

News - Nation

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'Hell! he's still alive!'

By Meenal Baghel

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All through Saby's deposition Qasab had looked at him curiously trying to figure out who he was. "He saw my pictures, and briefly looked scared. He told the judge that he wasn't feeling well and wanted to leave. When the judge told him to stay, he began to whimper and cry. "I almost felt bad for him. That night at CST he had looked rugged, in control, but now he just seemed like a soft, piddley fellow. He was a boy really who'd become a robot with all that indoctrination. That's how I see him now."

Arasa too has come to terms with his demons. Instead of selling the Skoda, he continues to drive the car. "It brought back terrible memories when I retrieved it from the cops, but then I reasoned this fear is exactly what the terrorists want us to feel. Their mission would be accomplished if I gave up the car. This is my way of fighting back."



The Skoda which Qasab had fled in

Babbling soldier

Q: Aaj ka kaam karke kya karne wale the?

A: Marne wale the.

In the intricate web of lies and verisimilitude that he has spun for over a year since his dramatic capture, this is perhaps the most honest thing that Qasab has said.

The words spoken less than two hours after assistant sub inspector Tukaram Ombale's heroic death, offer a clue to the question that still haunts India: How could just ten men hold the country to ransom for sixty hours?

"Qasab has no fear of death," says Rakesh Maria who was then joint commissioner of the Crime Branch which investigated the case.

The men had been trained to kill and then die -- the 72 virgins who awaited them in jannat, their prize for laying down their lives. By being captured alive, Qasab had failed the mission. His blabbing making him a rogue soldier. The Colonel Kurtz of this Darkness.

Those baying for his death are unable to comprehend that that's exactly what he wants too. An honourable exit from this mission he took on over two years ago.

At Girgaum, after the encounter with the DB Marg police team which intercepted the stolen Skoda at 12.30 am, resulting in the deaths of Abu Ismail and Ombale (It emerged at the trial that Ombale was one of the seven people conclusively killed by Qasab's bullets, and

for which he may well hang), the policemen fell upon Qasab, venting their fury as they kicked and beat him up.

It was API Sanjay Govilkar who, though nursing a deep abdominal wound, had the presence of mind to shout that the terrorist must be captured alive. "None of us knew at that point who these guys were. When I saw the grenades and an AK-47 strewn around on the road, the only thought that came to my mind was that if we can catch them alive we will know who they are."

But Qasab lay inert. With a bullet injury in his arm, the blood oozing out of the cuts on his head and face, there seemed no doubt he was dead. A Crime branch unit III team that had reached the spot took Ismail and Qasab's 'bodies' towards Nair hospital. In the van on the way, one of the officers saw his rib cage move. Using the choicest expletives, the officer screamed: 'M*****d, at least pretend properly. Saans chal rahi hai teri!'

And Qasab, in spite of himself, smiled ever so slightly before going back to playing dead.

At Nair, after he had been pronounced alert, awake, and indeed alive, he was interrogated.

Assistant Commissioner of Police Tanaji Ghadge of Girgaum division was sent in with express instructions to be gentle for his own security's sake and to try and elicit maximum information about his colleagues, because by now the enormity of the attacks on Oberoi and the Taj had become apparent.

A cable operator from the locality was called in to record the interrogation. This first ever questioning of Qasab by the state is a fascinating piece of theatric. He lies there on a hospital bed, part of his face injured, his bare torso covered by rough blanket, and his 'Japani' eyes screwed up even further. The Maharashtrian ACP on the other hand is a big beefy cop striving to hit an avuncular pitch. Often missing Qasab's Punjabi-intoned Urdu.

We learn Qasab hails from Deepalpur in Faridkot, Pakistan, that he's a class IV dropout and was introduced to one chacha from Lashkar-e-Taiyyaba by his own father. He pretends to be unaware of the presence of any other team mates apart from Ismail. His voice is whiney, weepy as he spins a tale of desperate poverty. For a man who has just got off wreaking a massacre, he is completely in control. At one point he tries to wing his way saying, 'Fala...fala fala....'

Nahi nahi,' Qasab vigorously shakes his head, his eyes still screwed up. 'Aisa ganda kaam nahi kiya.'
It's an exquisite piece of sub-continental farce

The ACP chides him. 'Fala..fala mat bolo. Theek se batao,' and Qasab launches into the LeT's assurances of jannat and izzat and neki and the seductive promise of shabab. 'Shabab!?' The ACP who has been making copious notes sits up. 'Tumne enjoy kiya?' 'Nahi nahi,' Qasab vigorously shakes his head, his eyes still screwed up. 'Aisa ganda kaam nahi kiya.' It's an exquisite piece of sub-continental farce.

Breaking him down

Once it was ascertained that none of his injuries were life-threatening, Qasab was shifted from Nair hospital to the unit III office at NM Joshi Marg. The operations at Taj, Oberoi and Nariman House were showing no sign of a let up and the investigators still had no idea of how many men were holed up in the city or the kind of weaponry they had. Qasab, initially refused to cooperate but exhibited some fear of the unknown and an unfamiliar environment. "This helped us break him down," says police inspector Dinesh Kadam of Unit III. Working with his colleague PK Marde, he prised out details of the LeT conspiracy. Everything he said had to be corroborated by the police on the field. "All through he kept proclaiming his own innocence blaming everything on Ismail who he knew to be dead," says an officer not wishing to be identified. "He kept saying that he had been brought to Mumbai blind-folded and once they landed, asked to start shooting."



I am very happy (about conviction of Qasab). But I regret the acquittal of



two other accused Faheem Ansari and Sabauddin Ahmed - Ujjwal Nikam, special public prosecutor

There was a lot of public anger. We had lost some of the best officers. We had to protect Qasab from within the department as well - Rakesh Maria, deputy commissioner of police



'First hang afzal'

"Despite taking a bullet and having gone through so much just hours ago, his mind was constantly ticking. He would tell us only those things that was either useless detail or that he thought we already knew," says Additional CP (Crime Branch) Deven Bharti, who interrogated Qasab extensively after the Taj operation was over. "These are classic tricks from the Al Qaeda manual to dodge interrogation."

Neither did Qasab lose his chutzpah. "When I first met him, I casually told him, 'Tere ko to main latka ke chhodunga,' recalls an officer from unit I who later took over the interrogation. To which Qasab replied: 'Arey chhodo saab, Afzal Guru ko to latka nahi paaye aaj tak aap.' (Afzal Guru has been implicated in the case on the attack on the Indian Parliament in 2002).

Playing psychological games, police led him to believe that except for Ismail all his other associates had been caught alive and were talking. "Whenever we thought he was lying, we confronted him using intercepted information and say his captured associates had told us something different. This made him believe that we knew more than he thought and that there was no use lying any more," smiles Bharti who was right in the front at the trial court on Monday to hear Qasab's verdict.

Over the next four days their captive wasn't allowed to sleep a wink as police, working in shifts, kept up the relentless interrogation.

Slowly, the jigsaw pieces began falling in place. Qasab told the police about Kuber, the trawler which the ten terrorists had hijacked to come to Mumbai, his training in Muridke, Punjab, and the men behind the conspiracy. Ballistic reports were to later prove that Kuber owner Bharat Singh Solanki was killed by bullets from Qasab's gun.

"With every passing day he became more comfortable sharing details. At times he would himself call us and say that he had just remembered some detail or someone's name and would like to share it."

But just when the cops thought they had cracked him, came the bomb. Literally so.

He became more comfortable sharing details. At times he would himself call us and say that he had just remembered some detail.

On December 3, the day millions were converging at the Gateway to show solidarity against terrorists, and then chief minister Vilasrao Deshmukh was scheduled to visit CST where Qasab and Ismail had killed 58 people, a Railway police force guard found a nauseating smell emanating from the parcel room at platform number 15. It was where all the unclaimed belongings of the deceased had been stored. While sorting out these bags police stumbled upon a shiny new rucksack, carrying eight kilos of RDX attached to a timer which had malfunctioned.

Unequal music

The destruction, had it gone off, was unimaginable.

Ram Bharose! Newspaper headlines screamed the next morning echoing people's anger against a rudderless government.

As furious cops lashed out at Qasab for fooling them thus, he maintained the 8 kg RDX

had just slipped out of his mind.

Learning to live

Eventually both sides started thawing in the enforced proximity. Qasab spoke fondly about his family, particularly his sister Ruqaiya, his love for Bollywood films and at one time even about his brother who he said ran a 'kochgaadi.' One of the constables who did not understand the term asked him whether it meant that he drove a truck, and Qasab burst into peals of laughter. 'Nahi,' he responded wiping his tears of mirth, 'it means he pulls a donkey cart.' The bitter humour giving credence to his story of grinding poverty.

He also slyly picked up the names of the investigators even though they did not reveal it to him by listening in as they addressed each other. In the year since his incarceration he has also learnt Marathi, recently surprising one of his guards by asking him: 'Tumcha nav kai ahe?' Then watching his bemused expression he added cockily, 'Mala pan Marathi yete.'



Pic: Ashish Raje

As news of his capture and details of the conspiracy began to filter out, crime branch received information of a plot to kill Qasab using Dawood Ibrahim's network. "He was our single most credible evidence against Pakistan and we could not afford to lose him," says a senior crime branch officer. While Fort Knox-like installations were being made at Arthur Road Jail, twenty armed and unarmed guards were pressed in to keep Qasab safe. Two unarmed guards lived with him in his cell 24 by 7. "The guards inside were kept unarmed as Qasab is a shrewd commando who could take advantage of any laxity and perhaps try to kill a policeman so that he could be shot dead himself," reveals a crime branch officer.

The two policemen living in his cell did not even allow Qasab to shut his toilet door. While his clothes came from fashion street and Crawford market, his food, during his stay in the lock-up from November 30 to February 17, was brought from a different restaurant every day.

"We couldn't have got food from the police canteen as our officers were angry and we feared someone could poison his food," says a senior officer. Once he was given a glass of fresh lime which disagreed with him. As the pain in his abdomen knotted, Qasab screwed up his face and began screaming, 'Arey sahab ye kya pila dia. Main mar jaunga.'

"He thought we'd administered him poison," recalls a unit III officer.

At Arthur Road Jail where he was eventually housed, 250 men from the Public Works Department worked overtime to build a bullet and bomb-proof cell for Qasab, including a tunnel that would take him to and back from the specially set air-conditioned court where he's been tried. Yesterday, media persons were subjected to five security checks before being allowed entry into the room where a forlorn Qasab sat barefoot, his head lowered right through the two hours it took to read the judgment.

In jail he was given nothing save for a copy of the Quran and his 11,000-page charge-sheet. He often asked for the newspaper but the trial court denied him access to that.

One month into solitary confinement, Qasab started displaying symptoms of schizophrenia-like behaviour. He would be quiet for most part of the day but start screaming in the middle of the night. His low blood pressure became a cause for concern for doctors as also his hernia and stomach.

For fear of someone poisoning him-for such was the animosity against him even among the prison staff-he was given only packaged drinking water. Soon cops noticed that the water bottle caps began disappearing from his cell.

One night, the guards saw him trying to harm himself with the serrated side of one of the caps. "He was perhaps trying to cut his veins. He'd often tell us, 'Mujhe ye zillat ki zindagi nahi jeeni hai ab'," reveals a doctor who examined him, and who spoke to us on the condition we would not give out his identity.

On the brink of madness, Qasab started clawing at the walls, he'd dig out the cement and eat that to harm himself. "He would cry out for any sort of human contact." Doctors put him on anti-depressants and his guards were instructed that while keeping a distance from him, they should engage him in casual conversation.

That's when he told one of the guards that he had been sold as a child by his father for Rs 20,000 so that he could work as a daily labour. It was this guard who also, when he learnt of Qasab's fondness for music, arranged for an under-trial from the adjacent barrack, who could carry a tune, to sing loudly so that Qasab could listen to music. "He particularly loved Mohammad Rafi and Lata Mangeshkar's songs," discloses the doctor.

His captors worked to keep Qasab healthy because Indian law demands that those being put to death have to be physically and mentally sound.

For the past one year, twenty four doctors working in rotation have been in charge of the health of one of India's most-valued prisoners.

A general physician, a surgeon and one resident medical officer go through a barrage of security checks to treat the terrorist. Every few days they are given special passwords like Ashta-Vinayak, Panvel and Taloja and such like.

"When I first met him, Qasab was reluctant to be treated, he'd say, 'I'm perfectly fine. These people have tricked me and that's why I'm here'," says one of the doctors who treated him for over a month. I was not permitted to ask him to elaborate but gradually, as I started thinking of him as my patient and not as someone who had killed many, we developed a rapport."

At the time of writing this, he has been pronounced physically and mentally fit. With his depression, stomach ulcers, hernia and acidity behind him, Qasab is ready for death.

"Take my word," assures one of the guards who has spent over six months with Qasab in his cell, "given half a chance of accessing a weapon, even today Qasab would kill everybody in sight, and attempt an escape. He is not at suicidal, he is a killing machine. The only way he would not mind dying is while killing others."

"Days after his arrest, when grueling interrogation tired, he tried to gain sympathy by limping badly, pretending that he was unable to stand properly.

One night, as I slept close to him in his lock-up as part of his protection plan, Qasab quietly woke up, glanced at me and tip-toed his way to the loo to take a leak. I wasn't exactly asleep, so I watched him and to my complete surprise he walked perfectly alright to the bathroom and returned to his bed not a trace of the limp.

The next morning, I told one of the officers who then told him, 'Chalo Qasab, ab chal ke dikhaao'. He immediately realised he'd been caught. Without uttering a word, he walked around the room with a faint smile on his still-disheveled face."

A guard learnt of Qasab's fondness for music and arranged an under-trial from the adjacent barrack, who could carry a tune, to sing loudly so that Qasab could listen to music

Another guard who was present during Qasab's interrogation a day after his spectacular arrest and also assigned to sleep by his side in the lock-up, says, "He'd sleep like a baby, most often waking up in the morning to the sound of the azaan (prayer call)." When the interrogation would get too much for him, Qasab would snap in a flash of ill temper, 'Aur kitne sawaal poochhoge? Ussey achcha hai ki maar daalo naa mujhe...' Knowing well that his captors would not eliminate him.

King of the court

The flares from the Taj were still billowing; the nightly gunshots startling him at his hotel suite located ten minutes away, when Special Public Prosecutor Ujjwal Nikam first met Ajmal Qasab.

He (Fahim) had been falsely implicated. We had to undergo a lot of pain and suffering. We feel relieved today - Yasmin Ansari, accused Fahim Ansari's wife



The Indian court acquitted both Fahim and Sabahuddin. This means the main charge against Zakiur Rehman Lakhvi is no more - Khwaja Sultan, lawyer defending seven Pakistanis

Tamasha...

Qasab was brought before the Esplanade metropolitan magistrate to record his statement, his face veiled. "As he took to the dock, his veil was taken off. I took a good long look at his face, and found him looking remarkably composed. The only thing he said was that he had no complaints when the magistrate asked him if he had any."

A showman in the OTT tamasha tradition of the state, Nikam is undisputedly one of the most formidable lawyers in Maharashtra, boasting of an enviable record of convictions. Over the next 193 days, until Qasab's Monday conviction, the two men were to forge a strange relationship.

While Qasab's then defence lawyer Abbas Kazmi struggled to win his client's confidence, the 22-year-old had already observed Nikam's power in court; or, what an adversary wryly describes as, "his magnificent projection of the weight of the state on his shoulders." Qasab cannily tried to woo the special PP. On more than one occasion he told judge Tahiliyani, "Nikam saab yahan ke badshah hai..."

"Once, the courtroom was unusually quiet as the judge was perusing some documents and Qasab kept making eye contact with me, so I gestured to him asking what the matter was. Pointing at the judge, he grimaced and gesticulated why the judge's mood was off."

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Nikam says while everyone was jubilant on the day of Qasab's confession on July 20, he'd seen through the ruse weeks ago. "I never took him seriously because I knew he was only testing the waters by dropping such an idea. I am glad I judged him correctly. Everybody cheered about Qasab 'confessing' in court, but it was just a sham. He assumed secondary responsibility in the carnage by denying his role in everything except the CST attack and fixed the entire blame on his dead accomplice Abu Ismail. Unfortunately for Qasab, we requested the court to proceed with the trial, keeping his guilt plea aside."

After the attack I felt I should have actually had a gun in my hand in place of a mike - Vishnu Zende, CST announcer who saved many lives



For and against

When he realized he was not cutting any ice, Qasab began making stupefying claims of having been nabbed from Juhu beach and of coming to Mumbai to become an actor. "Like others, I too couldn't help but laugh at his outrageous histrionics. He just lost his cool and stepped out of the box and went to his dock and continued his statement.

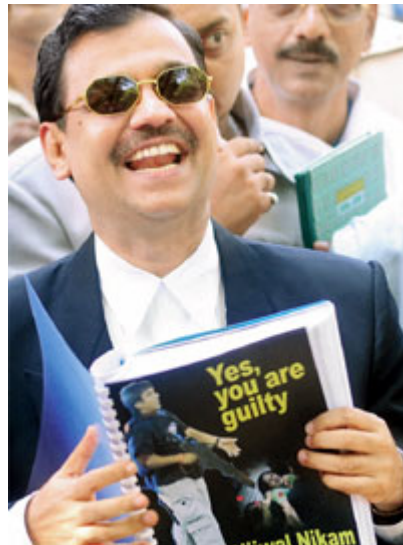
At the end of it, he removed cotton plugs from his ears. When the judge asked him why he was using them, he said, "Jab main kuch bolta hoon, tab Nikam sahab mujhe bahut pareshaan karte hain. Isliye maine iska istamaal kiya."

On Monday, as the guilty verdict was pronounced there was no sign of the puckish humour. A wan-faced Qasab sat in his place, not looking up even once, while goggled-eyed Nikam (he'd checked with a female reporter what kind of sun glasses would look good on TV), triumphantly waved the charge-sheet with a garish cover that carried Saby's photo of Qasab at CST and the headline, 'Yes, you are guilty!'

While Kazmi made the cardinal error of sulking, Nikam flirted with Qasab, playing him beautifully. "I once gesticulated at him, showing my little finger. 'That means katti,' I told him. That I wouldn't speak to him," recalls Nikam. "So what's the sign for friendship?' Qasab asked curiously. "I showed him two conjoined fingers to signal batti. Next morning he came to court and after some time raised two fingers in peace. I told him I could never be friends with a man like him."



Defence lawyer Abbas Kazmi is bitter after his removal from the trial



Special Public Prosecutor Ujjwal Nikam after the verdict on Monday

While they played katti-batti thus, Abbas Kazmi despaired at his client's recalcitrance. "He was almost childish at times, in the way he would start engaging with people in the courtroom, and how he would wave at them, or start smiling and laughing with them. It reached a point when I had to reprimand him, and ask him to maintain decorum."

To anyone who stops to talk to him, Kazmi's narrative is of a crusader wronged by the system. Over the last one year, Kazmi has been trying to strike a very fine balance. As a Muslim who represented Ajmal Qasab and was then sacked in an unprecedented move by the same court that had appointed him, Kazmi has had to endure his share of discourteous platitudes. "They called me terrorist lawyer. They said I was Abu Abbas, in the spirit of terrorists Abu Hamza and Abu Kafa. They said I would be awarded the Nishan-e-Pakistan. And all this happened in court," he complains, his voice rising every third syllable.

"Forget non-Muslims, even people from my community wanted to ostracise me because they felt the need to show they were 'clean'. My membership in the Islam Gymkhana was revoked. They said that I had gone on Qasab's side, which was wrong, but I was his lawyer so wasn't it my job to defend him? Everyone wanted me to be a mute spectator in the trial, but I couldn't have done that."

Just look at this case," Kazmi says with a friendly nod as he asks Khalid to sit down. "One lawyer was removed using legal means, and the other was removed illegally"

"Qasab and I could never have much of a rapport," he says bitterly. "I was not allowed to talk to him alone. He would be in the courtroom, in the box, and I would go up to him and speak to him in the presence of the security guards who could hear everything. Even the

media could hear half of what he was telling me. More than once, people I knew in the press would come up to me and ask about what they had heard him telling me. In such a situation, where the normal interaction between the lawyer and his client was not confidential, how could he talk about anything freely? On one occasion he told me, 'yeh jail bhi unka hai, yeh judge bhi unka, yeh prosecutor bhi unka hai, aur mera vakil bhi unka hai'. He obviously had misgivings."

Apart from citing several items that the court did not allow him to admit, Kazmi is most perturbed by the pressure on him to hurry things up and the speed that the trial gathered after he was dismissed summarily. "I cross-examined 271 witnesses in almost seven months, which is pretty fast. After I was removed, the rest 383-odd witnesses were finished in only 15-20 days. Then the defence argued their side of the case in one-and-a-half days while I would've taken at least two months. We all know what the result of this trial will be in the end, and there is no argument on that. However, this was not only meant to be an exercise to save Qasab, but also a means of finding out what exactly happened during the terror attack."

While we are talking, Kazmi has an unannounced visitor in his office -- Khalid Azmi, the brother of Shahid Azmi who was representing Qasab's co-accused Fahim Ansari until he was shot dead on February 11. Khalid has now taken his brother's place as Fahim's advocate. "Just look at this case," Kazmi says with a friendly nod as he asks Khalid to sit down. "One lawyer was removed using legal means, and the other was removed illegally."

Ajmal Qasab is a mere pawn. The real masterminds are roaming free across the border planning another terror attack - Suparn Verma, filmmaker, whose blog led to Gateway protest



I was there, when he (Qasab) was shooting people. Qasab deserves no mercy. The court must give him death penalty - Devika Rotawan, 11, who was disabled by Qasab's bullets



There were no tears

Two things strike those who see Qasab for the first time: how small he is; and that he has beautiful hands. On Monday, he was the last to appear in the packed-to-the-gills court-room. With his whisper of a beard and dressed in a white salwar kameez, his eyes half-shut and bare-foot, he looked as if he had turned up to say good morning to the assemblage of adults. Looking nothing like the image in Saby's pictures.

As he read out his damning verdict, Judge Tahaliyani would cast a concerned look in his direction every once in a while. At one point, after the judgment had been explained to him in Hindustani, Qasab dropped his face into his hands. Reporters crouched low to see if there were any tears. There were none. Just a deep shuddering breath, and then Qasab examined his hands.

Hands that had wielded a Kalashnikov not so long ago.

Reported by: Anand Holla, Deeptiman Tiwary, Lata Mishra, Bhupen Patel, Bapu Deedwania and Kunal Pradhan

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