- (vi) Accused Mahendra Narain Bajpai (hereinafter referred to as A-9) is the Branch Secretary of the Eastern Railwaymen's Union, Patna Division and is posted as Assistant Parcel Clerk, Eastern Railway, Patna.
- (vii) Accused Vijay Narain Singh Chereinafter referred to as A-10) is the Joint Secretary of U.P. Socialist Party.
- (viii) Accused C.G.K. Reddy (hereinafter referred to as A-11) is the Management Consultant of the 'Hindu' and is a close as sociate of George Fernandes/A-1). In 1952 he was elected a member of Rajya Sabha as a Socialist Party candidate from Mysore State.
- (ix) Accused Kamlesh Shukla (hereinafter referred to as A-12) is a former Joint Secretary of All India Sanyukata Socialist Party. He was editing Prati Paksh, a Hindi Weekly of George Fernandes A-1)

Accused Sushil Chander Bhatnagar (hereinafter referred to as A-13) is a Sr. Group Inspector of Special Ticket Examiners on Northern Railway.

(x) Accused Viren J. Shah (hereinafter referred to as A-14) is the Chairman of the Board of Directors of Mukand Iron and Steel Works Ltd. In August 1975 he was elected to Rajya Sabha from Gujarat with the support of Janta Morcha.

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(xi) Accused S.R. Rao, accused Somnath Dube and accused Laxman Morari Jadhav (hereinafter referred to as A-15, A-16 and A-17 respectively) are the Vice Presidents of Bombay Tabour Union controlled by George Fernandes A-1 as its President.

Accused Gopal Sherigar and Padamnabh Shetty (hereinafter referred to as A-18 and A-19 respectively) are the employees of the Bombay Labour Union.

Accused Vishwanath Shetty (hereinafter referred to as A-20) who had been residing in the Parel office of Bombay Labour Union, is a Canteen Vendor in the Central Railway Employees Cooperative Consumers Society Canteen, Parel.

Accused Jairam Nana More (hereinafter referred to as A-21) is an electrician in the Train Lighting Department of the Central Railway, posted in Loco Shed at Bombay V.T.

Accused Davender Mohan Gujar (hereinafter referred to As A-22) is a Jr. Auditor in the Bombay Municipal Corporation.

Accused Suresh Vaidya (hereinafter to as A-23) is a Jr. Clerk in the office of the Superintendent of Police, Nasik. (xii) Accused Ladli Mohan Nigam (hereinafter referred to as A-24) is a leading and active worker of Socialist Party from Indore.

Accused Atul Patel (hereinafter referred to as A-25) is a nephew of Bharat C. Patel, a prominent Industrialists of Baroda. His father owns a stone quarry at Halol near Baroda known as Hindustan Quarry Works Halol.

Both A-2+ and A-25 are still evading arrest.

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Investigation showed that on the declaration of emergency 3. in the country on 25.6.75, George Fernandes A-1 went underground and decided to arouse resistance against the imposition of the same and to over-awe the Government by use and show of criminal force. He reached Patna in the beginning of July, 1975 and held secret meetings with a number of his chosen confederates including A-9 at the residence of Rewati Kant Sinha MIC (Socialist Party) and told them that he was looking for reliable and comitted workers who would be willing to execute his plans to put an end to the despotic rule at the centre. Pursuing his quest, George Fernandes A-1, reached Ahmedabad around middle of July, 197 and held secret meetings with A-5 and A-2+ at the residence of Dr. Davendar Mahasukhram Surti. George Fernandes A-1 then went to Baroda where A-2 and A-3 made arrangements for his being sheltered at the residence of the aforesaid Bharat C. Patel who has since been granted pardon. While staying with Bharat C.Patel, George Fernandes A-1 pursuaded him, A-2 and A-3 to be a party to the criminal conspiracy and agree to do illegal acts with the object of overawing the Central Government by show of criminal force and by doing acts of sabotage. It was planned to procure dynamite sticks and accessories like detonators and fuse wire through Bharat C. Patel, Before the explosives were procured, Bharat C. Patel arranged a demonstration of the use of the explosives and at his instance his nephew Atul Patel A-25 took George Fernandes A-1, Vikram Rao A-2, Kirit Bhatt A-3 and Shri Satish Pathak another journalist of Baroda to the stone quarry

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at Halol for watching the demonstration. Lafter seeing the destructive power of the emplosives, George Fernandes A-1 expressed his satisfaction that he had found what he was looking for. It was decided to use the explosives for blowing up bridges and vital rail and road links to create wide spread chaos with the ultimate object of over-throwing the established government at the centre.

- While putting up a Baroda, George Fernandes A-1 also entrusted Bharat C. Patel the job of working out his plan to set up a transmitting radio station abroad. He also assigned to him the task of secretly carrying with him abroad his (George Fernandes A-1's) letters to some foreign dignitories and organisation like Socialist Internationale seeking their help and support. In one of these letters he asked the addressee to help his emissary (Bharat C. Patel) to set up a powerful broadcasting unit able to cover the whole country. He also desired the B.B.C., World Bank and others to take positions which they take towards South Africa, Rhodesia and others.
- 5. In pursuance of the agreed plan, 10 bags of dynamite sticks obtained from Timba Road Stone Quarry belonging to Bharat C. Patel and his relatives and 200 detonators and 8 rolls of fuse wire procured from M/s Vasudev and Co. Halol in the A/c of M/s Hindustan Quarry Works Halol belonging to the father of A-25 were collected by A-2 and A-3 on 21.7.1975 from the Mahi Guest House of Timba Road Quarry in 2 cars and taken to the residence of Prabhudass Patwari A-4 at Ahmedabad. George Fernandes A-1 had already fixed up with A-4 for the storage of the explosives and

A-4 got the dynamite sticks kept in a room attached to his garage. After thus procuring the dynamite sticks, George Fernandes 6. A-1 and some of his trusted lieutenants, who are his co-accused in the case, set about the task of executing the plot to create country-wide chaos through large scale sabotage of the railway system and government buildings. They selected hard-core confeder: tes, held secret meetings and demonstrations to explain to them the method of using the explosives, arranged for secretly procuring or transporting dynamite sticks and accessory explosives to chosen destinations in various states for carrying out explosions. Finance was arranged to meet the expenses. In the commission of these and several other illegal acts designed to further the achievement of the common object of the conspiracy, all the known (A-1 to A-25) and unknown members of the criminal conspiracy had actively participated. Ultimately as a result of their conjointed efforts a chain of explosions in quick succession in a short span of time was caused in the States of Bihar, Maharashtra and Karnataka in furthe-rence of the common objects.

7. In the 4th week of July, 1975 Ladli Mohan Nigam A-24 approached Rewati Kant Sinha MIC and divulged to him the aforesaid plan of George Fernandes A-1 to create anarchy through large-scale sabotage. He also informed Rewati Kant Sinha that explosive material shall be reaching Patna shortly for the above purpose. Rewati Kant Sinha agreed to join in the execution of the aforesaid plan. Rewati Kant Sinha has since been granted pardon.

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On 4.8.1975 Jashwant Sinh Chauhan A - 6, Govind Bhai Solanki A-7 and Motilal Kanojia A-8 met George Fernandes A-1, Vikram Rao A-2 and Dr. G.G. Parikh A-5 at Ahmedabad. A-6, A-7 and A-8 left Ahmedabad on 5.8.1975 and reached Patna on 8.8.1975 with the explosive material in three suit cases and a cloth bag and the same was delivered to Rewati Kant Sinha. Jaswant Sinh Chauhan A-6 then took a one rupee note, tore it vertically in two halves, retained the numbered half portion of the said note with himself and after writing the number of the currency note on the unnumbered half portion gave the same to Rewati Kant Sinha asking him to deliver the explosives to the person who brought the numbered portion of the note to him. On 10.8.75 Mahendra Narain Bajpai A-9 when to the house of Rewati Kant Sinha with the numbered portion of the note and collected from there a part of the consignment of explosives, for use in Bihar. The aforesaid three suitcases, 42 detonators and some pieces of fuse wire were recovered on 16.5.76 and on 19.5.76, 50 complete dynamite sticks and 76 pieces of the same were recovered at the instance of Rewati Kant Sinha from the places pointedout by him.

8. George Fernandes A-1 toured in disguise in various part of the country to promote the object of the conpiracy. On 16.8.75 he left Ahmedabad and stayed for the night at Baroda with an industrialist Shri Sharad Patel. On 17.8.75 he alongwith A-2 and A-3 left Baroda in Sharad Patel's car. On the otherside of the border in Maharashtra he was picked up by prior arrangement in a fiat car No.DLV 7337 by another party which included a

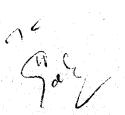
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lady. Before returning to Baroda A-2 and A-3 met at night Shri Pradyuman Patel a witness in the case in a Rest House at Surat. The latter had come from Bombay on being called by A-2 and he returned the same night after giving A-2 an amount of Rs-5000/-.

George Fernandes A-1 reached Bangalore via Aurangabad and Hyderabad in the aforesaid fiat car. At Bangalore another lady and her husband took care of George Fernandes A-1 and she was with him when he went to Madras. After staying at Madras for some days, George Fernandes A-1 returned to Bangalore from there. During his stay at Madras and Bangalore, Vikram Rao A-2, C.G.K.Reddy A-11, Viren J. Shah A-14, S.R. Rao A-15 and Somnath Dube A-16 went there to meet him.

S.R. Rao A-15 and Somnath Dube A-16 returned to Bombay with instructions of George Fernandes A-1 for Vikram Rao A-2 on the strength of which Somnath Dube A-16 and Gopal Sherigar A-18 collected explosives from Vikram Rao 1-2 and Kirit Bhatt 4-3 who had taken them to Ahmedabad for the purpose. The explosives brought to Baroda in a suit case and an air bag which were then taken to Bombay by £16 and £-18. The suitcase and the air bag have been seized at the instance of S.R. Rao A-15 and Gopal Sherigar A-18 respectively. The air bag seized has been found to contain traces of material suspected to be Nitro-glycerine. Thekey of the looked house from where the suit-case was recovered was produced by accused Davendra Mohan Gujar A-22. The suit-case contained 33 sticks of dynamite, 16 denonators and 10 rolls of fuse wire. Some explosives were also recovered at the instance of Somnath Dube A-16 (33 dynamite sticks, 20 detonators and 10 rolls of fuse wire) and Suresh Vaidya A-23 (8 dynamite sticks and



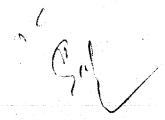
burnt fuse wire) from the places pointed out by them.

When S.R. Rao A-15 and Somnath Dube 4-16 returned to Bombay after seeing George Fernandes A-1, S.R. Rao, A-15 held a meeting of some trusted followers of George Fernandes A-1 and divulged to them the plan of the 'Chief' (George Fernandes A-1) for disrupting transport and communication links. He told them that some explosive material would shortly be arranged. when the material was received, Somnath Dube A-16 explained its Practical demonistrtion of the use of explosives was also arranged at a secluded place in Madh Island near Malad (Bombay), but actual explosion could not be demonistrated as some members of the public happened to pass by the place. Investigation has revealed that beside A-15, A-16 and A-18, Laxman Morari Jadhav A-17, Padamnabh Shetty A-19, VishwanathShetty A-20 and Jairam More A21 had actively participated in various meetings and explosions were thereafter caused at Bombay Central Railway Station, Express Highway Over bridge across Western Railway near Bandra Railway Station, Bridge near Railway Station Kings Circle and the office of 'Blitz' weekly, Bombay. In attempt is reported to have been made to cause an explosion at Nasik Sub-jail also.

Besides the 4 explosions mentioned above which were caused in Bombay, a series of explosions were caused between 23.10.75 and 30th December 1975 at railway bridges and on railway tracks at various places in Karnataka and Bihar.

9. Investigation has revealed that George Fernandes A-1 had made Delhi an important base for his illegal activities where





some of the alleged overt acts constituting offences were committe by some of his co-conspirators in pursuance of the criminal conspiracy. George Fernandes 4-1 was operating the conspiratoria activities of the co-accused in Delhi while staying at the house of Captain R.P. Huilgol at Vasant Vihar, New Delhi. His meetings with Vijay Narain Singh A-10 who made arrangements to receive the consignment of explosives at Varanasi from Baroda, Kamlesh Shukla A-12, Viren J. Shah A-14 and others were secretly arranged in Delhi by Dr. (Miss) Girija Huilgol daughterof Captain R.P. Huilgol C.G.K. Reddy, A-11. At these meetings possible targets for sabotage activity in Delhi were discussed. Kamlesh shukla 4-12 had in the meanwhile received one suit-case containing dynamite sticks. The suitcase containing the explosives (37 dynamite sticks 49 demonators and 8 rolls of fuse wire) which was received at Delhi has since been recovered from the house of Kamlesh Shukla A-12 at his instance and its keys from the possession of Sushil Chander Bhatnagar A-13.

Between November, 1975 and March, 1976 George Fernandes

A-1 was also staying for broken periods of time at the house of

Shri R. Chudan, Business Representative of the 'Hindu' in Jorbagh,

New Delhi. His stay there was arranged by C.G.K.Reddy A-11 who

was looking after the task of procuring 1000 wireless sets from

a foreign country. Around middle of January, 1976 he had also

arranged a secret meeting of George Fernandes A-1 with European

Editor of the "Newsweek". At this meeting George Fernandes A-1

had told his interviewer that he believes in the use of violence

to bring down the Prime Minister.

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10. Viren J. Shah A-14 who had be en financing the plan of George Fernandes A-1 from time to time was present at the above interview. Earlier in November, 1975 he had sent a coded message to Bharat C. Patel through Pradyuman patel that George Fernandes A-1 was keen to meet him. In December, 1975 George Fernandes A-1 had flown to Bombay to hold a secret meeting with Viren J.Sh: A-14 and S.R. Rao A-15. These meetings were followed by an explosion at Express Highway Over Bridge, near Bandra RailwayStation. George Fernandes A-1 reached Baroda from Bombay on 24th December, 1975 and was accommodated at the house of Sharad During the above stay, Shri Sharad Patel over-heard George Fernandes A-1 discussing the use of explosives for He decided to obtain full knowledge of the subversive sabotage. designs of George Fernandes A-1 with a view to inform the authorities so as to prevent the same. After he (Sharad Patel) had won over the confindence of George Fernandes A-1, he offered to store the explosives at his house which was then under construction, for onward despatch to chosen destinations. The reafter he (Sharad Patel) accompanied by A-2 and A-3 went to Ahmedabad in his car and brought the explosives from the residence of Prabhudass Patwari A-4 and Sardar Chhatralaya at Ahmedabad. On returning to Baroda he got the same stored at his said house. After the lapse of some time, Ladli Mohan Nigam A-24 paid him a visit and inspected the dynamites and as some of the sticks had started sweating he got the explosives dried in the sun and got the same repacked properly. Later when all the arrangements to transport the explosives from Baroda to Varanasi



through M/s Road Link of India were finalised he informed the concerned authority which ultimately led to the recovery of the explosives (836 sticks of dynamites and 85 rolls of fuse wire) from the premises of the said transport company as narrated above. On getting information regarding the above seizure, Viren J. Shah 4-14 took steps to get the same passed on to George Fernandes A-1. Thereafter C.G.K. Reddy A-11 and others arranged for the escape of George Fernandes A-1 to Calcutta.

It is a notable feature of the case that the accused persons had taken elaborate care and precautions to conceal their identity while committing the illegal acts. Not only messages we're exchanged in code and secluded corners were selected for holding meetings or demonstrations, assumed names were adopted or given and symbols were fixed for the purpose of mutual identification. George Fernandes A-1 used to move about in the garb of a Sikh or a 'Baba' and had called himself as M.S.Duggal, Bhupinder Singh, B.P. Singh on different occasions. Some of his followers used to callhim as 'Chief'. For interse communication between himself and Bharat Patel he had fixed the code name of 'Videshia'. Vijey Narain Singh 4-10 was addressed as Asha Singh, Asha being the name of his wife. Viren J.Shah 4-14 had taken the name of Parkash Mehra. Ladli Mohan Nigam 4-24 was given the name of 'Arun'. S.R. Rao A-15, Somnath Dube A-16 and Gopal Serigar A-18 had taken the name of Raghvan, Sampat Patil and Sirikrishna respectively. Explosives were given the name of 'literature'. Even persons like Dr. Girija Huilgol and driver of the car which took George Fernandes down South in August, 1975 were given assumed

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names like Geeta/Manjit Kaur and Ganpat Pandurang respectively. The facts and circumstances of the case and the oral 13. and documentary evidence gathered during investigation disclose that accused A-1 to A-25 and other unknown persons had entered into a well panned and deep rooted criminal conspiracy having wide spread ramifications to overawe by means of criminal force and/or the show of criminal force the Central Govt. and to commit various offences. The above mentioned acts of omission and commission committed by accused 4-1 to 4-25 constitute offences under sections 121(A) IPC, 120B IPC R/W Sections 4, 5 and 6 of the Explosive Substances Act 1908 and Sections 5(3)(b) and 12 of the Indian Explosives Act 1884 as well as substantive offences. In pursuance of the said criminal conspiracy accused A-2, A-3, Λ^{-1+} , Λ^{-6} , Λ^{-7} , Λ^{-8} , Λ^{-9} , Λ^{-12} , Λ^{-13} , Λ^{-15} , Λ^{-16} , Λ^{-18} , Λ^{-22} and A-23 have committed the substantive offences u/s 5 of the Explosive Substances Act. A-2, A-3, A-6, A-7, A-8, A-16 and A-18 have committed the offences under section 5(3)(b) of the Indian Explosives Act. Substantive offences u/s 12 of the Indian Explosives Act were committed by George Fernandes A-1.

Requisite sanction in original of the Central Government u/s 196(1)(a) of the Code of Criminal Procedure 1973 (Act.II of 1974) and u/s 7 of the Explosive Substances Act 1908 for prosecution of the accused is enclosed.

It is, therefore, prayed that action according to law may kindly be taken against the said accused A-1 to A-25.

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Accused Sushil Chander Bhatnagar Λ -13 is on bail. Rest of the accused except Λ -2+ and Λ -25 are in custody being detenues of the MISA. Processes may kindly be issued for appearance of accused Λ -1 to Λ -25 before the honourable Court. Both the Approvers are on bail.

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Sd/- Abnash Chander
Dy. Superintendent of Police
SPE:CBI:CIU(A)
New Delhi.
24-9-76.



<u>List of Accused</u> Sent-up for Trial

7

Accused No. Particulars of Accused

- George Mathew Fernandes @
 George Fernandes s/o John
 Fernandes, Chairman, Socialist
 Party of India and President of
 All-India Railway Men's Federation,
 r/o S-14, Panch Sheela Park,
 New Delhi.
- Vikram Rao s/o K.Rama Rao, Staff Correspondent, Times of India, presently residing at 78-D, Railway Colony, Baroda.
- 3. Kirit Bhatt s/o Keshav Ial Bhatt r/o H.No.504 Bhavnagar, Shishu Vihar Area, Krishna Nagar Plots, Bhavnagar at present H.No.202, Middle Income Group Colony near Budhdev Society, Kareli Baug, Baroda, Staff Correspondent of Indian Express.
- Prabhudas Patwari s/o Dalubhai Patwari r/o 46 Parimal Society, Ahmedabad.
- Gunwantrai Ganpatlal Parekh s/o Ganpatlal Damodander Parekh r/o 4th Floor Ganesh Prasad N.B. Road, Tardeo, Bombay-7.
- Jashwant Sinh Chauhan s/o Juvan Sinh Municipal Corporator r/o Vill.
 Bamanva, presently residing at 38, Patel Park, Baroda.
- 7. Govindbhai Sholanki s/o Bhagwanbhai Sholanki r/o Quarter No.40, Old Saloon Quarters Nai Dharti Baroda (Shop No.8, Gandhi Nagar, Jublie Bhag, Baroda).

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- 8. Moti Lal Kanojia s/o Babulal Ganga Deea Kanojia r/o Fatehpura, Baniwara, Baroda.
- 9. Mahendra Narain Bajpai s/o Vishnu Prashad Bajpai, Assistant Parcel Clerk, Patna Junction, Railway Station, Patna r/o Chirya Utar P.S. Kadamkuan, Distt. Patna.
- 10. Vijey Narain Singh s/o Shri Basudec Singh Rajput, r/o D-35/293, Jangambari, Varanasi.
- 11. C.G.K. Reddy s/o Vira Raghava Reddy, r/o L-7, Hauz Khas, New Delhi.
- 12. Kamlesh Shukla s/o Krishna Dev r/o C-4/48, Safdarjang Development Area, New Delhi.
- Sushil Chander Bhatnagar s/o Sham Sundar R/o No.28, Mohabat Khan Road, New Delhi.

on bail

- Viren J. Shah s/o Shri Jivan Ial Moti Chand, 6A Suneeta Ridge Road, Bombay, Member of Parliament (Rajya Sabha).
- 9 Suratkal Raghavan Rao
 Raghavan s/o Sheshappayya Rao r/o
 Village Hejamedi, Taluk Udipi Distt.,
 South Kanara, Karnathaka, Vice President
 of Bombay Labour Union, Joint Secretary
 of All India Modern Bakery Worker's
 Federation, presently r/o A-4, Keralanagar,
 Tagore Road, Santacruz West, Bombay-54.
 Office: Room No.12, 1st Floor, Podar Bldg.,
 Acharya Donde Marg, Parel, Bombay-12.

- 16. Somnath Dube @ Subba Rao @ Sarjerao
 Patil s/o Ramchandra Dube r/o Vill.
 Pemgiri, Taluk Samganer, Distt. Ahmedmabag,
 Maharashtra State, Vice President, Bombay
 Labour Union, presently r/o Rodm No.
 58, 2nd Floor, Dr. Shivaram Chal Dattaram
 Lad Path, Kala Chowki, Bombay-33, Office:
 204, Raja Ram Mohan Rai Path, Girgam,
 Bombay-4.
- 17. Iaxman Murari Jadhav s/o Murari Iaxman Jadhav, Vice President of Bombay Iabour Union, r/o Surendra Sadan, Room No.17, Dr. Ambedkar Road, Parel, Bombay.
- Gopal Sherigar @ Shrikrishna s/o
 Tukra Sherigar vill. Achada, Taluk Udipi,
 South Kanara, Karnatak, Typist Clerk
 in Bombay Labour Union, Parel, Bombay now
 r/o c/o N.T.Suliyan, Parasnath Chal
 No.2, Room No.2, Jogeshwari Tekri, Bombay-60.
 Office: Bombay Labour Union Room No.12,
 1st Floor, Podar Bldg., Acharya Donde
 Marg, Parel, Bombay-12.
- Padmanabh Shetty @ Prakash s/o Shankar Limgappa Shetty, vill., Shribagilu, Taluk Kasaragod, Distt. Cannannore, North Kerala, Assistant to Vice President in Bombay Labour Union, presently r/o Room No.12, 1st. Floor, Podar Bldg., Acharya Donde Marg, Parel, Bombay-12, Office: 204 Rajaram Mohan Rao Road, Bombay-4.

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Vishwanath Shetty @ Ravi s/o Kariya, village Mandedi, Taluk Udipi, Distt., South Kanara, Canteen Vendor in Central Railway Employees Coop. Consumer Society Canteen, Parel Workshop, Parel, Bombay. Now r/o Room No.12, 1st Floor, Poddar Building, Acharya Donde Marg, Parel, Bombay-12.

- 21. Jairam More @ Mohan s/o Nana Doma More Vill. Uhbhat, Taluk Palghar, Distt., Thana, Maharashtra, Electrician in Train Lighting Department, Electrical Foreman, V.T. Central Railway now r/o 60A, Shankar Niwas, Dattawadi, Agase Path, Bhawanishankar Road, Dadar, Bombay-28.
- Devandra Mohan Gujar @ Devi Gujar s/o Mohan Motiram Gujar r/o village & Taluk Poladour, Distt. Kolaba, Maharashtra, Junior Auditor in Bombay Xxx Municipal Corporation, now r/o 2/5, samartha Magar, Chunabhatti, Kurla, Office: Municipal Chief auditor's Deptt. Central Suburban office, Municipal Corporation, Water Field Road, Bendra, Bombay.
- 23 Suresh @ Ajai Kumar Vaidya s/o Atmaram Hari Vaidya, Masik, r/o 1531, Shingane Gali, near Tiwanik Police Chowk, Masik city, Junior Clerk in the office of the Superintendent of Police, Masik.
- 24 Ladli Mohan Migam s/o Lauman Prasad r/o Satna c/o Om Parkash Misalal, Mo. 101, Sachlitiganj, Indore. ABSCONDER.
- 25 Itul Petal s/o Heshubhai m/o Alkapuri, Bamoda. and other unknown persons. ABSCONDER.

A-1, A-14 to A-23 are in custody. From time to time concerned Courts had ordered the release on bail of A-2 to A-12 but they are under detention under M.I.S.A.

sd/ Abnash Chander
(ABNASH CHANDER)
DY.SUPERINTENDENT OF POLICE
CBI SPEZCIU(A) NEW DELHI
24thSEPTEMBER, 1976.

R.C. 2/76-CIU(A) SPE CBI NEW DELHI

Mames and addresses of accused persons not sent up for trial whether arrested or not arrested:

1. Shyam Datt Paliwal, s/o Sh.Kailash Chander Paliwal r/o House No.35/153, Naubasta, Agra.

Arrested

2 Prof. Vinod Prosed Singh s/o
Meheshwar Prosed Singh, originally
r/o Remnegar, PS Ketde, Distt.
Muzaffarpur at present Lecturer in
Economics, Setyovati Co Educational
College, Timarpur, Delhi University,
Delhi.

Arrested.

- 3 Laxman Anand Roo Jadhav, s/o Anand Rao Jadhav r/o Hasik, dealar in Muuton Arrested.
- 4 Dr. Vinayan Sharma s/o Bachash Patti Sharma i/o 158 Ramnagar colony, Agra.

Not arrested

5 3.A. Hague (Shafigue Alam Hague) Zonal prometary, Fastern Railway, Mugholsarai.

Not arrested.

sd/ Abnash Chander

(ABNASH CANDER)
DY.SUPERINTENDENT OF POLICE
CBI SPE CIU(A) NEW DELHI.
24th Sept.76.

No.139/5/76-AVD(I)
Government of India

Sanction Order

Department of Personnel & Administrative Reforms (Cabinet Secretariat)

New Delhi, dated the 6th Sept.1976.

ORDER

WHE HEAS, it is alleged that after the issue of the proclamation of Emergency on 25th June, 1975 by the President of India in exercise of the powers conferred by clause (1) of Article 352 of the Constitution, George Mathew Fernandes @ George Fernandes, Chairman of Socialist Party of India and Charman of All India Railwaymen's Federation sought to arouse resistence against the said emergency by declaring that the said emergency had been "clamped" on the country by the "despotic rule" of Smt. Indira Gandhi, Prime Minister of India and to entertain an idea that a conspiracy be hatched with the help and in pursuance of the conspiracy do such acts which might result in the destruction of public property and vital installations in the country.

AND, WHEREAS, it is alleged that in pursuance of the aforesaid objects and to achieve the aforesaid aims, George Fernandes organized secret meetings at different places in India including Patna, Baroda, Delhi and Bombay for organising subversive and unlawful activities in different parts of the

AND, WHEREAS, it is further alleged that George Fernandes, with these objects in view, became a member of a criminal conspiracy to commit unlawful acts with a view to over-awe the Government and organised secret meetings at Baroda in the month of July, 1975 in which Vikram Rao, Kirit Bhatt and Bharat C. Patel (approver) actively participated and it was interalia agreed that gelatine with its accessories i.e. be procurred to cause explosions of railway tracks, vital property to create chaotic conditions in the country with a view to over-awe the Government.

AND, WHERFAS; it is further alleged that George Fernandes exhorted Bharat C. Patel to arrange demonstrations of blasting with gelatine with a view to assess the extent of destruction that could be caused with such explosive material and at the instance of George Fernandes, demonstrations were facilitated by Bharat C. Patel, Atul Patel, Vikram Rao and on or about 17.7.75.

Seal Government of India Department of Personnel

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AND, WHE FEAS, it is further alleged that in pursuance of the criminal conspiracy aforesaid George Fernandes procured Gelatine and its accessories and Bharat C. Patel, Vikram Rao, Kirit Bhatt and Atul Patel aided and abetted the said procurement from Hallol and Timba Quarries for getting them transported in gunny bags from the said place to Ahmedabad and from where the transportation of the same had been arranged by George Fernandes after getting them stored in the remaison

by George Fernandes after getting them stored in the premises of Prabhudas Patwari, a co-conspirator and later after sometime the said explosive material was transported for causing destruction at Delhi, Bombay, Patna and various other places

AND, WHEREAS, it is further alleged that in order to achieve the object of the criminal conspiracy aforesaid, George Fernandes in concert with C.G.K. Reddy and Bharat C. Patel was making active attempts for setting up a transmitting station at Diego Garcia and to obtain/smuggle from abroad such appliances/instruments through which his plans of subversion could be transmitted/broadcasted to different stations in India and had addressed communications for the purpose of exploring the aid for his unlawful activities from abroad Amnesty Internationale.

AND, WHEREAS, it is further alleged that in pursuance of the criminal conspiracy aforesaid George Fernandes had various secret meetings with Dr. G.G. Parikh, a co-conspirator at Ahmedabad at the residence of Dr. Surti on or about 21st was discussed and that in another secret meeting held in the month of August, 1975 at Ahmedabad which was attended by Lal Kanojia, afrangements were made to transport the explosive materials from Ahmedabad to Patna.

AND, WHE REAS, it is further alleged that in pursuance of the aforesaid criminal conspiracy Vikram Rao, Kirit Bhatt, Jaswant Sinh Chauhan, Govind Bhai Sholanki, Motilal Kanojia, Gopal Sherigar, Shomnath Dubey and also with the aid of some other unknown persons during the months of August to October, arranged to transport gelatine with its accessories, which is an explosive material from Ahmedabad to various placed in India including Bombay and Patna as personal baggage by rail.

AND, WHEREAS, it is further alleged that in pursuance of the criminal conspiracy the aforesaid consignments of gelatine sticks with their accessories were received by Rewati Kant Sinha (approver) on or about 8.8.1975 at Patna for causing destruction to public property and that a part of the same was collected by Mohinder Narain Bajpai, a co-conspirator for the said purpose

Government of India
Department of Personnel

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around 10th August, 1975 and that Laule Modern Right, pursuance of the agreement entered into with decree earlier, had explained to the said Rewati Kant Sinha that the said consignments of explosive material would be made available to him shortly and that the said explosive material be used or caused to be used for causing destruction to public property by means of blowing up important railway and road bridges, disrupting means of communication and to create an atmosphere of terror which would ultimately be successful to over-awe the Government.

AND, WHEREAS, it is further alleged that a part of the said explosive material, which was in possession of the said Rewati Kant Sinha, was discarded by him at Patna sometimes in September, 1975, as it had deteriorated and was recovered by the police on the pointing out of Rewati Kant Sinha on 19.5.76 from a manhole in Patna and on 16.5.76 the containers thereof, detonators and safety fuse wires were seized by the police at the instance of the said Rewati Kant Sinha.

AND, WHE HEAS, it is further alleged that in pursuance of the criminal conspiracy S/Shri S.R. Rao and Som Nath Dubey visited Mad ras and Bangalore during September and October, 1975 where they met George Fernandes and obtained a letter for accused Vikram Rao and on that authority Som Nath Dubey and Gopal Sherigar collected explosives from accused Vikram Rao and Kirit Bhatt which they brought to Bombay in a suit case and an air bag. The suit case and air bag have been seized at the instance of S.R. Rao and Gopal Sherigar respectively. The key of the locaked house from which the suit case was recovered was produced by Devendra Mohan Gujar. The suit case of fuse wire. At Bombay some explosives have been recovered places pointed out by them.

WHE REAS, it is further alleged that a practical demonstration of the use of explosives was arranged at Shivaji Park, Bombay and Madh Island, but actual explosion could not be demonstrated as general public had access to the area.

AND, WHEREAS, it is further alleged that in pursuance of the criminal conspiracy aforesaid secret meetings to achieve the objective were arranged and held in Delhi during October, 1975 to March, 1976 on different occasions at different places including the residence of Kamlesh Shukla, a co-conspirator which were attended by George Fernandes, Kamlesh Shukla, Vijay Narain chaos and causing destruction to public property and to select discussed.

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AND, WHEREAS, in pursuance of the said orininal conspiracy aforesaid and the plans chalked out in the aforesaid secret meetings Kamlesh Shukla was provided with a suit-case containing gelatine with accessories and subversive literature and the same were recovered in an open condition from his possession at C-4/48, Safdarjang Development Area, New Delhi on 10.4.1976 and was found to be an explosive substance and that the key of the lock of the said suitcase was recovered from the possession of Sushil Chand Bhatnagar and that George Fernandes in one of the aforesaid meetings held at Delhi had cautioned the said Kamlesh Shukla to keep the said suitcase safely.

AND, WHEREAS, it is alleged that Ladli Mohan Nigam, in pursuance of the conspiracy aforesaid sometimes in the month of February, 1976 got the gelatine and fuse wire packed at Sayeed Vasana, a house under construction at Baroda, where it had been stored earlier for onward transport outside Baroda.

AND, WHEREAS, it is further alleged that in pursuance of the conspiracy, aforesaid, Jaswant Singh Chauhan, and Kirit Bhatt were arranging to transport huge quantity of gelatine and fuse wire contained in seven wooden crates through Rajinder Parshad Suriyya of M/s Road Link of India, Baroda to Varanasi by road at the address of Radhey Shyam Singh and the same was recovered and seized by the police from the premises of the aforesaid transport company on 8th/9th March, 1976.

AND, WHEREAS, it is further alleged that in pursuance of the conspiracy aforesaid, George Fernandes had a secret meeting at the residence of Capt.R.P.Huilgol in Vasant Vihar at New Delhi sometimes in January, 1976 which was attended by George Fernandes, Viren J. Shah, C.G.K.Reddy, Co-conspirators, in which George Fernandes in an interview with foreign journalist vindicated his belief to cause sabotage and for achieving the said purpose preached violence and that Viren J. Shah also had more secret meetings with George Fernandes during October and December, 1975 at Delhi and Bombay and that Viren J. Shah had provided substantial funds to George in arranging meetings of George Fernandes with Bharat C. Patel for furtherance of his unlawful activities and ultimately the Delhi sometime in March, 1976 to evade his arrest.

of the aforesaid criminal conspiracy explosions were caused by the use of gelatine in the State of Karnataka during October, 1975 and November, 1975, in the State of Bihar during November, 1975 and December, 1975 and in Bombay in the State of June, 1976 - all causing destruction to railway property.

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WHEREAS, the aforesaid acts on the part of the serior George Fernandes, Vikram Rao, Kriti Bhatt, Bharat C. Patel, Prabhudas Patwari, Dr. G.G.Parikh, Jaswant Sinh Chauhan, Govindbhai Sholanki, Moti Lal Kanojia, Rewati Kant Sinha, Mahendra Narain Bajpai, Ladli Mohan Nigam, Vijey Narain Singh, C.G.K. Reddy, Viren J. Shah, Kamlesh Shukla, Sushil Chamder Bhatnagar, Atul Patel, S.R. Rao, Somnath Dubey, Gopal Sherigar, Padmanabh Shetty, Davinder Mohan Gujar, Vishwanath Shetty, Jairam More, Laxman Morari Jadhav and Suresh Vaidya, constitute offences under sections 121-A I.P.C., 120-B I.P.C. r/w 4, 5, 6 of the Explosive Substances Act, 1908 and section 5(3)(b) and 12 of the Indian Explosive Act, 1884 as well as the substantive offences.

WHEREAS, it is further alleged that in pursuance of the aforesaid criminal conspiracy all the 27 accused persons named in the previous para committed offences by unlawfully and malaciously doing acts with intent to cause, by an explosive substance, or conspired to cause by an explosive substance explosion in India of a nature likely to endanger life or to cause serious injury to property and by procuring supply of explosive substances, by arranging financial resources and by providing premises to store explosive substances resulting in procurement, aiding and abetting the commission of offences under the Explosive Substances Act and it is further alleged that accused Vikram Rao, Kirit Bhatt, Prabhu Das Patwari, Jaswant Sinh Chauhan, Gobind Bhai Solanki, Moti Tal Kanojia, Mohinder Narain Bajpai, Kamlesh Shukla, Sushil Chander Bhatnagar. S.R. Rao. Somnath Dubey. Gonal Sushil Chander Bhatnagar, S.R. Rao, Somnath Dubey, Gopal Sherigar, Devinder Mohan Gujar and Suresh Vaidya were found in possession of explosive substances for an unlawful object resulting in commission of offence under section 5 of the Explosive Substances Act and whereas it is further alleged that accused Vikram Rao, Kirit Bhatt, Jaswant Sinh Chauhan, Govind Bhai Solanki, Moti Lal Kanojia, Somnath Dubey and Gopal Sherigar, were responsible to transport explosives in contravention of rules made by Central Government in exercise of powers conferred on them under section 5(1) of the Indian Explosives Act and they have thereby committed offences under section 5(3)(b) of the Indian Explosives Act and whereas it is further alleged that George Fernandes, abetted the commission of the offences under section 5(3)(b) of the Indian Explosives Act and thereby he has committed an offence under section 12 of the Indian Explosives Act.

WHEREAS, the Central Government, after fully and carefully examining the material in regard to the allegations and circumstances of the case, considers that George Fernandes, Vikram Rao, Kirit Bhatt, Parbhudas Patwari, Dr. G.G. Parikh, Jaswant Sinh Chauhan, Govindbhai Sholanki, Moti Tal Kanojia, Mahendra Narain Bajpai, Ladli Mohan Nigam, Vijay Narain Singh, C.G.K. Reddy, Viren J. Shah, Kamlesh Shukla, Shushil Chander

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Bhachagar, Atul Patel, S.H. Nao, Somnath Dan Padmanabh Shetty, Davinder Mohan Gujar, Vishanath Balanda Jairam More, Laxman Morari Jadhav and Suresh Vaidya be prosecuted in a court of law for the said offences.

NOW, THE MEFCRE, in exercise of the powers conferred under section 196(1)(a) of the Code of Criminal Procedure, 1973 (Act No.2 of 1974) and under section 7 of the Explosive Substances Act, 1908 the Central Government doth hereby accord sanction for the prosecution of the said (1) George Mathew Fernandes @ George Fernandes s/o John Fernandes, (2) Vikram Rao s/o K. Rama Rao, (3) Kirit Bhatt s/o Keshav Lal Bhatt, (4) Prabhudas Patwari s/o Balubhai Patwari, (5) Dr. Ganwant Rai Ganpet Lal Parikh s/o Ganpet Lal Damcdur Parekh, (6) Jaswant Sinh Chauhan s/o Javan Singh (7) Govindbhai Sholanki s/o Bhagwanbhai Solenki, (8) Moti Lal Kanojia s/o Bahulal Ganga Deea Kanojia, (9) Mahendra Narain Bajpai s/o Vishnu Prashad Bajpai, (10) Ladli Mohan Nigam, (11) Vijey Narain Singh s/o Basudeo Singh, (12) C.G.K. Reddy s/o Vira Raghava Reddy, (13) Viren J. Shah s/o Shri Jivan Lal Moti Chand, (14) Kamlesh Shukla s/o Krishna Dev, (15) Shushil Chander Bhatnagar s/o Sham Sunder, (16) Atul Patel s/o Hasubhai, (17) S.R. Rao, (18) Sommath Dubey, (19) Gopal Sherigar, (20) Padmanabh Shetty, (21) Davinder Mohan Gujar, (22) Vishwanath Shetty, (23) Jairam More, (24) Laxman Morari Jadhav, and (25) Suresh Vaidya for the said offences and any other offence(s) punishable under law in respect of the allegations aforesaid as may be disclosed in the evidence and for taking cognizance by a court of competent jurisdiction.

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BY ORDER AND IN THE NAME OF THE PRESIDENT

Sd/- G.P. Kalra (G.P. Kalra) Under Secretary to the Government of India

> Seal Government of India Department of Personnel

LIST OF WITHE SES IN RC-2/76-CIU(A)/SPE/CBI NEW D

S/Shri:

1. Bharat Engine

Bharat C.Patel, Director M/s. Saysji Iron and Engineering Co.Pvt. Ltd. Baroda r/o Shirali Alkapuri, Baroda.

- 2. Satish Jay Shankar Pathak s/o Shri Jaishankar Mool Shankar Pathak (date of birth 3-8-1939), Staff Reporter and Chief of Bureau, UNI Dandia Bazar Baroda presently residing in 60 Municipal Quarters, Pratap Nagar Road near Rainbow, Baroda
- Rajubhai Magambhai Patel @ Raju Patel, Local Purchase Manager, Sayaji Iron and Engineering Works Pvt. Ltd. Chhani Road Baroda-2, originally r/o Vill. Karamsad Tehsil Anand, Distt. Khoda presently residing at Bangalow No.1-B, Sardar Nagar Society, Division-7, Baroda.
- 4. Man Singh s/o Shyam Rao Jadhav r/o Jadhav Building, Sayaji Ganj, Baroda.
- Jullius D. Christian s/o Devji Bhai, 152 Baroda Peoples Society, Fatchganj behind Convent School, Baroda, Steno in Sarabhai Chemicals, Baroda.
- 4 6. V.C. Shah, Deputy Manager, Sharabhai Chemicals Pvt.Ltd. Baroda.
 - Pradyuman Natvar Lel Patel s/o Sh. Natwarlal Muljibhai Patel r/o 25, Alkanumi, Baroda.
- Dr (Miss) Girija Huilgol, MBBS d/o Capt. R.P. Huilgol r/o A-15/11, Vasant Vihar, New Delhi.
 - Rama Rao Prahlad Rao Huilgol @ R.P. Huilgol s/o Prahlad Rao Huilgol Brahmin Hindu r/o A-15/11, Vasant Vihar, New Delbi.
 - Chander Kumar Rama Rao Huilgol s/o Rama Rao Prahlad Rao Huilgol, presently residing at A-15/11, Vasant Vihar, New Delhi.
 - Rajagopala Chandra Chudan s/o R.Rajagopalan r/o Vill. Narasinga Nothem, Tanjore district, Tamilnadu presently r/o c/o N.R. Srinivasan 78, Bharatinagar, Tew Delhi-3.
 - 12 Dr. Devindra Mansukh Ram Surti r/o House No.2, Ambawadi Tulsibagh, Ahmedabad.

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- Sherad Chandra Chhotabhai/Patel, Director of Standard Radiators, Baroda s/o Sh. Chhotabhai r/o 12, Tana Apartments, Race Course Circle, Baroda.
- Poonjabhai Budha Bhai Rajput r/o vill. Bodal, Tehsil Barsada, Distt. Kheda Gujarat.
- Rajendra Presed Saraiya @ Rajubhai s/o Sh.Jamnadas Saraiya, Manager M/s. Road Link of India, Nagarwada, Baroda r/o New Khenderso Road near Jawahar Society, Baroda.
- Radhey Shyam Singh s/o Premnarain Singh r/o 86, New Colony, P.S. Bhelpur Distt. Varanasi.
- Rewatikent Sinha s/o late Rajnikant Sinha r/o Villand PO Kalyanpur, PS Bihar, Distt Bhojpur, Bihar presently at Or No.19 Old family type quarters, Road No.5, R-Block, Patna.
 - Sattarbhai Rehman Bhei r/o Timba Road, Dandia Bazar, Distt. Panchmahal, Employee of M/s. Hindustan Guarry Works, Halol.
 - Salubhai Nanji, formerly Blaster of M/s. Hindustan Quarry Works r/o Vill. Navakuran PO Shivrajpur, Distt. Panchmahals.
 - Ramesh Chander Mohan Shah, r/o Kalol, Distt. Panchmahal, formerly Clerk-cum-Accountant of M/s. Hindusten Quarry War Works, Halol now employed with M/s. Udya Industries, Halol.
 - Babar Bhai Mangalbhai, partner r/o Gokalpura Pawagarh Halol Distt. Panchmahals formerly working in Hindustan Quarry Works Ltd.
- 22 Fatch Singh Waquat Singh of M/s. Windusten Quarry Works, Helol.

17.

23 Shrikant Saddhaulal Shukla, Pharmacist in the Western Rly. Divisional Mospital, Pratapasgar, Baroda.