

SUPPLEMENTARY CHARGE SHEET

(Under Section 173 Cr.P.C)

IN THE COURT OF SPECIAL JUDGE, NIA, GUWAHATI

1	Name of the Investigation Agency	National Investigation Agency (NIA).
	FIR No and date	RC-01/2011/NIA-GUW dt 11.07.2011
2	Final Report/Charge Sheet No.	01/ 2012 (A)
3	Date	...11.2012
4	Sections of Law	120 B, 121A, 468 IPC & Sections 10, 18, 18A, 19, 20 & 39 of UA(P) Act 1967 (as amended)
5	Type of Final Report	Charge sheet.
6	If Final Report Un-occurred/ false/ Mistake of fact/Mistake of law/Non-Cognizable /Civil Nature	Not Applicable.
7	If Charge-sheeted: Original / Supplementary	Original.
8	Name of Investigation Officer	Aseem Srivastava, ASP/NIA
9	Name of the Complainant/ Informant	Aseem Srivastava ASP/NIA
10	Details of Properties /Articles/ Documents recovered/seized during the investigation and relied upon:	As per Annexure "A", "B", "B-1"& C enclosed.

(11) (1) Particulars of accused persons charge sheeted:

Name : Indranil Chanda @ Raj @ Ajay @ Tanay @ Jhulan
(hereafter referred as A-4)
Whether verified : Yes

Father's Name : Sri Benimadhav Chanda
Year/Date of Birth : 1975
Sex : Male
Nationality : Indian
Passport No. : NA
Place of issue : NA
Date of issue : NA
Religion : Hindu
Occupation : Member of CPI (Maoist)
Address (Present) : House No. 303, Baruipara, Station Road (opp. Purna Cinema Hall), PS Kalna, Dist. Burdwan, West Bengal.
Address (Permanent) : -do-
Whether verified : Yes
Provisional Criminal No. : NA
Regular Criminal No. (if known) : NA
Date of Arrest : 23.05.2012
Date of release on bail : NIL
Under Acts & Sections (of charge sheet) : 120B, 121A of IPC & Sections 18, 18A, 20 & 39 of UA(P) Act 1967as amended.
Name(s) of bailer/sureties and address : NA
Previous convictions with case reference : NA
Status of the accused : In Judicial Custody

(2) Particulars of accused persons charge sheeted:

Name : Asem Ibotombi Singh @ Angou @ Angouba @ A.Vasudev Sharma @ Asem Adipa Singh (hereafter referred as A-5)
Whether verified : Yes
Father's Name : s/o Late A. Ibohi Singh
Year/Date of Birth : 01/02/1970
Sex : Male
Nationality : Indian
Passport No. : NA
Place of issue : NA

Date of issue : NA
Religion : Hindu
Occupation : Member of PLA
Address (Present) : EBRC, Type-3, Quarter-C, Hilltop, Gopalpur-on-Sea, District Ganjam, Odisha
Address (Permanent) : Kakwa Makhong Nameirakpam Leikai, PS Singjamei, Imphal West, Manipur.
Whether verified : Yes
Provisional Criminal No. : NA
Regular Criminal No. : NA
Date of Arrest : 28.05.2012
Date of release on bail : NIL
Under Acts & Sections (of charge sheet) : 120B, 121A, 468 of IPC & Sections 10, 18, & 20 of UA (P) Act 1967 as amended.
Name(s) of bailer/sureties and address : NA
Previous convictions with case reference : NA
Status of the accused : In Judicial Custody

(3) Particulars of accused persons charge sheeted:

Name : Pallab Borbora @ Praful @ Proful (hereafter referred as A-6)
Whether verified : Yes
Father's Name : Sri Kula Kamal Borbora
Year/Date of Birth : 17.07.1968
Sex : Male
Nationality : Indian
Passport No. : NA
Place of issue : NA
Date of issue : NA
Religion : Hindu
Occupation : Member of CPI (Maoist)
Address (Present) : Jaatiya Bidyalay, Merapani, Golaghat, Assam.
Address (Permanent) : H/No. 47, W/No. 13, Purana Amolapatty P.O. & P.S. Golaghat, Assam.
Whether verified : Yes
Provisional Criminal No. : NA
Regular Criminal No. : NA

(if known)

Date of Arrest : 03.06.2012

Date of release on : NIL

bail

Under Acts & : 120B, 121A of IPC & Sections 18, 19 & 20 of UA
Sections (of charge (P) Act 1967 as amended.

sheet)

Name(s) of : NA

bailer/sureties and

address

Previous convictions : NA

with case reference

Status of the accused : In Judicial Custody

(12) Particulars of accused persons - not charge-sheeted: NIL

(13) (i) Particulars of witnesses to be examined : As per the list enclosed as
Annexure –‘A’

(ii) List of documents/emails :As per the list enclosed as
Annexure-‘B’ & ‘B-1’

(iii) List/details of articles : As per the list enclosed as
Annexure-‘C’

(14) If FIR is false, action taken or proposed to be taken u/s 182/211 IPC
: NA

(15) Result of laboratory analysis : As stated in Para 17

(16) Brief facts of the case:

16.1. The case was registered on the basis of a reliable source information that People’s Liberation Army (PLA), a proscribed terrorist organization, is involved in a criminal conspiracy to wage war against the country by threatening the unity, integrity, security and sovereignty of India. It was alleged that PLA is systematically organizing terrorist camps, extorting funds, recruiting personnel and imparting training for carrying out terrorist acts. PLA had imparted training to some of the cadres of Left Wing Extremists

i.e. Communist Party of India (Maoist) in India for waging war against the country. It is also alleged that the Communist Party of India (Maoist) cadres have paid funds to the PLA cadres for acquiring arms, ammunition and other communication devices and for imparting training to be used against the Indian Security Forces. The above mentioned allegations *prima facie* disclosed commission of offences by the cadres of PLA and Communist Party of India (Maoist). Accordingly this case was registered vide FIR No. RC-01/2011/NIA-GUW dated 11/07/2011 under Sections 120B, 121A of IPC and 17, 18, 18A and 18B of Unlawful Activities (Prevention) Act, 1967 against People's Liberation Army (PLA), a proscribed terrorist organization as per UA (P) Act, 1967 as amended in 2008. The investigation was taken up by NIA in pursuance of Govt of India order No. MHA UO No.1-11034/28/2011-IS-IV dated 8th June 2011.

16.2 During investigation of this case, three accused persons namely N. Dilip Singh @ Wangba (A-1), the SS Chief of External Affairs Department of PLA/RPF, S. Dhiren Singh @ Raghu (A-2), Assistant Chief of EAD of PLA/RPF, and Kh Arnold Singh @ Becon (A-3), Liaison Officer of EAD of PLA/RPF were arrested.

16.3 In this case, charge-sheet against A-1 to A-3 was filed on 21.05.2012 under Section 120(B), 121(A) of IPC & under Sections 18, 18A, 20 & 39 of UA (P) Act 1967 (as amended in 2008). Further Investigation u/s 173(8) Cr. P.C. was carried out after obtaining the permission of the Ld Special NIA Court, Guwahati with regard to identification of co-conspirators namely Raj, Praful and Alok who are members of CPI (Maoist) and who had played major role in this conspiracy and in order to unravel the larger conspiracy.

17. Facts Disclosed During Further Investigation.

17.1 As mentioned earlier, in the year 2005, senior leadership of People's Liberation Army (PLA) and CPI (Maoist) hatched a criminal conspiracy to partner with each other and continue their war against the Indian state. The leaders of CPI (Maoist) decided to recognise and support the war waged by PLA against Indian state for securing a separate country of Manipur out of India and the senior leadership of PLA decided to support the continuing war

of CPI (Maoist) aimed at overthrowing the constitutionally elected Government of India.

17.2 The PLA and the CPI (Maoist) are declared as terrorist organisations as per the *schedule* of Unlawful Activities (Prevention) Act 1967, as amended and mentioned at Sl. No 13 and Sl. No 34 respectively in the aforementioned Act. The PLA and its political wing Revolutionary People's Front (RPF) is also notified as 'Unlawful Association' in terms of sub-section (1) of Section 3 of UA (P) Act.

17.3 Further Investigation has revealed that that the real name of Maoist cadre Raj (A-4) is Indranil Chanda s/o Benimadhav Chanda of Kalna, Burdwan. He was arrested on 21st April, 2012 by Kolkata STF and a Case Crime no. 64/2012 of PS Maidan u/s 25(1b) Arms Act was registered against him. At the time of arrest, 16 live cartridges of .315 bore were recovered from his possession. Further upon his disclosure 06 PAN Cards in different names, 06 Driving Licences in different names, 02 Voter id-cards, 01 laptop, 07 pendrives, 01 portable hard-disk drive, 22 CDs, 01 mobile phone with 02 SIM cards were recovered. Accused Indranil Chanda @ Raj was formally arrested by NIA on 23rd May, 2012.

17.4 Further investigation has established that the accused Indranil Chanda @ Raj (A-4) is a senior functionary of the terrorist organization CPI (Maoist). In pursuance of the aforesaid criminal conspiracy, the accused Indranil Chanda @ Raj (A-4) started liaising with the members of another terrorist organization PLA in or around 2007. He was entrusted with the task to procure communication equipment, arms and ammunition from PLA by the Central Committee of CPI (Maoist). He was instrumental in handing over a huge amount of money to the cadres of PLA for procurement of aforesaid items. Investigation has further established that the aforesaid items were being procured for the purpose of conducting series of attacks on Indian Security Forces.

17.5 Investigation has brought out that in or around September 2009, accused Indranil Chanda @ Raj (A-4) started supervising the organizational activities of CPI (Maoist) in Assam as authorized by the Central Committee of Party. In or around November 2009, accused Indranil Chanda @ Raj (A-4)

himself received consignment of arms and ammunition from co-accused Kh Arnold Singh @ Becon (A-3) of PLA in Guwahati.

17.6 Investigation has brought out that on or around 10th March, 2010, one PLA cadre handed over a consignment of 20 wireless communication sets to accused Kh Arnold Singh @ Becon (A-3) for further delivery to Maoist cadres as per the deal. On the instruction of accused Indranil Chanda @ Raj (A-4), one Maoist cadre received the said consignment from Kh Arnold Singh @ Becon (A-3) in Guwahati. Later on, he handed over the said consignment to accused Indranil Chanda @ Raj (A-4) in Kolkata.

17.7 Investigation has established that in pursuance of the aforesaid criminal conspiracy, the accused Indranil Chanda @ Raj (A-4) along with co-conspirators organized a terrorist camp for Maoist cadres in Saranda Jungle in or around September 2010. He himself was present in the Camp.

17.8 Investigation has revealed that the accused Indranil Chanda @ Raj (A-4) was using email id '[REDACTED]@gmail.com' for communicating with co-accused and other senior functionaries of PLA/RPF to maintain secrecy. The incriminating emails were recovered from the email ID '[REDACTED]@gmail.com' of accused Indranil Chanda @ Raj upon his disclosure.

17.9 Investigation has brought on record that the accused Indranil Chanda @ Raj (A-4) has been found involved and subsequently charge-sheeted in at least 03 different murder cases registered at his home town Kalna, Burdwan vide (1) Charge-sheet No. 86 dated 01.08.1996 u/s 302/34 IPC, 25/27 Arms Act, 9(b) Explosives Act in Case No 34/94 dated 21.2.1994 of Kalna PS; (2) CS No. 59 dated 21.05.1996 u/s 302/34/120B in Case No. 131/93 dated 06.09.1993 of Kalna PS; and (3) CS No. 102 dated 29.08.1996 u/s 302/120B/114/118/34 IPC in Case No. 53/94 dated 28.03.1994 of Kalna PS.

17.10 Investigation has revealed that in his task of liaising with PLA for procurement of communication devices, arms & ammunition, the accused Indranil Chanda @ Raj (A-4) was mainly assisted by another CPI (Maoist) cadre Pallab Borbora @ Praful (A-6). Upon his disclosure and identification, the accused Pallab Borbora @ Praful (A-6) was arrested by NIA team on 3rd June, 2012. One mobile hand set with a SIM card was recovered and

subsequently seized from his possession. The same has been sent to CFSL for forensic examination. Expert Report is still awaited and would be submitted to the Court as soon as it is received.

17.11 Investigation has brought out that Pallab Borbora @ Praful (A-6) is a member of terrorist organization CPI (Maoist). As a close associate of Central Committee & Polit Bureau member Alok, he played crucial role in establishing the Maoist set-up in Assam State. He, along with A-4, maintained regular contact with PLA cadres in Guwahati and Upper Assam.

17.12 Investigation has revealed that in or around November 2008, accused Pallab Borbora @ Praful (A-6) received funds from CPI (Maoist) to purchase vehicles for the Party. He purchased a truck and a Tata Sumo for the purpose of transportation of arms & ammunition. After purchasing the Tata Sumo, he got it registered in the name of one Ghanshyam Saikia so as to avoid detection.

17.13 In or around December 2009, on the instruction of co-accused A-4, accused Pallab Borbora @ Praful (A-6) along with another Maoist cadre went to Dimapur and handed over the said Tata Sumo vehicle to co-accused A-2 and A-3 for transportation of arms & ammunition from Imphal. Investigation has established that the PLA cadres took this Tata Sumo vehicle along to Imphal and managed to load the arms consignment inside it. However, due to adverse circumstances, the arms consignment could not be transported to Dimapur at that time.

17.14 Upon the disclosure of accused Pallab Borbora @ Praful (A-6), the said Tata Sumo bearing registration number [REDACTED] vehicle was recovered from his residence and subsequently seized by NIA.

17.15 Investigation has established that in or around September 2010, the accused Pallab Borbora @ Praful (A-6), on behalf of CPI (Maoist), received the consignment of communication equipment from co-accused & PLA cadre A-1 in Guwahati. The consignment consisted of two static wireless sets, three satellite phones and fifteen two-way Radio sets. Later on, the accused Pallab Borbora @ Praful (A-6) further delivered the consignment to another Maoist cadre for transporting it to Maoist Camp.

- 17.16** Investigation has revealed that in or around January 2011, the accused Pallab Borbora @ Praful (A-6) received funds to the tune of Rs one lakh from CPI (Maoist) for purchase of ammunitions from PLA. He met co-accused & PLA cadre A-2, at least twice, in the first half of 2011 and negotiated the deal for purchase of ammunitions of sophisticated firearms like AK-47, M-16 and Carbine.
- 17.17** Investigation has also revealed that in or around first week of September 2011, the accused Pallab Borbora @ Praful (A-6) along with A-4 met co-accused A-1 of PLA in Guwahati and chalked out plan for organizing terrorist camps in Jharkhand and Chhattisgarh States for CPI (Maoist) cadres. They also discussed the modalities for formation of a 'Strategic United Front' to fight jointly against Government of India.
- 17.18** Investigation has established that in or around third week of September 2011, accused Pallab Borbora @ Praful (A-6) provided shelter to co-accused & PLA cadre N.Dilip Singh @ Wangba in Upper Assam when the latter fled from Guwahati after the arrest of a number of PLA cadres.
- 17.19** The accused Asem Ibotombi Singh @ Angou (A-5) was arrested by NIA on 28th May, 2012. A number of items belonging to A-5 such as Laptop, External Hard disk, 05 Pen drives, 10 mobile phone handsets, 17 SIM Cards, Pen Spy Camera, DVDs, and documents like ATM Cards, PAN Card, Driving Licences were seized by NIA. Digital items have been sent to FSL for forensic examination and data retrieval. Report is still awaited and would be submitted to the Court as soon as it is received.
- 17.20** Investigation has brought on record that the accused Asem Ibotombi Singh @ Angou (A-5) has joined the proscribed organization PLA in the year 1993. In or around 1994, he received Basic Military Training in a PLA Camp in Dhamai, Bangladesh. While working in ARAMBAI FORCE No. 3 of the PLA, the accused Asem Ibotombi Singh @ Angou (A-5) was arrested by Imphal Police on 5th June 1994 and a case FIR No. 836(6) 1994 u/s 121/121-A IPC, 13 UA (P) Act & 3 (3), 4 (1) TADA (P) Act was registered against him Imphal West Police Station.
- 17.21** Investigation has also brought out that after being released on bail, the accused Asem Ibotombi Singh @ Angou (A-5) rejoined the PLA. In or around

2006, he started staying in Guwahati and got involved in unlawful activities of the outfit. Investigation has revealed that during this time, A-5 managed to procure a Driving Licence for himself in the false identity of Aribam Vasudev Sharma s/o Aribam Gopaldev Sharma of Uripok, Imphal so as to avoid detection from law enforcement agencies. He also managed to procure a PAN Card under the same false identity.

17.22 Investigation has revealed that the accused Asem Ibotombi Singh @ Angou (A-5) participated in the 2nd Party Congress of PLA in 2008 held at PLA Headquarters located in Myanmar wherein he was made Chief of Organization Department of the PLA. Investigation has revealed that after the arrest of accused N.Dilip Singh @ Wangba (A-1) in October 2011, the PLA leadership deputed SS Capt Asem Ibotombi Singh @ Angou (A-5) as Chief of External Affairs Department of PLA in place of A-1.

17.23 Investigation has brought on record that in or about 2011, the accused Asem Ibotombi Singh @ Angou (A-5) shifted his base to Gopalpur, Odisha where his wife was working in a Government Establishment. He started staying there with his wife under the false identity of Asem Adipa Singh s/o A.Yaima Singh of Thogjou, Imphal. He also managed to prepare a fake Driving Licence in the name of Asem Adipa Singh for using it as his identity proof.

17.24 Investigation has revealed that the accused Asem Ibotombi Singh @ Angou (A-5) was regularly receiving funds from the PLA. He also used to distribute PLA funds to other PLA cadres of External Affairs Department with the intention to further the activity of the outfit. Since the accused Asem Ibotombi Singh @ Angou (A-5) did not have any ostensible source of income, he started operating the [REDACTED] of his brother to avoid detection. A huge amount of money was found credited into this account in less than a year's time.

17.25 Investigation has further revealed that accused Asem Ibotombi Singh @ Angou (A-5) was using email id '[REDACTED]@gmail.com' and '[REDACTED]@gmail.com' for communicating with senior functionaries of PLA/RPF to maintain secrecy. The incriminating emails were recovered from the email accounts '[REDACTED]@gmail.com' and '[REDACTED]@gmail.com' of

accused Asem Ibotombi Singh @ Angou (A-5) upon his disclosure. His mail communication establishes his association with co-conspirators & PLA cadres including but not limited to A-1 and A-2. Recovered emails further establish that he was in regular touch with Jibon Luwang @ JB and Somy Singh, respectively Secretary and Assistant Secretary of the External Affairs Department of the PLA.

17.26 Since the accused persons have used the Gmail account for email communication, a request under Mutual Legal Assistance Treaty is being sent to the United States of America through proper channel for obtaining relevant information regarding email accounts of A1 to A5. The response from United States Government will be intimated to the Hon'ble Court as soon as it is received.

17.27 The investigation conducted has established the involvement of accused Indranil Chanda @ Raj (A-4) in the instant case. A-4, as a member of the proscribed terrorist organisation CPI (Maoist), entered into a criminal conspiracy of waging war against India by organising training camp for the members of proscribed terrorist organisation CPI (Maoist). In pursuance of the said conspiracy, A-4, in association of the other co-conspirators including but not limited to A-1, A-2 A-3 and A-6; travelled to different places within and outside India; stayed in different cities of India especially Guwahati, Kolkata, Golaghat and so on in assumed name so as to avoid detection by the law enforcement authorities; met the co-conspirators physically, made telephone contacts and email communication so as to pursue the said criminal conspiracy. In furtherance of the said conspiracy, A-1, in association of the co-conspirators organized camp for imparting training to the CPI (Maoist) cadres at Saranda forest for waging war against the Government of India and knowingly fostered terrorist activities. Further in association of the other co-conspirators including but not limited to A-1, A-2, A-3 and A-6, A-4 procured items including but not limited to arms, ammunition and communication devices for the proscribed terrorist organisation CPI (Maoist) for committing violent acts to result in death, injury & destruction of properties and paid huge amount of money to co-accused A-3 for procuring sophisticated communication devices, arms & ammunition. A-4, thus, has committed

offences of Criminal Conspiracy to wage war against India, Conspiracy for terrorist activities, Organizing Camp for imparting training in terrorism, being the member of a terrorist organization CPI (Maoist) and supporting another terrorist organization, the PLA.

17.28 The investigation conducted has also established the complicity of accused Asem Ibotombi Singh @ Angou (A-5) in the instant case. A-5, as a member of the proscribed terrorist organisation PLA, entered into a criminal conspiracy of waging war against Government of India. In pursuance of the said conspiracy, A-5, in association of the co-conspirators including but not limited to A-1, travelled to different places within and outside India, stayed in different cities of India especially Guwahati & Gopalpur in false names so as to avoid detection by the law enforcement authorities, operated Bank Accounts in names of his relatives to receive the funds from the outfit for unlawful activities; met the co-conspirators physically, and made telephone contacts & email communication so as to pursue the said criminal conspiracy. Thus, A-5 has committed offences of Criminal Conspiracy to wage war against the Country, Conspiracy for terrorist activities, being the member of a banned terrorist organization PLA.

17.29 The investigation conducted has also established the complicity of accused Pallab Borbora @ Praful (A-6) in the instant case. A-6, as a member of the proscribed terrorist organisation CPI (Maoist), entered into a criminal conspiracy of waging war against India. In pursuance of the said conspiracy, A-6, in association of the co-conspirators including but not limited to A-1, A-2 and A-4, travelled to different places within India; met the co-conspirators physically, made telephone contacts and email communication so as to pursue the said criminal conspiracy. He harboured co-accused A-1, when the latter fled from Guwahati. In furtherance of the said conspiracy, A-6 in association of the co-conspirators including but not limited to A-1, A-2 and A-4, actively involved in the supply of items including but not limited to arms, ammunition and communication devices by PLA to the proscribed terrorist organisation CPI (Maoist), for committing violent acts to result in death, injury, destruction of properties. A-6, thus, has committed offences of Criminal Conspiracy to wage war against India, Conspiracy for terrorist activities, being

the member of a terrorist organization CPI (Maoist) and supporting another terrorist organization PLA.

18. CHARGE

1. Indranil Chanda @ Raj @ Ajay s/o Benimadhav Chanda, u/s 120B, 121A of IPC & Sections 18, 18A, 20 & 39 of UA (P) Act 1967 as amended.
2. Asem Ibotombi Singh @ Angou s/o late A.Ibobi Singh, u/s 120B, 121A, 468 of IPC & Sections 10, 18, & 20 of UA (P) Act, 1967 as amended.
3. Pallab Borbora @ Praful s/o Kulakamal Borbora, u/s 120B, 121A of IPC & Sections 18, 19, & 20 of UA (P) Act 1967 as amended.

19. The sanction for prosecution under Section 196 of the Code of Criminal Procedure, 1973 and Section 45(1) of Unlawful Activities (Prevention) Act, 1967 has been obtained from the competent authority and enclosed.

20. It is, therefore, prayed that this Hon'ble court may be pleased to take cognizance of the offences as mentioned above and issue process to the accused persons to stand trial in accordance with law.

21. Despatched on :

22. No. of enclosures : 4

23. List of enclosures : Annexure A (List of witnesses)
Annexure B (List of Documents)
Annexure B1 (List of emails)
Annexure C (List of Material Objects)

Submitted,

Name: Aseem Srivastava
Addl Superintendent of Police/
Chief Investigating Officer,
NIA, New Delhi