

THE AUSTRALIAN

Mumbai terror case stalls at start

AMANDA HODGE, SOUTH ASIA CORRESPONDENT APRIL 16, 2009 12:00AM

THE most eagerly awaited terror trial in Indian history has been adjourned before it began after the defence lawyer for the lone surviving gunman of the Mumbai attacks was removed for consulting with a prosecution witness.

The trial of Pakistani national Mohammed Ajmal Kasab - also known as Ajmal Amir Kamal - on more than a dozen charges relating to the November 26 attacks, in which more than 170 people were killed and about 300 injured, was to start yesterday in a specially-built courtroom in Mumbai's Arthur Road jail.

AUDIO: Amanda Hodge reports on the Mumbai terror trial (#)

Mr Kasab, 21, is accused of being the only one of 10 gunmen to survive the three-day siege, which targeted victims at top tourist hotels, hospitals and railway stations.

But Mr Kasab's state-appointed lawyer, Anjali Waghmare, was dismissed by Justice ML Tahaliyani within minutes of the trial opening after the prosecution reportedly produced a sealed envelope, said to contain copies of email correspondence between the legal aid lawyer and a victim of the attacks.

Ms Waghmare was appointed just over a fortnight ago to represent Mr Kasab, who is said to belong to the banned Pakistani extremist group Lashkar-e-Toiba.

But public prosecutor Ujjwal Nikam yesterday alleged that Ms Waghmare had accepted a brief from Harishchandra Shrivardhankar, a victim of the alleged attack by Mr Kasab and his team members at Cama hospital on November 26 last year. She could face disciplinary charges and suspension from the Mumbai bar.

"It does not appear appropriate. In my opinion, there can't be any other option left to the court," Justice Tahaliyani said before adjourning the case.

Indian authorities have long blamed LET for the attacks, which brought the two nuclear-armed neighbours close to war.

Mr Kasab and an accomplice allegedly shot dead 58 people at Mumbai's main train station, Chhatrapati Shivaji Terminus, before moving on to the Cama hospital, where seven people were killed during a shootout between the gunmen and police.

Mr Shrivardhankar is a prime witness in the case and is seeking compensation for injuries sustained in the attack.

According to Mr Nikam, Ms Waghmare had sought instructions from Mr Shrivardhankar and even signed a legal document agreeing to help him seek compensation, but had kept this information from the court.

Ms Waghmare had already earned the wrath of Hindu activists for accepting the Kasab case and had been granted high-level protection since a protest outside her Mumbai home turned violent.

The development is an embarrassing blow for the state, which has spent the past five months in elaborate preparations for the trial.

It also could not come at a worse time for the ruling Congress-led national Government, which has trumpeted its security qualifications in the lead-up to India's month-long elections, which begin today.

A bomb-proof courtroom has been built within the Arthur Road jail, as well as a bomb-proof, CCTV-lined tunnel from Mr Kasab's cell to the court. The state has issued bar-coded identity passes, complete with fingerprinting technology, to journalists and lawyers and deployed hundreds of police and security forces around the perimeter.

Traffic was banned from around the jail for the duration of the trial, which was expected to last up to six months and hear testimony from as many as 2000 witnesses.

Mahashtra Home Minister Jayant Patil said the measures were prompted by intelligence indicating that a plot had been hatched "from abroad" to kill Mr Kasab.

A spokesman for the Mumbai bar association yesterday described the stunning courtroom development as "a disgrace" and called for Ms Waghmare to be debarred.

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