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## Secrecy fundamental to NSG operations, Centre tells Bombay HC

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Opposing a special court's summons to three National Security Guard commandos who took part in the anti-terror operation during the 26/11 attacks, the Centre said on Wednesday that secrecy was "fundamental" to their duty.

National Security Guard Commando's identity is guarded as it acts as moral-booster, said Additional Solicitor General Darius Khambata. "Secrecy is fundamental to their operations," he argued.

The division bench of justices J N Patel and Amjed Sayed eventually adjourned the hearing till Friday morning. The court also asked Khambata to state which part of the operation NSG wanted to keep secret before the special court trying Ajmal Kasab and two others. "We would not allow prosecution or the accused's lawyer to cross examine on that part," the court said.

Khambata said this seemed "reasonable", and he would seek instructions from the Centre in this regard. Special judge M L Tahilyani presiding over the 26/11 trial, has summoned three NSG commandos -- Lt Col Rakesh Kumar Sharma, Major Ravindra Prakash and Captain Anil Jakhad -- to testify about operations carried out by them.

Prosecutor Ujjwal Nikam had opposed this, saying that there was enough evidence before the court and NSG commandos were not needed to depose. In the high court today, Khambata argued that 650 NSG commandos took part in the 26/11 operation, and the trial court had indicated that it might summon other commandos too, apart from the three who have been called on November 9.

Asserting that NSG commandos must not be made to appear as their testimonies will have no bearing on charges against Kasab and two other accused, Khambata stressed the secrecy aspect of NSG.

"NSG man should be faceless and nameless... confidentiality and secrecy are essence of NSG," he said. Kasab and others are facing charges mainly for killing innocent civilians, Khambata said adding that NSG commandos had not seen these killings, so they were not in the position to give evidence on this aspect.

"How they killed terrorist is not relevant to charges in the trial," he said. However, Justice Patel asked him under what law NSG operations were supposed to remain secret, to which Khambata admitted that there was no law to this effect. How can you say that killing of terrorists is not relevant, the judges further asked. Khambata maintained that trial was only about killings of civilians by terrorists.

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