

REPORT OF THE HIGH LEVEL ENQUIRY COMMITTEE (HLEC) ON 26/11

(Appointed by the Maharashtra Government vide GAD GR No: Raasua.2008/C.R.34/29-A, 30th Dec 2008)



Under Secretary
Maharashtra Legislature Secretariat
Vidhan Bhavan, Mumbai/Nagpur

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GLOSSARY AND ABBREVIATIONS

1. IEDs (Improvised Explosive Devices) – bombs with timed mechanism.
2. Dy. Commissioner of Police-Zone (DCP) – Mumbai City is divided into 12 Zones, besides Port Zone.
3. Dy. Commissioner Special Branch-II – In-charge of Foreigners Branch.
4. Shri Sadanand Date (Pronounced as Datey).
5. JT. Commissioner (L&O) – In-charge of Law and Order of the entire city.
6. ATS – Anti Terrorist Squad.
7. Additional CS (Home) – Additional Chief Secretary (Home Department).
8. DGP (Director General of Police).
9. Additional Commissioner SB- I - In-charge of Special Branch – I (Intelligence).
10. Additional Commissioner (Protection) – In-charge of Security.
11. Police Mobiles – These are different Patrol vehicles for maintaining law and order. Some are with police stations like 'Police Station Mobiles' (like Colaba-1 – Colaba-2, MRA-1, Azad Maidan-1 etc) while bigger vehicles called 'Striking Mobiles' are under the Additional Commissioner of Police or Control Room. 'Tourist Mobiles' are those Patrol vehicles under some police stations to ensure protection of tourists. 'Beat Marshals' are motor cycle borne policemen who patrol the Beats in each police station. 'Assault mobiles' are located at fixed vulnerable points and usually are not moved unless there is grave emergency.
12. CST (Chhatrapati Shivaji Terminus) (Central Railway).
13. C/R Logs (Police Control Room Log entries).
14. Different Police Ranks – Sr. P.I. (Senior Police Inspector usually in-charge of a police station), P.I (Police Inspector), PSI (Police Sub-Inspector), ASI (Assistant Sub-Inspector), HC (Head Constable), PN (Police Naik), PC (Police Constable), RTPC or WTPC (Radio Telephony- Wireless Police Constable).
15. Senior Police Ranks in the City - ACP – (Assistant Commissioner of Police), DCP – (Dy. Commissioner of Police), Addl. C.P. – (Additional Commissioner of Police), Jt CP-(Joint Commissioner of Police), CP – (Commissioner of Police).
16. Senior Police Ranks in the State (mentioned in the Report) – DGP (Director General of Police), Commissioner SID (He is in charge of State Intelligence Department), Additional DGP (This rank is next in seniority to the DGP), IGP (Inspector General of Police), DIG (Dy. Inspector General of Police, SP (Superintendent of Police).
17. QRT (Quick Response Teams) - formed under ATS for dealing with terrorist attacks.

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18. SRPF -(State Reserve Police Force) - Armed police battalions located in different places to assist civil police in dealing with Law & Order.
19. NSG (National Security Guards) under the Ministry of Home Affairs for dealing with terrorist attacks.
20. SOPs (Standard Operating Practice).
21. 'Machhimar Nagar' mentioned in the Report - Sprawling Fishermen colony abutting the sea along the Cuffe Parade area.
22. Badhwar Park - Senior Railway Officers' Colony facing Machimar Nagar.
23. ATC (Air Traffic Control) at the airport.
24. RAW (Research & Analysis Wing) - Foreign Intelligence Unit of Government of India.
25. IB (Intelligence Bureau) of the Government of India.
26. SPG (Special Protection Group) - In-charge of Security of the Prime Minister.
27. 'Nakka bandhi' - Police setting up road blocks to check criminals.
28. LMGs (Light Machine Guns).
29. BPT (Bombay Port Trust).
30. BDDS (Bomb Detection and Disposal Squads).
31. BP Vest (Bullet Proof Vest).
32. SLR (Semi Automatic - Self-loading Rifle)
33. RDX (Royal Demolition Explosive or Research Department Explosive) - major component in plastic explosives.
34. NCPA (National Centre for Performing Arts) - Residential and Theatre Complex adjoining The Oberoi Hotel.
35. Express Towers - 'The Indian Express' building adjoining Trident Hotel. (Trident and The Oberoi are interconnected.)
36. RPF (Railway Protection Force) - under Ministry of Railways, Government of India).
37. Railway Police (CST Police Station) - In-charge of crime and Law & Order on railways but under Government of Maharashtra.
38. Metro - Important road junction next to Metro Theatre Complex.
39. MARCOS (Marine Commandos under the Navy).
40. MSEDC (Maharashtra State Electricity Distribution Company).
41. LeT (Lashkar-e-Toiba) Pakistan based terrorist group.
42. MAC (Multi-Agency Centre) - to disseminate intelligence from Government of India.


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HIGH LEVEL ENQUIRY COMMITTEE(HLEC) ON 26/11

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SUMMARY of CONCLUSIONS and RECOMMENDATIONS**SECTION-1****General**

1. The Maharashtra police had not experienced a direct commando attack such as the like of 2001 Parliament attack or 2002 Akshardham temple attack. Except the 1993 serial bomb attacks through hidden timed explosive devices, where in arms, ammunitions and explosives had come through sea route, all other terrorist attacks in Mumbai city were by use of IEDs (Improvised Explosive Devices). This had perhaps led to a police mindset of thinking only of stealth bomb attacks.
2. As a background to our examination of action and reaction of the Mumbai Police in general the Committee would like to recall what was stated at the United States Senate hearings according to which Mumbai drew comparison with New York being the densely populated financial capital, multi-cultural metropolis and a hub of media and entertainment industries. It was stated that a civil police structured as in Mumbai would not have been able to face a professional and well trained group of heavily armed commando terrorists unless they had an equally professional and well trained set of commandos who should have superior weaponry. According to New York Police Commissioner Raymond Kelly, "The attackers displayed a sophisticated level of training, coordination, and stamina. They fired in controlled, disciplined bursts". He also noticed that they had used hand signals in crowded spaces to communicate with each other.
3. The Committee's examination has led us to similar conclusions. However we have also attempted to analyse how far the existing procedures, instruments and administrative


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culture are to be blamed for what are perceived as lapses. Our stress is on identifying systemic failures.

4. *The Committee have not found any serious lapses in the conduct of any individual officer. What we have found are instances of lack of: intelligent appreciation of threats, handling of intelligence, maintaining high degree of efficiency in instruments specifically set up to deal with terrorist attacks and certainly lack of overt and visible leadership in carrying out operations to face multi-targeted attacks. In fact the last factor has led to public anger and resentment, both against the political as well as the administrative establishments.*

5.1 *The Committee was greatly impressed with the speed and urgency with which the Mumbai police machinery, as a whole, reacted to unfolding of events at five different venues in short space of time. Also, we note with appreciation initiative exhibited by younger police officers who led their men in facing the terrorists who showed exemplary courage and enterprise.*

5.2 Amongst them we would like to mention two in particular: Shri Vishwas Nangre Patil, Deputy Commissioner of Zone 1 and Shri Rajvardhan, DCP in-charge of Special Branch II, who tried to ferret out terrorists from within the Heritage Taj. Also Shri Sadanand Date, Additional Commissioner, who determinedly faced terrorists in the Cama Hospital and was seriously injured. We have described very briefly their actions in the report keeping in mind that some of these operations may be subject matter of court proceedings underway. There are several others, officers, policemen, wireless operators and others who laid down their lives. We have mentioned some names in the report.

6.1 Lastly, in this context we cannot forget that 166 innocent persons were victims of war-like planned terrorist attack. We have visited all sites where all these innocent were mercilessly killed.

6.2 *The Committee takes note with admiration acts of those unnamed citizens who reported to police sacks of RDX left by terrorists at several sites. But for their action the number of dead and injured would have been unimaginable. We also learnt of ordinary*

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citizens rushing to help police and the injured. Amongst them are also the staff of the Taj, Trident/ Oberoi, the Leopold Café and the Cama Hospital. This has an important lesson: Police, administration, politicians and media must play their role to educate and inform ordinary citizens with a view to mobilise their support to effectively face any future threats.

7. We have, having regard to the terms of reference of the HLEC, divided these conclusions into the following sections:

- I Intelligence
- II Action to Handle the Attacks
- III Means to Face Terrorist Attacks
- IV Command and Control
- V Coastal Security
- VI Modernisation of Police
- VII Anti-Terrorist Squad
- VIII Flying Squads
- IX Handling of Security Intelligence at Operational Levels
- X Other Miscellaneous Recommendations
- XI Final Observations.

I. INTELLIGENCE :

8. There were several intelligence reports beginning 7th August 2006 indicating that LeT was making preparations to infiltrate Fidayeen (Commando terrorists) into India by sea route. Six alerts were on the possibility of sea borne attack while eleven were on the possibility of multiple and simultaneous attacks and three were on the possibility of commandos attack. (Fidayeen).

9. There was however no specific intelligence that *sea-borne terrorists* would hit Hotel Taj or Oberoi. Some Intelligence alerts however pointed a possibility of these two

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luxury hotels as well as CST likely to being targets of some terrorist violence. There was no intelligence on the Cama Hospital and Nariman House being targets of attack.

10. *The HLEC is of the view , although attacks specifically mentioned to take place on 3 dates viz 20-08-2006,[alert dated 07-08-2006], 24-05-2008[alert of 19-05-2008] and 11-08-2008 [09-08-2008] against certain targets including Taj & Oberoi hotels did not happen, an overall assessment and proper analysis of these reports would have revealed a strong indication that some major terrorist action was being planned against Mumbai. The existing mechanism to make such an overall assessment was inadequate.*

11. Later in our report, we propose to recommend change of existing procedures, as well as, suggest certain administrative mechanisms.

12.1 Despite lack of any specific alert from the Central Intelligence Agencies it would not be correct to conclude that the Mumbai/ Maharashtra Police did not take such intelligence reports, as available, seriously.

12.2 For example an alert dated 09/8/2008 on the possible bomb attack at various targets in South Mumbai like Taj Mahal Hotel, World Trade Centre, Oberoi Hotel etc was issued by the Jt. Commissioner (L&O). It was taken very seriously by DCP Zone-1 and his staff . He personally visited the target areas on 11/8/2008 and issued written instructions on security measures on 12/8/2008. In fact Sr. P.I. Marine Drive Police Station informed in writing to the Security Manager, Oberoi regarding the measures for security and also conducted a security briefing of representatives of various hotels, malls, multiplexes etc in his jurisdiction on 12/8/2008.

13. Later, on receipt of IB alert dated 24/9/2008 that LeT was showing 'interest' on certain targets like Taj Mahal Palace Hotel etc another meeting was held with Taj Security Officials on 29/9/2008 by DCP Zone-1 when Shri Karam Bir Kang, General Manager of the hotel was also present. The DCP Zone -1 visited the Taj Hotel again on 30/9/2008 to personally brief the security officials.

14. *In this context the Committee is constrained to observe that tragically the Taj and the Oberoi managements did not implement certain important security advice given*

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by DCP Zone-1 because of their own policy perspective as hospitality industry. The Committee has noted that no request was received from Taj or other hotels to augment police security for them in view of such alert.

15. In an intelligence alert to DCP Zone-1 on 26/6/2008, **Leopold Café** was mentioned as one of the sites for attack besides High Court, DGP's Office, Department of Atomic Energy, Naval installations etc. The DCP visited the police station and instructed the Sr. P.I. and to take steps to remove hawkers from in front the Leopold Café. He again visited the spot on 11/8/2008 and 24/11/2008. The Sr. P.I. informed the Committee on 11/01/2009 that he had sensitized the Restaurant owner about the threat. According to DCP Zone-1 as many as 92 cases against illegal hawkers were made by the local police on 24/8/2008 and 25/11/2008. Consequently it appears to the Committee that out of 11 dead and 28 injured at the Leopold site there were only three hawkers.

16. The police were totally taken by surprise when **Nariman House** was attacked. Three intelligence alerts were received from IB regarding the possibility of Jewish targets being attacked. However, in none of them this particular target was mentioned.

17.1 *The Committee found that presently all intelligence alerts are mechanically forwarded to operational units either by DGP's Office (sometimes with a demi-official letter) or ATS, or by Home department. The Committee found total confusion in the processing of intelligence alerts at the level of State Government .*

17.2 The Chief Secretary normally passes on alerts from IB or Ministry of Home Affairs (MHA) to the Home department. Both Addl.CS (Home) and Principal Secretary (Home) initially gave in writing to the Committee that they had *not* received any intelligence alerts from MHA. However the DGP had furnished copies of several important intelligence alerts issued by MHA addressed to the Chief Secretary, Home Secretary etc.

18. The Committee was told that under the "Desk Officer" system, even intelligence alerts received from MHA are directly received and processed by the concerned Desk officer instead of the Addl. Chief Secretary(Home) directly receiving & handling these sensitive communications. For the Committee this is a shocking revelation. It is for the

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senior officers to ensure that they are kept fully informed and not blame working of a Desk Officer system that does not keep them briefed on the intelligence front.

19. At the level of Desk officer, we do not expect the individual to fully appreciate complexities of such type of intelligence. Hence an experienced officer has to be designated as a *nodal officer* by the Home Department for Maharashtra State to handle intelligence connected with terrorism.

20. We find that the Principal Secretary L&O Home (who is normally a senior IPS Officer) performs merely secretarial work of handling paper work. He must take active interest in keeping under constant watch the security scenario and requirements of police to face operational situations, not only in Mumbai city but in other sensitive urban/ rural places in Maharashtra.

21. *The Committee therefore recommends that the Principal Secretary Home (L&O), should be designated as the nodal officer to receive and act on these reports. Additional Chief Secretary Home, must be kept fully informed of serious or actionable intelligence, who must ultimately take responsibility for all work relating to the department and who under the Bombay Police Act, 1951 has legal obligations. It should be his/ her responsibility to keep the Home Minister as well as the Chief Secretary fully informed.*

22. In the DGP's office, presently all intelligence alerts are mechanically forwarded to operational units either by DGP's Office (sometime with a DO letter) or ATS which partially functions under DGP. This is not adequate. Someone knowledgeable has to study and be familiar on continuing basis, how far a particular intelligence alert is applicable to the State/or specific cities and what follow-up and preventive measures should be taken. For that there must be a nodal point at the DGP's HQ to deal with all matters relating to the State as a whole.

23.1 *The Committee recommends that Commissioner, State Intelligence Department (SID) should be the nodal point, since he is in charge of all intelligence. (This was the*

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situation in 1960 when Maharashtra State was formed when only DIGP(CID) used to handle all intelligence matters.)

23.2 All intelligence reports should be sent to him and it shall be his duty to sensitize all others including the DGP/CP etc. The DGP should notify the central agencies about the nodal officer. Further, the Commissioner, SID should liaise with local central agencies, military services including navy, coast guards etc on intelligence matters. He should hold periodical meetings with Mumbai Special Branch, ATS, and all other concerned on matters related to terrorist intelligence.

24. Presently "intelligence arbitration" which is a vital stage in intelligence processing, that includes analysis and appreciation to operational units, is neglected. While intelligence is being arbitrated to operational units, *its applicability and relevance to a particular situation will be better understood by the local police.* Now it is merely conveyed with no chance given to the ground units to say anything or clear their doubts. If this is not done, the compliance of such intelligence inputs will be only "Proforma" and not realistic to cater to the local circumstances.

25. *For Mumbai city, we recommend forming a small group of senior officials to convey actionable instructions on receipt of intelligence inputs from Commissioner, SID or Central agencies. This group should be led by Jt CP (L&O) comprising Additional Commissioner (ATS), Additional Commissioner (SB), Additional Commissioner (Protection) and Additional Commissioner (Crime). The concerned Regional Additional Commissioner(s) of Police should be invited, as required.*

26. This group should meet regularly, review the intelligence alerts, match it with the earlier alerts, assess the vulnerabilities and issue necessary instructions to the zonal police keeping the CP briefed of the action taken. Decisions whether a particular picket posted, or other arrangements made to counter terrorist threats should be downgraded /removed should be discussed. *This group should also decide whether an alert issued earlier should be down graded/removed.*

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(If this is followed incidents like Taj, where the police picket was removed would not occur).

27. For the rest of the State, especially cities with commissioners of police, similar compact groups should be set up by the DGP. These should liaise with Commissioner SID to issue follow up instructions on such terrorist alerts.

28. These are all administrative arrangements and purely within DGP's and CP's authority.

II ACTION TO HANDLE THE ATTACKS :

29. The sudden and enormity of task facing the Mumbai Police is evident from the sequence of events. First call regarding Leopold came to the Control Room(C/R) at 2148 hours about foreigners being injured. At 2150 hours Tourist Mobile was shot at and at 2154 hours details of Taj firing emerged. At 2156 hours Oberoi shooting report came in and at 2159 hours CST firing was reported. Then came the report of a taxi being blown up at Wadi Bunder at 2156 hours and at 2253 hours report regarding another taxi exploding at Vile Parle.

30.1 These simultaneous incidents sparked off panic all over the city leading to the Control Room (C/R) receiving as many as 1365 calls between 2100 and 0200hours among which 267 were terrorism related calls. (4.5 calls per minute). Rumours came in that 60 terrorists had entered the city. C/R was flooded by panicky calls from the out-numbered police units facing actions at different spots.

30.2 Overload of wireless (O/T) communication system made the officers and the Control Room utilize personal cellular mobiles/ alternate channels for communication with each other. Although the Committee studied in all 2312 entries in the C/R logs, to that extent they were incomplete and we had to depend on oral and some written reports to reconstruct the course of action by police, especially action by C/R to manage the activity at several scenes of action. However it is apparent that simultaneous attacks and calls from field units for more manpower did result in deployment of striking reserves in a haphazard and helter-skelter manner.

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31. *It appears to the Committee that in general the Mumbai Police initially responded to multi-targeted attacks efficiently, but in a manner that they usually respond to a law and order situation. Initial response from the police stations, striking mobiles and senior officers was quite prompt as evident from the C/R logs. But they were handicapped since by the time the police had reached the spot the terrorists (except in CST) had already positioned themselves on higher levels at vantage locations after the initial killings from where they could fire upon and lob grenades at the approaching police parties. On the other hand the policemen were in the usual law & order uniform mostly equipped to perform normal policing duties. It was commendable that some policemen had rushed with only lathis(cane/ bamboo sticks) to face the terrorists .*

32. 1 Many of the police mobile vehicles were equipped with only riot gear of lathis, gas guns and .303 rifles which were no match to the superior fire power of the terrorists who carried AK-47 assault rifles, pistols, hand grenades, bags of 8KGs of RDX, sophisticated cell phone with headphone, commando wear clothing etc.

32.2 The police lacked stealth tactics of commandos to counter terrorists The terrorists were not only well trained but fully equipped to undertake war-like operations. They were adopting the usual commando tactics of "area clearing" by throwing grenades. On the other hand Mumbai Police did not have adequate protective gear like good bullet proof vests or anything to withstand grenade attacks. The local police were not able to counter them as the NSG did by using grenade launchers.

33. 1 *In the circumstances one must admire the courage of officers and men - some may consider thoughtless - to launch themselves into situations that were hopeless and knowing that they may be killed . Supreme instance of that was the way ASI Shri Tukaram Gopal Omble tackled two terrorists in Skoda at the Chowpatty.*

33.2 *The Committee notes with special admiration that PN/1642 Shri Arun Dada Jadhav, who lay injured in the Qualis showed clever ingenuity in feigning to be dead. But for his promptly conveying information of the two terrorists escaping in a car from*

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Vidhan Bhawan area, perhaps they could not have been tackled at the Chowpatty. His role has not been adequately recognized.

III MEANS TO FACE TERRORIST ATTACKS :

34. The Committee has carefully looked into adequacy or otherwise of specialized force available to Mumbai Police and also how it was used. A brief description of that is given in following paragraphs.

QRT

35. The Committee was briefed that QUICK RESPONSE TEAMS (the QRT) was trained by State Reserve Police Force (SRPF) in commando course in Pune for 1½ months and three months by NSG at Manesar. However no actual simulated training in facing terrorist attacks and hostage rescue was given at Manesar. Since September 27, 2007 no firing practice was done due to shortage of practice ammunition. The 'battle dress' worn by them consists of bullet proof jackets, which protect vital organs from rifle rounds and also from grenades splinters. This is not total protection from grenade blast.

36. Study of Control Room log revealed that QRT was summoned at different locations as an emergency strike force based on situations assessed by local commanders and thereby got themselves divided into various small groups which went against the basic principle of commando teams which work as composite units with their own command & control. QRT lost its punch because of this and also since they were not adequately trained.

37.1 According to the Committee, QRT without on-the-spot leadership cannot be an effective instrument. Present ATS chief (Addl.DGP, Railways) who took charge on Shri Karkare's death told the Committee that he had individually questioned QRT men on what went wrong. They told him that there was *none* to lead them in Taj and also in Oberoi where they had gone up to 9th floor.

37.2 The Committee feels that a small force of commandos should be available to be deployed at very short notice with the Commissioner of Police, Mumbai, by equipping

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and retraining the existing QRT with the best protective gear to withstand and counter 26/11 type of attacks, including grenade attacks. Later in the report the Committee has suggested how to transform QRT into a more effective and efficient force at the disposal of the Commissioner of Police.

Assault Mobiles:

38. Another anti-terrorist unit with Mumbai police is the 'Assault Mobiles' located at certain vital spots in the city. These are teams with one PSI and five men armed with one 9 mm pistol, one AK-47, one SLR and one Carbine with adequate ammunition. They also have bullet proof jackets. These policemen are given 'all weapons' training and they wear regular Mumbai police uniform and posted for a period of one year only in 'assault mobiles'. These units come under control of the Anti-Terrorist Squad (ATS).

39. *The Committee finds that although these units, as constituted, are given title of "Assault Mobiles" these men are nothing more than armed police units, who may be of use to tackle certain local law and order activities- such as gang wars -or these may be more useful to deal with sudden violent attacks initially but cannot be effective in dealing with live terrorist situation as on 26/11/2009.*

IV COMMAND AND CONTROL :

40.1 The Committee examined the Standard Operating Practice (SOP) in case of bomb blast/terrorist strike sent to us by CP. It lays down that the Jt. C.P.(L&O) will head the Crisis Management Command and be in charge of all control rooms. Jt. C.P. (Crime) would work in close association with Jt. CP (ATS). *These instructions were not followed on 26/11/2008. The CP decided instead to direct Jt. CP (Crime) to be in-charge of the C/R when as correctly described in the SOP, Jt CP (L&O), being in-charge of all police stations in Mumbai was better suited to decide on marshalling of forces at various sites.*

40.2 Nevertheless the Committee has noted with appreciation the role played by Shri Rakesh Maria, Jt.CP(Crime) in the C/R in handling a very serious crisis situation extending over three days. The Committee is also appreciative of the

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dedicated work performed by Control Room staff including officers, Wireless operators and men in maintaining records.

41. *The Committee is of the view that on occasion of a crisis, such as the Mumbai faced that the C.P. should have been in the Command Centre in the Control Room which might have helped in better utilization of forces and prevented duplication of efforts by different police units.*

42. *In fact one of the important lessons of 26/11, is not to tamper on the spur of the moment with the system as such by taking instinctive decision, but to do Crisis Management as a team. The police can inspire confidence in public if they - in particular senior most officers - in times of emergency, present themselves as an united team, doing their best under situations of stress and strain that they had to face.*

43. Also, while the media was reporting on the basis of its teams in Mumbai on different sites, there was hardly any systematic briefing either by the police or by Mantralaya. In the evolving situations at different venues, it is only the Control Room that had more detailed information. CP as head of the Crisis Management or a designated spokes- person at the Police HQ ought to have performed that task.

44. 1 *The Committee is constrained to observe that as a rule, carefully prepared SOPs that draw upon experience and lessons from past, should not be overlooked in crisis management. If each top officer, such as the CP or the DGP treats SOPs in cavalier manner, why have the SOPs at all?*

44.2 In fact, the Committee finds that in our administrative system, there is increasing tendency on part of senior individual officers to take liberty with established procedures. When such decisions are taken at highest levels of a pyramid structured bureaucracy much depends on wisdom and background of individual concerned. Experience has shown that it is not the best way of devising solutions to grave issues.

45. As an instance of casual decision making, the Committee learnt that in the case of Taj, the decision to withdraw security was taken at the Senior PI level who decided that the

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staff was needed for deployment at other places. While the Committee appreciates that no police system can station police guards for extended periods at all places covered by each intelligence alert, the decision to withdraw a guard placed after a specific IB alert should have been taken at a higher level rather than leaving it to discretion of the Senior P.I. of a police station.

46.1 *The Committee finds certain lack of cohesion and communication in the internal working of the Mumbai Police Commissioner's Office.*

46.2 The Committee was told that after 26/11/2008 all officers were asked to give in writing what they felt should have been done to meet the situation better. This was a correct step but no formal de-briefing sessions were held by the Commissioner of Police with all/ group of officers to make an assessment of what went wrong and how to improve the systems. We learn that ATS was not even called upon by the CP to submit any report. An internal de-briefing and post event assessment, of an attack as grave as the 26/11, should help to strengthen and nurture a team spirit and certainly help to make systemic improvements. This should have been done.

V. COASTAL SECURITY:

47.1 *The Committee has noted that despite receiving as many as six alerts between August 2006 and April 2008 about the likelihood of sea route by terrorists, no significant steps had been taken by the State administration / Government to beef up coastal security by having regular interaction with the Coast Guards although the Government of India had notified on 22 Sep 2003 the Coast Guards as the Lead Intelligence Agency (LIA) for coastal/sea borders.*

47.2 It was well known that the patch work joint patrolling started from 1993 had not worked. Nothing other than convening meetings seems to have been achieved as evident from the information given by the DGP Maharashtra. The difficulties of coastal patrolling requires serious attention as Maharashtra has a coastline of over 720 kms and Mumbai is an island surrounded by sea and densely forested mangrove creeks.

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48.1 *The Committee finds that arrangements for monitoring security along the coast continues to face several impediments despite some recent decisions at higher levels of the Government of India and the Maharashtra authorities.*

48.2 Government of India had notified the Navy as a designated authority responsible for overall maritime security with both coastal and offshore security under its control. However, the exact responsibility of the State Marine Police has not been made clear. The Committee feels that it will be impossible for the Maharashtra State Police including Mumbai City Police to undertake the responsibility of coastal security within their jurisdiction.

48.3 It was brought to our notice that on 05-01-2009 the State Government issued a GR sanctioning funds for hiring boats for patrolling. The question is not merely boats but training of policemen in sea operations. Present training by Coast guards for a few weeks is totally inadequate.

48.4 Also, present arrangements of the Mumbai police, where four police stations are notified as responsible for coastal policing have led to certain degree of confusion among the police stations about the role of the local police stations having jurisdiction over the land but not over adjacent water – a few feet away.

49. Also, one cannot make a fine distinction on illegal activities on land i.e. up to sea shore high water mark and what takes place a few feet inside in the waters.

50. *The Committee is of view that present arrangements are of a cosmetic nature. This observation is based on assessment made by officers in the field, who may have to face consequences of lapses, if any, in future. This must be sorted out by the administration keeping in view practical implementation.*

IV. MODERNISATION OF POLICE :

51. The DGP has briefed the Committee with detailed information how red tape has held up many police modernization plans as well as purchase of arms & ammunition.

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52.1 A study of the Police Modernization Plan purchases from 2004-05 to 2008-09 reveals that after the passing of the budget by the Assembly the Government orders (GRs) approving the purchases are usually issued in November/December each year after which other purchase formalities that involve a lengthy procedure have to be completed. There are other difficulties like absence of approved testing laboratories, non-availability of special equipments in the market which have to be manufactured or imported, delay in getting abstract bill permission from Govt., etc.

52.2 The order of the former Dy. Chief Minister(GR PEQ 012000/PC/CR-15/POL-4 dated 29.05.2000) in getting vendor approval for all police purchases above Rs.25 lakhs even after regular sanctions are received has created a serious bottle-neck in modernizing the police forces and their equipment. Government may consider substantially increasing the limit and also giving the responsibility to a committee of senior officials .

52.3 There is obvious need to simplify the purchase procedure and delegation of powers. We recommend that an "Empowered Committee" may be constituted to clear all pending proposals rather than following the tortuous paper trail.

53. Availability of arms and ammunition for Maharashtra Police is a serious problem. It was already mentioned that QRT could not do any firing since September 2007 due to shortage of ammunition although they are to do firing practice every 4th day according to DGP Sri A.N.Roy. The Committee found several reasons for this situation. The basic weapons for District Police(Including city police) for law & order duties used to be .410 musket while for SRPF it was .303 rifle. Now Indian ordnance factories have stopped making them. The Draft Weapon Policy of changing this into 7.62 SLR for law & order situations, 5.56 Insas Rifles, AK-47 rifles, 9mm carbines and 7.62 SLRs for Naxal areas, terrorist operations etc was drafted and submitted to the Government who approved this in principle on 30.06.2008. Due to delay in approving the Draft Weapon Policy the cost which was Rs. 168 crores in 2007 has gone up to Rs.210 crores. Meanwhile the yearly requirement shot up with the induction of 33,000 posts in 2005 out of 55,000 created to partly fulfill the shortage of manpower according to 1960 yardstick. Prices also have shot

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up. Due to shortage of funds only Rs.15 crores were sanctioned during the last 5 years against a demand of Rs.66.14 crores. *This has created serious shortage of arms and ammunition for Maharashtra Police.* However, Government in the Home Department has informed the Committee on 6-04-09 that the draft weapons policy which was submitted by DGP on 20-12-2007 was not approved due to the difference between the said proposal and subsequent proposal submitted on 07-06-2008. However Govt. approved it "In principle" on 30-06-2008. The Committee however feels that this issue needs to be sorted out urgently rather than prolonging the correspondence.

54. The Committee was informed by the DGP that Maharashtra police needs Rs. 65 crores worth of ammunition, in case each policeman has to fire a mandatory 40 rounds each year. But for the last five years they are getting each year only Rs. 3 crores. The available ammunition is required to be allotted on priority to the Naxal affected areas, special commandos etc. *Hence no ammunition for firing practice was available.*

55. *The DGP has said that lack of firing practice due to shortage of ammunition has created serious disability in the offensive capability of the police. For example, the last supply of AK-47 rounds was 45,000 received in 2005. After 2006 December no ammunition has been received. However the Home Department statement received on April 6, 2009 has shown that a quantity of 1,00,000 AK-47 rounds was received on 2.12.2005 as against indent of 2 lakhs for 2005-06. Further it has said that a quantity of 1,65,810 was received on 24.11.2006 and 04.07.2007 against a demand of 2 lakhs for 2006-07. For 2008-09 a demand of 16,16,160 was made but only 38,195 were approved which was not received as on April 6, 2009. The Committee is unable to reconcile the differences in the reports between DGP and HD and would urge quick resolution of this problem so that supply would reach the police units concerned.*

56. The Commissioner of Police has brought to the Committee's attention that the Mumbai Police has an acute shortage of automatic weapons and ammunitions besides inadequate bullet proof jackets. Likewise they lack modern communication equipment/systems while facing a serious situation such as 26/11 when all the communication channels had got clogged. The Committee was informed that during the Legislature's

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Nagpur Session, held in December 2008, the Government had announced a number of measures/schemes to augment capabilities of Maharashtra Police to face terrorist threats/attacks.

57. *The Committee recommends that implementation of these decisions should be closely monitored at political level as well, and bottlenecks overcome. The people are in no mood to accept any excuses. Looking at the number of innocent lives lost and families whose lives have been devastated, their expectations are fully justified.*

VII. ANTI-TERRORIST SQUAD:

58. The Committee has noted that the structure of ATS and its operations are presently in a somewhat confusing state because of duality of command.

59.1 ATS was *originally* created for the whole of Maharashtra State in July 2004, but as a part of the Mumbai City Police with a strength of one IGP, two DIGs (Additional Commissioners of Police), two SPs, eight inspectors, 8 APIs and some clerical staff, because Mumbai city was facing terrorist attacks from 1993 onwards.

59.2 In the same GR it was stated that one DIG will look after the work in Mumbai city while the other will be for the rest of Maharashtra. Although it was stated that ATS would be finally under the control of the DGP(Maharashtra) it was laid down that the IGP will report to the DGP through the CP, Mumbai. The work of ATS outside Mumbai will be supervised by Commissioner(SID). It was further stated that DGP will exercise supervision over ATS through the CP, Mumbai and Commissioner(SID). Finally it was stated that DGP will take into account Commissioner(SID)'s views while assessing the work of IGP (ATS). Thus the Commissioner(SID) was given by the Government a definite role to supervise ATS.

60. However who at a higher level supervises the 'outside Mumbai wing' in the DGP's HQ was amended by an executive order passed by a former DGP, to put this squad under the Additional DG (L&O), Maharashtra State, in the DGP's HQ. This is yet another instance of individuals over riding the system. Government must insist that no official,

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however high should change decisions taken in larger interest, by the Government, to suit individual predilections or preferences.

61.1 The Committee found that this dual control of the ATS was not working smoothly. However taking note that ATS is a primary instrument for facing terrorist related threats, its functioning is of great importance and should not be a question of turf-war in bureaucratic parlance.

61.2 DGP told the Committee that he had proposed to the Government to restructure the ATS under an Additional DGP and upgrade its technical and research capability. We have refrained from commenting on the proposal in depth as we were informed that those proposals had been approved, in principle, by the Government like many other proposals in wake of 26/11. We would not like to cause any further delays in implementation of decisions already taken.

62.1 Nonetheless the Committee would like to make certain observations for effective use of certain instruments created specially for ATS and functioning under ATS.

*62.2 Presently QRT and Assault Teams are under the Mumbai City Wing of the ATS. If these units (which are in fact the only reasonably equipped striking forces available for the city police) are removed from the control of the Commissioner of Police, it would severely impair ability of immediate response to any future terrorist attacks by Mumbai police. **ATS's functioning must be handled in a manner that, what is available today to the Mumbai police is not weakened, if not destroyed.***

62.3 The Committee is of the view that for 'Outside Mumbai' requirements, there is need to create such teams and place them at the head quarters of the cities with Commissioners of Police. Their command and control set up can be formulated by the DGP. What is most important is to equip, train and keep them on toes all times to respond to emergencies and not treat as show piece units. More important, such specialized units should not be broken up and deployed at the whim of individual officers. That is an important lesson of 26/11.

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63. *The Committee recommends that Government should reiterate that normally all terrorist attack cases in Mumbai city as well as in rest of Maharashtra should be investigated by ATS alone unless otherwise decided by the Government..*

VIII FLYING SQUADS:

64. The Committee was briefed that in the 1990s Special Motor Cycle borne commandos in 'buddy pairs' were raised and trained to deal with violent "under world" crimes and for immediate response to terrorist strikes within the city. Government, vide the G.R. dated 11/2/2000, had created 100 flying squads of two commandos each, for all the Commissionerates in the State of which Mumbai was allotted 46 flying squads, that is 92 policemen with 40 motor cycles. They were trained for three months in Karate, handling of wireless sets, rescue of captives, handling of weapons such as AK-47, SLR, Carbines, 9 mm pistols etc. The Committee was informed that presently 58 commandos are working under Assistant Commissioner of Police, Armed Police, Marol. While most are deployed at various sensitive places only 10 to 15 are available for any emergency duty. The Committee did not find that they had any role on 26/11.

IX. HANDLING OF SECURITY INTELLIGENCE AT OPERATIONAL LEVELS:

65. The Committee found that in the CP Mumbai's set up Security Intelligence, especially on terrorism in Mumbai City, is disseminated by several officials: ATS, Additional Commissioner (Special Branch) and Additional Commissioner (Protection). There must be coordination and cohesion in their working. **The Committee suggests that the CP should examine this.**

X. OTHER MISCELLANEOUS RECOMMENDATIONS:

66. In addition to several suggestions and observations made in earlier paragraphs the Committee specifically recommends the following on priority basis.

66.1 *The Committee would recommend to transform the present QRT into a well-equipped Commando Force at the disposal of Mumbai police, which should be in a*

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position to move anywhere in the city with least possible delay. Details on the inadequacy of the present composition of QRT and its training are being communicated separately.

66.2 The Committee was briefed about a new commando force called 'FORCE-1' approved by the Government. This will be under the DGP and located perhaps outside Mumbai. However, it is relevant to point out that all city police forces in the world have their own small commando forces to act as immediate bulwark against such attacks including hostage taking since a centrally set up force takes time to move into the area of operations. Such small commando units ought to be positioned in all urban centres in Maharashtra for quick response till Force-1 reaches the scene. Had such an effective force been available for immediate deployment, the destruction of property in Mumbai or killing on 26/11 might have been minimized.

66.3 With increasing role by private sector in development activities, like some other countries, we should, also consider working on the concept of "Voluntary Private Sector Participation in Preparedness". In doing so, especially with sensitive and vulnerable private sector establishments in Mumbai, arrangements need to be formalized casting responsibility on them to carry out security measures which the police authorities recommend after due consultation with of such establishments.

66.4 *Having regard to experience of 26/11, the Committee recommends that the major private establishments including, hotels in Mumbai – especially hotels with large foreign national clientele - should set up proper security procedures in consultation with Mumbai Police. For that purpose the Additional CP (Protection Branch) should be designated as a nodal officer for the police – private sector security alliance with active participation from the regional/divisional police units.*

66.5 Presently Mumbai city police has no ready access to the CCTV cameras mounted in private premises including hotels. These have to be requisitioned legally if need be. In that context the Committee noted that New York City Police and some other Police forces have ready access to these cameras. Also that many private sector security personnel are not trained in handling such security devices and consequently they need to be adequately

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trained. This lesson will be of use in Mumbai too in monitoring CCTV cameras in all public places, malls, railway stations etc since the onus of law & order in the city rests on city police alone.

66.6 The Mumbai police should conduct periodical exercises as presently done by Railway Police to test the police/citizen response under various scenarios. These should consist of tactical drill for emergency response under different conditions such as Bomb attacks, Fidayeen attacks like 26/11, hostage taking, grenade attack etc. They should also devise computer simulated or sand model (Table top) exercises of different structures in the city like government buildings, hospitals, hotels, schools, temples, open places like Shivaji Park, Oval Maidan, fly-overs etc. Such exercises will also reveal vulnerabilities of possible targets since terrorists are always looking for loopholes in the security shield of a particular city. Lessons learnt in all these mock up exercises will also be useful for undertaking remedial measures. As suggested earlier the Addl. Commissioner (Protection) should be put in charge of such exercises.

66.7 Two serious and unprecedented problems encountered in Mumbai were operational control of terrorist attack from abroad through cell phones and competitive visual media coverage which often helped the terrorists. It was through fortuitous circumstances this cell phone link with Pakistan based handlers was detected. Before this was unearthed the Mumbai police believed that the main handler was hiding in one of the locations in Mumbai itself. **This experience would suggest necessity of closer liaison between Mumbai city police and mobile service providers, which might be of use to detect any such link. However Mumbai police must upgrade their own monitoring capability for detecting such suspicious cellular communications.**

66.8 There should be a system of police audit to ascertain how far each police unit has been able to fulfil the expectations of the public in providing them security, law and order and control of crime. Presently police units are being inspected by their own senior officers. However, in all advanced democracies an outside audit either by the Security Commission or by a designated authority is done for instilling better public confidence. This system will also assure transparency of the police working and better accountability.

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66.9 There is need to have a crash programme to fill up the vacancies in Mumbai city, both in the officer cadre and at the level of constables/head constables. Since the present training facilities are not adequate, Government should consider appointing retired police instructors on contract to train the recruits.

66.10.1 Since it is not possible to provide permanent police pickets for non-governmental sectors, Government should attempt forming a State Industrial Security Force on the lines of CISF to cater to the security needs of private sector in the State. Presently untrained and unreliable private security outfits are manning the security of private establishments. This has been successfully attempted in Gujarat State. The proposed Maharashtra State Industrial Security Force should be trained by the police training schools if necessary utilizing retired Police instructors. This will also provide an alternative avenue for jobs to local youths whose antecedents are possible to be verified. In Gujarat, the Gujarat Industrial Security Force is formed as a Society (GISFS) with Home Secretary as Chairman and a senior police officer as CEO. Presently they have a strength of 2,500 deployed in Various Gujarat Industrial Development Corporation locations in Vadodra, Ahmedabad etc, Gujarat Maritime Board locations including ship breaking yards and even in some private sector offices.

66.10.2 The Committee is of the view that apart from providing better security to the non-governmental sector this would also provide some extra revenue to the government. Personal protection to private individuals now being provided by the Protection Branch of Mumbai police could also be drawn from this MSISF. *Presently far too many private individuals are being given police security which is a drain on exchequer.* A proposal to this effect was under consideration of the then Chief Minister (CMS/04/54150 dated July 5, 2004) but seems to have got lost in bureaucratic maze.

66.11.1 The Committee visited the Control Room in C.P's office to see its working as we were greatly impressed with the promptness with which it handled communications on 26/11. In fact in the absence of the opportunity to view the CCTVs, meticulous recording and transcription done by the staff helped HLEC to get correct picture of the unfolding of

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events at five different places and reaction of individual officers to act/react. We greatly appreciate their work.

66.11.2 During the visit we found that accommodation and conditions of work are far from satisfactory. *As the Control Room must function as the heart of any crisis management, we recommend that a separate fire and blast proof structure should be constructed on the land available just behind the over 150 year old office building of the Commissioner to provide state-of-the art communications and other sophisticated equipment. This should be given high priority.*

XI. FINAL OBSERVATIONS:

67.1 The Committee is aware that several recommendations to transform management of the police were made by **the National Police Commission** over three decades back and confirmed by the Supreme Court. Its directions need to be addressed on priority basis.

67.2 The Committee hopes that authorities by now are aware of the fact that terrorist organizations/ units are becoming increasingly sophisticated in deploying innovative means/ techniques. That is now self evident after witnessing 9/11 and 26/11 attacks. We have witnessed sea-borne attack. One should not overlook possibility of air-borne attacks on targets in the city in future. With increasing use of helicopters by the government as well as non-official parties one may conceive a helicopter being taken over. As the Aviation Security is with the Central authorities, it is suggested that this matter may be taken up for studies and necessary security measures worked out.

67.3 In order to instill confidence in the public, we believe that seeking public co-operation and involvement is of utmost importance. The Committee is glad to note that the State Government has sought cooperation and involvement by forming several groups to study and propose actionable measures for facing terrorist threats in future. Younger citizens of today are much better informed and are innovative. Their involvement, in seeking ideas for security are equally important.

67.4 Finally , the Committee has noted that the 26/11 and other terrorist acts have shown that terrorism kills persons irrespective of religion, caste, community, age or sex,

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rich and poor alike. This threat must therefore be faced as peoples' war. In stating so, the Committee wishes to instill a sense of alertness, and not to create any fear psychosis, because that is what terrorism aims to achieve.

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HIGH LEVEL ENQUIRY COMMITTEE(HLEC) ON 26/11

(Appointed by the Maharashtra Government vide GAD GR No: Raasua.2008/C.R.34/29-A, 30th Dec 2008)

SECTION: 2 REPORT**INTRODUCTION:**

1.1 Government of Maharashtra issued notification through GR No: Raasua-2008/CR.34/29-A dated 30th December 2008 on the appointment of a two member High Level Committee headed (HLEC) by Shri R.D.Pradhan, former Governor of Arunachal Pradesh and Shri V.Balachandran, former Special Secretary, Cabinet Secretariat as the other member to enquire into the incidents of terrorist attacks on 26/11/2008 and identify lapses, if any, as per assurance given by the Chief Minister, Maharashtra State in the Legislative Assembly while replying to the adjournment motion. The terms of reference were:

- a) (Lapses) To act on intelligence inputs provided by the Central Intelligence Agencies.
- b) (Lapses) To promptly act or react to the various terrorists act perpetrated on 26/11 in Mumbai in order to save lives and safeguard property.
- c) The Committee may make appropriate recommendations to deal with such acts in future.

1.2 Brief background of terrorist incidents in Mumbai City:

Mumbai city had witnessed 12 serious incidents of bomb attacks(Improvised Explosive Devices) between March 1993 and July 2006 resulting in deaths of 516 persons and injuries to 1952. The incidents with maximum fatalities were the serial bombing in March 1993(257 deaths), August 2003 Gateway & Zaveri Bazar blasts (50 deaths) and July 2006 serial train blasts(181 deaths). The latest big incident which created international sensation was on November 26,2008 although it was different in nature ("Fidayeen"

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attack) from all other incidents which were bomb attacks through timer devices. This is the subject of this enquiry.

1.3 In the wake of the 2006 serial train blasts, Maharashtra Govt. in the Home Department constituted a "study Group" comprising retired senior police and military officials on Oct 31, 2006 for "suggesting measures for strengthening the security of Mumbai and other major cities in the State". Although the Group was expected to submit recommendations within 3 months, the first meeting of this group was called only on 27th Jan 2007 by the then Commissioner of Police, who was the Convenor. *The Committee was informed that the Group had not submitted any report so far.*

1.4 Modality of the Committee's Work:

As the HLEC had been appointed as an administrative enquiry committee it decided to informally interview police officers involved in handling all matters at the operational level in the Mumbai City Commissionerate, the Director General of Maharashtra Police at Headquarters. The HLEC also decided to likewise interview officials in the Mantralaya who have direct responsibility to administer the Mumbai Police Act, 1951.

1.5 The HLEC not having been appointed under the Commission of Inquiry Act did not consider necessary to formally record statements made by the officers interviewed. The Committee sought voluntary co-operation and assistance of officials to conduct its work.

1.6 The Chairman wrote to the Chief Secretary on Jan 1, 2009 to make available office accommodation and staff. He also suggested that the 2 month period for submitting the report may be from the date the office accommodation, staff and equipment is provided to the Committee. That was arranged on January 19, 2009 in Mantralaya. On 21st March 2009 government accorded an extension of the Committee till April 18, 2009 since the work was not over by March 18.

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1.7 On January 5, 2009 the Committee sent to the Chief Secretary, Addl Chief Secretary- Home, Secretary Home (Law and Order), the Director General of Police and the Commissioner of Police Mumbai, detailed questionnaires covering HLEC's terms of reference and requesting them to furnish information urgently. Chief secretary was requested to inform the Union Home Secretary, Cabinet Secretary and Prime Minister's Secretary about the setting up of the Committee and to extend all cooperation to the Committee by way of sharing intelligence reports etc to facilitate the enquiry. Accordingly the Chief Secretary wrote to S/Shri Madhukar Gupta, Home Secretary, K.M.Chandrasekhar, Cabinet Secretary and T.K.A.Nair, Principal Secretary to the PM on 2nd Jan. 2009 to this effect.

1.8 The Committee visited the places connected with terrorist incidents on Jan 6 & 7 and also later. It commenced interviewing officials on Jan 19. It examined 50 serving/retired officials, some more than once, as stated in Appendix-1.

1.9 In conducting interviews the Committee has depended upon long and varied experience of many of these senior police officials in various capacities and the HLEC members' own knowledge and experience in the working of the police at the State and Central levels. The Committee is appreciative of candid and helpful attitude shown by most officials interviewed and participating on wide ranging discussions on several aspects of the Committee's work. We have drawn upon several constructive suggestions that came up during our interviews in formulating our recommendations. Without exception they were conscious of the enormity of damage to the reputation suffered by the police administration because of 26/11 and death of several officers and men. They were equally aware of the adverse public/ media perception of the police in handling the attack by terrorists.

1.10 The Committee's report with reference to its terms of reference is as follows:

No. 1: To act on intelligence inputs provided by the central intelligence agencies.
(Paras 2.1 to 2.17).

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No.2: To promptly act or react to the various terrorist acts perpetrated on 26/11 in Mumbai in order to save lives and safeguard property. (Paras 3.1 to 3.99).

No.3: Committee's conclusions and recommendations (Section 1)

2. **TERMS OF REFERENCE No. 1: TO ACT ON INTELLIGENCE INPUTS PROVIDED BY THE CENTRAL INTELLIGENCE AGENCIES**

2.1 On January 5, 2009, the Committee forwarded to the Chief Secretary, Additional Chief Secretary (Home), Principal Secretary (Home), Director General of Police and Commissioner of Police, detailed questionnaire on the modality of receipt of intelligence from the Central Agencies by the State Government as well as the actual intelligence received specific to 26/11/2008. The DGP sent his reply on 12/1/2009 on the general methodology as well as specific intelligence received during the period from 30/11/2007 to 11/10/2008 connected with 26/11/2008. To a question from the Committee on January 17, 2009 whether any specific intelligence mentioning possibility of a sea-route of attack was received, a further reply was received on 27/1/2009 giving a list of 5 intelligence alerts during the period August 7, 2006 to February 27, 2007. The Commissioner of Police, Mumbai forwarded his reply on 22/1/2009 enclosing copies of intelligence inputs during the period from 18/12/2007 to 26/8/2008 received by him from Central Agencies and others. This included not only Central Government alerts but also those collected independently by Mumbai Police from other sources.

2.2 On March 16, 2009 the Committee specifically queried DGP and CP on the following points which appeared to constitute advance intelligence alerts to Maharashtra State. Copies of relevant documents were also sent to them:

- (a) Shri Gopinath Munde, MLA had stated in the Assembly on Dec 16, 2008 that Maharashtra Govt. had ignored warnings on 26/11, quoting Shri Jaiswal, Hon. Minister of State for Home, Govt. of India who had said in Mumbai that Maharashtra state authorities were given advance information in August 2008 about possible attacks from sea.

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(b) Hindustan Times (Dec 1, 2008) had reported that RAW had intercepted phone and passed on conversations on September 18, 24 as well as November 19, 2008 about specific plans of attacks on Mumbai.

2.3 The Commissioner of Police replied on March 21, 2009 that no such intelligence alert as stated above was received by various wings of the City Police like ATS, Protection & Security and Special Branch(I) CID and all what was received had been listed vide his letter dated 22-01-2009. He also mentioned that no such specific alert was discussed or shared by the SPG/IB when they carried out Advance Security Liaison(ASL) on 26.11.2008 for the scheduled visit of the PM to Hotel Trident on 29.11.2008. DIG (L&O) on behalf of the DGP wrote to the Committee on 23.03.09 listing the intelligence alerts which were already furnished by her earlier & examined by the Committee.

2.4 Additional Chief Secretary (Home) and Principal Secretary (Home) forwarded their replies on 9th February, 2009 saying that they had not received any intelligence inputs from Central Agencies and all such reports are received only by the operational agencies which in the case a State Government are the DG of Police and Commissioner of Police. The Chief Secretary's reply was received on March 18. He has, inter alia said that State Home secretary is primarily responsible for coordinating the activities of police force and his role is only as a coordinator, to be performed when the concerned departmental secretary requires guidance. He has further stated that advisories from Central intelligence agencies are marked to Chief Secretary/DGP. Such advisories received by C.S are forwarded to ACS(Home) for further necessary action. He has further said that no specific intelligence input was received from Central Intelligence agencies on the 26/11 terrorist attacks. The C.S however gave a long account of his coordination work through Crisis management Group

2.5 **General Methodology of receipt and transmission of intelligence for action:**

DGP has stated that intelligence inputs from Intelligence Bureau and MHA, New Delhi are received by him. Some intelligence inputs are shared directly by the concerned agencies with CP, Mumbai and the Anti Terrorist Squad (ATS) . On receipt of such alerts,

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discussions are held with Commissioner (Intelligence), ADG (Law & Order), Jt. Commissioner, ATS, DIG (L&O), and other concerned officials and instructions issued in writing or even on telephone (if urgent) to the concerned units for necessary action. Similarly, the Commissioner of Police also stated that intelligence inputs received from Central Intelligence Agencies, Director General of Police, State Intelligence Department, and Home Department are transmitted by him to the Joint CP (L&O), ATS, Crime, Additional CP (Special Branch-I) and Addl.CP(Protection and Security). Based on the reliability of the information, briefing of lower officials is done either in person, phone or SMS messages to Regional Additional Commissioner of Police and Zonal Dy. Commissioner of Police who work under Jt. CP (L&O). In very important cases, the Commissioner personally calls meetings for briefing his officials. Separately, intelligence inputs on terrorism are immediately forwarded to all concerned on 'need-to-know basis' by Special Branch-I. However, there is no system in place to monitor over a period, correctness or otherwise of such intelligence alerts; nor are the originating agencies informed if the alert fails to materialize.

2.6 The Commissioner of Police has said that the mechanism to assess the quality of ground action following such alerts consists in the Security Branch checking such arrangements at various places according to the input and briefing the management/security in-charge of the concerned organizations about security precautions to be taken and general checking to be done by them. The ATS takes follow up action as appropriate. The police stations follow up by sensitizing the men in the field, advising the management of probable targets to beef up security, checking of hotels and guest houses, organizing Nakka Bandis, combing operations and posting police pickets. Whenever threats do not materialize, pickets provided are withdrawn in phases over a reasonable period of time taking into account requirement of manpower to meet other exigencies. However, patrol vans undertake to give security cover to such establishments if police pickets are withdrawn.

Intelligence Specific to 26/11/2008

2.7 The DGP sent to the Committee copies of 20 Intelligence inputs received between 1/12/2007 and 13/10/2008 from different agencies vide his letter dated 12/1/2009. On a

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query from the Committee whether any specific mention of sea-route was mentioned in any of these intelligence alerts, a further list of 5 intelligence alerts from August 2006 to February 27, 2007 was sent by him on 27/1/2009. The Commissioner of Police sent copies of 26 intelligence alerts received by him from MHA, IB etc vide his letter 22/2/2009.

2.8 The Committee analyzed all these intelligence inputs *from the characteristics of the attack which took place on 26/11/2008*: (a) Sea-borne attack (b) Multiple and simultaneous attacks (c) Commando action as against the usual experience of Mumbai of being attacked only through timed explosive devices (d) Jewish Targets and (e) Leopold which were specific to 26/11/2008.

2.9 Sea Borne Attacks:

It was noted that the earliest alert from central agencies on the possibility of terrorists using sea route was on August 7, 2006 and the latest on February 27, 2007. However about 26/11 there was no proximate information made available to the State government authorities about possibility of terrorists approaching Mumbai or launching attack by sea-route. Even if such information was furnished, limitations of the Mumbai police to tackle any threat from sea front were apparent from resources available and deployment on 26/11 to conduct sea patrolling so as to intercept boats used by terrorists. The DGP told the Committee that the coastal security plan introduced by Govt. of India since 1993 was not working well because several agencies have to contribute to its success. According to these instructions local police have to cover shore to 12 nautical miles, Coast Guard 12 to 200 nautical miles and the rest by the Navy. For sea patrolling the Customs have to lend boats, Staff to be provided by police, LMG to be mounted by Navy etc. One by one other agencies dropped out. Navy which in 1993 agreed (Home Department minutes dated 7-4-1993) to provide 8 ships for coastal patrolling withdrew in 2006 by establishing "Quick Response Teams" at Murud & Ratnagiri. This was not adequate as evidenced by 26/11 attacks. The DGP said that all these difficulties had been voiced on several occasions.

2.10.1 Although the Commissioner of police informed that on 26/11 five police boats were patrolling the sea front, Shri Madhukar Kohe, DCP (Port) in-charge of sea front policing

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said that all the Patrol boats were in Worli area with Machimar Agitation against the new Worli Sea Bridge which started on 24th November, 2008. Hence there were no patrol boats on the Cuffe Parade side on 26/11/2008. Shri Kohe was busy with this agitation on the day of incident. After knowing about the incidents on the T.V. he came to Yellow Gate police station, hired a BPT Trawler and positioned himself in front of Taj Hotel by midnight. The Control Room logs of 26/11 confirm that these boats were used to keep watch over terrorists holed up in Taj and to fire at them if they appeared outside the windows.

2.10.2 Shri Kohe said that Coastal patrolling was not adequate since the local police did not have high speed boats, did not have trained marine police and were not able to do patrolling during monsoons or rough seas. Besides, the training by Coast Guards/Navy is only for a few weeks which is not enough for the policemen to acclimatize with the problems of operating on the seas.

2.10.3 The Committee found that the resources available with Mumbai police were not adequate to conduct sea patrolling so as to intercept the boat used by terrorists and hence nothing perhaps could be done on receipt of such intelligence alerts.

2.11.1 As the terrorists were alleged to have landed at the "Machimar" Nagar opposite Badhwar Park within Cuffe Parade Police Station, the Committee in the absence of Mr. Shri Dhanraj Wanjari, interviewed Shri Datatray Harilal Shinde, PI(Preventive) of Cuffe Parade P.Stn. on February 14. He produced before the Committee a letter issued by the Senior Inspector, Cuffe Parade on 27-07-2008 to the Commandant Coast Guards, Western Region HQ on "Security threats to World Trade Centre from seashore side". It stated that the rear side of the World Trade Centre was "Getting infested" with fishermen's boats "On which some suspicious activities were noticed". It also stated that "if anti-social/terrorist/anti-national elements desires to attack by rocket launcher, these boats can be used". Copies of this letter were marked to the Flag Officer, HQ Maharashtra Naval Area, Customs Collector, DCP Z-1 etc. The letter requested for necessary security steps.

2.11.2 Commandant(JG) Regional Ops & Plans officer Coast Guards(W) replied to letter on 7th August 2008 that the relevant seashore and areas came under the Port trust and State Marine Police. However Coast Guard aircraft were doing the coastal surveillance.

2.12.1 The Committee could interview Shri Dhanraj Vanjari, Senior PI, Cuffe Parade Police Station only on 26.03.09 on his return from leave. He was in ATS for 3 years till he was posted to Cuffe Parade P.Stn. He said that the unusual number of boats in and around World Trade Centre had generated local complaints and hence he wrote the letter to Coast Guards after taking the approval of DCP Z-1. This was later confirmed by DCP Z-1 Shri Viswas Nangre Patil. Shri Vanjari however added that no suspicious activities were noticed in the Machimar Nagar and did not feel that 26/11 had any local support. However on the day of terrorist attack he was not on duty since he proceeded on one month's leave from Nov 1. On 26/11 PI Shri Prahlad Narayan Jagtap was in charge. After the incident Shri Vanjari immediately rejoined duty on 27.11.2009.

2.12.2 Shri Datatray Harilal Shinde however told the Committee that the letter of 27.07.2008 to Coast Guards was written on the basis of a complaint from Shri Jadhav, an ex-service man in charge of security of World Trade Centre. There was also a complaint from the Security unit of the incomplete Maker builders.

2.13.1 Shri Shinde was also requested by the Committee to throw light on the reported claims of Shri Damodar Tandel which had appeared in the media that he had alerted Port Division Police and also the then Dy.CM Shri R.R.Patil about a possibility of such attacks like 26/11. It is to be noted that 26/11 terrorists had sneaked into the City through "Machmar Nagar" opposite Badhwar Park within Cuffe Parade Police Station. It is however true that the places mentioned in Sr.PI's letter are different from Badhwar Park. Shri Shinde told the Committee that enquiries were conducted by Shri Madhukar Kohe, DCP(Port Zone).

2.14 .1 Shri Madhukar Kohe, DCP(Port Zone) said (Feb 16) that the area, rear side of the World Trade Centre, described in Sr.PI Shri Vanjari's letter was within Cuffe Parade Police Station area and not under the Marine Police Station jurisdiction. However he had made enquiries into Shri Damodar Tandel's claim but found no substance in it. His allegations were made due to rivalries within fishermen's societies in Machimar Nagar.

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2.14.2 The Committee feels that Sr.PI Cuffe Parade should have set up some effective police presence on the sea front including Badhwar Park

2.14.3 The Committee finds that there is some confusion about the geographical limits of the jurisdiction of the newly created Marine Police station along the coastal line. This became evident in the case of incident regarding Machimar Nagar. The Committee recommends that DGP/CP may clarify the matter so that local police stations are clear of their role.

2.15 Action on input concerning Leopold etc:

On 26/6/2008, Additional Commissioner, ATS, Mumbai informed DCP Zone-1 Mumbai that 2 terrorists may have entered India in May 2008 and may be in Mumbai to target a temple near Shivaji Park and a site code named *Leopold*, as well as the High Court, DG's Office, Department of Atomic Energy etc. DCP Zone-1 immediately alerted Senior PI, Colaba in whose jurisdiction DGP's office, Department of Atomic Energy, Leopold Café etc are located. Mr. Deenyar S. Jehani, owner of Leopold Café. was alerted to take security measures. On 5/8/2008, DCP visited the area, arranged with help of the Municipal authorities removal of the hawkers and other encroachment. The DCP again visited the spots on 11/8/2008 and instructed all concerned to be specifically alert. This was done again on 24/11/2008. Extracts of Police station diary dated 5/8/2008, DCP's Memo dated 12/8/2008 confirm this. Similarly Shri Deenyar S. Jehani has confirmed that they could not get a reliable private agency for security prior to 26/11/2008. Consequently it appears to the Committee that out of 11 dead and 28 injured at the Leopold site there were only three hawkers.

2.16 Alert about Taj Mahal Hotel and the Oberoi Hotel:

On 9/8/2008 Shri K.L. Prasad, Jt. Commissioner(L&O), informed Additional Commissioner (South), Dy. Commissioners Zone-1&2 and concerned Assistant Commissioners of Police and Police inspectors that a police contact had received information that bomb blast may be caused on 1/8/2008 at various South Mumbai targets including Taj Mahal Hotel, CST, Oberoi Hotel etc. On 11/08/2008, a similar letter was

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received from Additional Commissioner, Security, Mumbai by DCP Zone-1, listing the above targets. DCP Z-1 visited all the areas on 11-08-08 and gave written instructions to Sr.P.I Colaba to take specific security steps. On 24/9/2008, IB alerted DGP that LeT has been showing 'interest' in launching actions in Mumbai, the possible targets being Taj Mahal Palace Hotel, Sardar Vallabhai Patel Stadium, Sea Rock Hotel/Taj Lands End , JW Marriot Hotel and Mumbai Juhu Air Field . This was passed on to Commissioner of Police on 25/9/2008. Following this DCP Zone-1 visited Taj on 29/9/2008 accompanied by Sr. P.I., Colaba and held a meeting with Shri Karambir Kang, General Manager, Shri Mahavir Singh Rathod, Director Group Security of Taj Hotels, Shri Sunil Kudiyadi, Security Manager etc. Different scenarios and security measures were discussed on fresh security threats which could be by way of planting of explosives in the buildings, on vehicles, suicide attacks etc. Suggestions regarding CCTV camera positions, integrating CCTV system within the two buildings of TAJ ,providing manned monitoring, keeping only one gate opened with door frame and hand held metal detectors were discussed. They visited the hotel again on 30/9/08 and briefed the management on the model security instructions issued for the Bombay Stock Exchange. As a follow up, the DCP listed 26 steps to augment the security and communicated in his letter dated 2/10/2008 to Sr. P.I., Colaba. These steps included positioning snipers on the terrace, police guards at the entrance, closing Northcote gate, integration of CCTV of both wings to be manned 24 hours, checking the guests /visitors at entrance through door frame metal detector and hand held metal detectors etc. Sr. Inspector, Colaba wrote a letter to DCP on 16/10/08 to report that the management had been instructed on the points raised by the DCP.

2.17 Likewise Sr.P.I. Marine Drive wrote a letter to the Security Manager Oberoi/Trident Hotel on 9/8/08 itself listing 10 steps to be taken to augment the security, like X-ray checking of baggage of guests coming to the hotel, increasing the perimeter security, introduction of armed security personnel - if necessary by obtaining gun licence from the Commissioner of Police etc . The Sr P I also held separately a meeting of representatives of Corporate Sector, hotels, mall , multiplexes etc on 09/ 08/08 to brief them on threat perception and action.

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3. **TERMS OF REFERENCE No.2: TO PROMPTLY ACT OR REACT TO THE VARIOUS TERRORIST ACTS PERPETRATED ON 26/11/2008 IN MUMBAI IN ORDER TO SAVE LIVES AND SAFEGUARD PROPERTY**

The Committee has divided this into the following sections:

- (a) How on the whole the Mumbai Police handled the attack
- (b) Handling of individual targeted areas
- (c) Committee's appreciation on the way terrorist response was handled including following up intelligence inputs if any.
- (d) Systemic failures

(a) How on the whole the Mumbai Police handled the attack:

3.1 The first call to the Control Room on the series of terrorist incidents was at 2150 hrs from Colaba Sr. P.I (Shri Vishwas Rao) to send Colaba-1 mobile to Hotel Leopold. He did not have full details of the incident at that time. Colaba-1 reacted instantly that they were proceeding from Electric House. Since Electric House was very near Leopold, this Mobile reached there almost in a couple of minutes. Immediately thereafter Colaba Sr. P.I. again asked the control room to rush some more assistance whereupon Colaba-2 was asked to rush to the same spot. Simultaneously control room asked all groups to arrange Nakka bandi. Almost at the same time Tourist 1 Mobile reported bullet injury and control room asked MRA 1 and Azad Maidan 1 to rush to Leopold Café urgently. Meanwhile Tourist 1 mobile reported that police driver was hit by bullet. Sensing the urgency of the situation, South control asked Sr. P.I. Cuffe Parade to go to Leopold Café for assistance. 21 messages were exchanged between Main Control, South Control and different units simultaneously at almost the same time ie., 2150 hrs. At 2155 hrs Sr. P.I. Colaba reported that 5-6 persons within Leopold were injured including one police man (on road) and that he had no information on the identity of the perpetrators.

3.2 At 2155 hrs Sr. P.I. Colaba reported that firing was going in Taj. Marine Drive-1 reported at 2156 hrs that firing was going on at Oberoi. At 2156 hrs Additional CP, South

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reported that some people had entered Trident/Oberoi and fired. He asked all striking vans to come to this spot. At 2157 hrs Sr.P.I. Marine Drive reported that he was at Marine Drive and asked Marine Drive-1 and 2 to rush. Marine-2 was already at Oberoi gate. At 2201 hrs MRA Beat Marshal-1 reported firing at CST. At 2202 hrs MRA-3 mobile reached CST main gate. At 2204 hrs South control room asked Wadala-1 & 2 and Sewree 1 & 2 to rush to CST. Earlier at 2202 hours Control room told Sr. P.I. Colaba that some untoward events were happening at Colaba Market (Later identified as Nariman House).

3.3 **Shri Vishwas Rao, Sr. P.I. Colaba**, told the Committee that on 26th on his way home at about 2130 hrs he heard about the firing at Leopold and turned back to reach the police station. His colleague from the Police Station Shri Sawant (PN 28388) was injured in the firing. Gunmen had killed 7-8 people and had gone towards Taj. He went to Taj immediately.

3.4 **Shri K.L. Prasad, Jt. Commissioner (L&O), who was at home on Malabar Hill** received a call at 2147 hrs from a contact, who was going for dinner at Leopold, that firing was going on and some were injured. He said he was the first officer to inform the Control Room about the firing on 26/11. Suspecting a gang war he called Dr. Venkatesham, Additional Commissioner (South) and Control Room, asking them to rush mobiles and other vehicles and ordered Nakka Bandi in South Mumbai. At 2157 hours he received a call from Shri Bhardwaj, Member, Customs Board, who was in the hotel that firing was on in Taj Lobby and he had taken shelter in the kitchen. He called Shri Hasan Gafoor, CP, at 2159 hours. Meanwhile Jt. CP (Crime), Shri Rakesh Maria called him and wondered whether it was terrorist strike. Shri K. L. Prasad and Shri Rakesh Maria traveled together in same car and reached the Control Room of the CP's Office at 2230 hrs.

3.5 **Dr. K. Venkatesham, Additional CP South** told us that at 2148 hours he learnt about the firing at Leopold from Shri Prasad, Jt. CP (L&O), and immediately alerted DCP Zone-1 (Shri Vishwas Nangre Patil) who was to go on night rounds. On his way to the spot he was told by the W/T operator that there was firing at Taj and decided to go there. While crossing Chowpatty he learnt about firing at Oberoi/Trident. Since DCP Zone-1 was already in that area, he decided to go to Oberoi. He asked the Control Room to organize

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Nakka Bandi, and called Additional CP (ATS) Shri Param Bir Singh. He reached Oberoi/Trident at 2200-2205 hrs.

3.6 Meanwhile, **Shri Vishwas Nangre Patil, DCP, Zone-1** reached Taj at 2155 hours with a wireless operator, a handful of (4/5) policemen and entered the hotel Taj from rear side along with Security Manager, Shri Sunil Kudiyadi.

3.7 **Shri Hasan Gafoor, CP**, heard about the firing at Leopold at about 2150 hours from control room and asked DCP Zone-1 to handle the matter. Subsequently he heard about Taj and Nariman House incidents. He personally asked ACP Azad Maidan, Shri Bagwan to go to Nariman House. He was proceeding to this spot when he heard about Oberoi firing and decided to stay near that and set up his base of operations. When he heard of Leopold firing he first thought that it was a gang war, but when he heard a bomb blast he knew it would be terrorist strike. It appeared like a military type professional attack and at first wondered whether it was a reaction to the Malegaon arrest by ATS. (Hindu Module). On reaching the scene, he started giving instructions to his officers on his priorities which were pinning down the terrorists, preventing their escape, saving lives and removing injured to the hospitals. By 2300-2330 hrs it appeared that they had been pinned down. It was an unprecedented operation involving several active spots and he knew that it was beyond the police capability. He spoke to ACS (Home) to get the National Security Guard (NSG). He asked his own officers to get extra forces and the Quick Response Teams (QRT) and deployed senior officers as follows:

1. Shri Rakesh Maria, JCP(Crime), at Control Room
2. Shri Sanjay Barve, JCP(Traffic) at Trident / Oberoi
3. Shri Bhagwantrao D. More, JCP (Admn) at Nariman House
4. Shri K.L. Prasad, JCP(L&O) at Taj (who was in control room earlier)

3.8 **Shri Param Bir Singh, Additional Commissioner, ATS** was informed by Dr. Venkatesham at about 2214-2215 hours about firing in three places - CST, Oberoi and Taj. Since he stays very near the Mantralaya, he rushed to Trident /Oberoi with his body guards. On reaching Trident/ Oberoi, he knew that it was a terrorist strike.

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3.9 Police inspector **Shri Bhagwat Kachru Bansode of Marine Drive P.Stn**, who was on night duty and patrolling in 'Peter Vehicle' (police station mobile), received a message at 2148 hours about the firing in Taj. At 2151 hours he received a message that firing had taken place in Trident. He reached there in 3-4 minutes.

3.10 **Shri Sanjay Datatray Amrute, Sr. P.I. Marine Drive Police Station**, who that evening was at Oberoi/Trident till 2015 hours with a Special Protection Group (SPG) team for Advanced Security Liaison visit for the ensuing programme of the Prime Minister on 29th reached home at 2130 hrs. At about 2155 hours Oberoi Security Officer, Shri Nag Mote called him and apprised about the firing in the hotel. He reached Trident/Oberoi at 2205 hours. Shri Venkatesham, ACP (South) and Special Reserve Police (SRP) were already there.

3.11 **Shri Vinay Kargaonkar, Addl .CP (Protection & Security)**, reached Trident Oberoi at about 2200 hours after hearing loud explosions coming from the direction of Air India/Trident building. His residence is about 400 meters away from Trident hotel. The Commissioner of Police was already there.

3.12 **Shri Rakesh Maria, Jt. CP (Crime)** came to know about the incidents at about 2150-2155 hours and traveled with Shri Prasad, Jt. CP (L&O). His initial impression after receiving information about firing at Leopold Café was that it was drug related. However, the impression changed into a terrorist strike when he learnt about the shooting at a Tourist Mobile opposite Leopold, Taj firing, Oberoi and CST firing on reaching the Control Room at 2227 hrs. Thereafter, throughout the operation he was in the Control room organizing manpower, liaising with the Central Government, Army, Navy and NSG etc.

3.13 **Shri Sadanand Date, Additional Commissioner, Central Region**, was at home on Malbar Hill. At 2200 hrs ACP, Worli, conveyed to him about firing between two groups in South Mumbai. When he switched on the TV he found that firing was going on at Oberoi, Taj, and CST. He offered to go to South Region and contacted Shri Prasad, Jt. CP (L&O) and Dr Venkatesham, Additional CP (South). The latter requested him to go to CST.

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3.14 **Shri Sanjay Barve, Jt. Commissioner (Traffic)** was alerted at 2225 hrs by his W/T Operator about a possible gang war in Mumbai. When he checked with the Control room he learnt that incidents were taking place at 4 spots in South Mumbai. He reached Oberoi/Trident at 2315 hours, met the CP and stayed on at that spot throughout.

3.15 **Shri Rajvardhan, Dy. Commissioner, Foreigners' Branch (SB-II)**, learnt about Leopold Café firing at about 2130 hrs while at residence. As foreigners patronize that Café he decided to go to Colaba Police station where he met an Israeli diplomat and two other Israelis. They told him that a Jewish settlement in Colaba Market area was attacked. At the police station he learnt about the firing in Taj and decided to go there since it appeared to be major incident. Also, foreigners were involved.

3.16 **Shri Hemant Nagarale, Director (Vigilance and Security, MSEDCL)** who is on deputation to the State Electricity Distribution Co. learnt about Leopold firing at 2130-2145 hours while he was at residence on the first floor of Colaba Police station. Instinctively he went to Leopold Café, saw several injured persons lying on the road, went to the police station for help to removing the injured to the hospital and personally helped in evacuating them through police vehicles. Learning that terrorists had gone to Taj, he on his own went to the Taj.

3.17 **Shri Shaikh Issaq Ibrahim Bagwan, Assistant Commissioner of Police (ACP) Azad Maidan Division**, who lives in Colaba area, was called by the CP at 2200 hours about firing at Leopold Café. He was asked to rush there. There he learnt that terrorists had already entered Taj after Leopold firing and that DCP Zone-I was on the spot. At that time he heard a big explosion from Colaba market side. One Salim called him from Pasta Lane saying that it was from 'Panch Pauri' (Name given by Kolis to Five Steps) leading up a narrow passage on which Nariman House is located. He rushed there. There was a huge crowd. One person had died. Debris were all over the road. Although he was alone on the spot with just a W/T PC, he managed to throw cordon for public protection, stopping the traffic while grenades were being thrown from Nariman House.

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3.18.1 **Shri A.N.Roy, Director General of Police** came to know about the terrorist attack from a private person in Taj Palace hotel at 2145-2155 hrs. and immediately alerted the State Police Control Room who conveyed it to Mumbai City police Control Room. He also phoned DCP Zone-1 Sri Vishwas Nangre Patil. He went to his office at 2215 hrs and monitored events from there along with all senior officers. From then on he kept in close touch with Joint CP(Crime) who was supervising the police operations from the Mumbai City Control Room. On request from JCP(Crime) he spoke to Sub Area Commander(Army) to send army commandos. He also contacted Union Home Secretary to send NSG commandos. He was also in close contact with Chief Secretary.

3.18.2 Although DGP had no operational responsibility in view of the jurisdiction of the Commissioner of Police in Mumbai, he gave advice and assistance to senior police officers. For example he advised Joint CP(L&O) to proceed to Taj where DCP Zone-1 was handling the police operations. He asked Addl.DGP(Railways) to proceed to CST Railway Station. In between he also mobilized extra forces for Mumbai city from SRPF and police training schools who arrived by 27th morning. On a request from Addl.CP(ATS) he spoke to residents in NCPA apartments to give access to ATS squads and later NSG to fire at terrorists holed up in The Oberoi.

3.18.3 *The Committee found that Shri Roy had taken active part in mobilizing forces and advising Mumbai Police although he did not have operational jurisdiction in Mumbai city.*

3.19 The above details would indicate that the general police response to the terrorist incidents at five places was **swift** and according to the standard law and order response to such incidents. However, a perusal of the control room log would indicate that they were handicapped by the initial lack of full information. Simultaneous attack at five different places, with a constant stream of calls coming in had obviously over loaded the communication system.

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(b) Handling of attacks at individual targeted places:

i) Leopold Café:

3.20 There was no chance of a police response when terrorists attacked Leopold Café at about 2130 hrs. Two terrorists suddenly walked in and began firing indiscriminately. As mentioned earlier, the initial call to the Control room at about 2150 hrs did not indicate any details except that some people were injured. Colaba-1 which has a staff of 5 men with 2 SLR and gas guns reached the spot within minutes. By that time the terrorists had already started hastening towards Taj and might have even reached there. Within a short time 9 persons were dead and 21 injured including, two policemen of Colaba Police Station who were in mobile squads which rushed to the spot. After firing, the terrorists walked along Navroji Ferdoj road spraying bullets along the way, killing and planting IED (RDX 8 kgs), on a side lane, near Gokul Bar on Tullock road, which fortunately did not explode.

3.20.1 This unclaimed bag was detected by the public who informed PI Shri Prakash Sampatrao Bhoite of Colaba P.Stn. on 27th morning who summoned BDDS squad and they defused it. From there walking towards Merry Weather Road they entered the Taj hotel by a side entrance named Northcote at 2143 hours. All that the police could do at the Leopold Café was removing the injured to the hospital in which Shri Nagarale took leading part although, being on deputation to the MSEDCL he had no jurisdiction as such.

3.20.2 Two policemen from Colaba Police station injured while facing terrorists were: PN 28388 – Shri Pravin Pandurang Sawant (Colaba-1 Mobile) and PN 4124 – Shri Nivrutti Gavane.

ii) Taj Palace Hotel:

3.21 The senior officers who dealt with the situation in Taj Palace Hotel were (1) Shri Vishwas Nangre Patil, DCP (Zone-1) (2) Shri Rajvardhan, DCP(SB-2), (3) Shri Hemant Nagarale, Director(Security), MSEDCL and (4) Shri K.L. Prasad, Jt. C.P. (L&O). Two terrorists stealthily entered from the main lobby (of Taj Towers) while the other 2 who had done the shooting at Leopold entered by North Cote entrance(of Heritage TAJ) and

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joined up with the other two . The first police party reaching Taj Place Hotel headed by DCP Shri Vishwas Nangre Patil and his team reached Taj well after these 4 terrorists had killed a number of persons in the Coffee Shop, Swimming Pool area and passage in front of the lifts of the Heritage TAJ. Terrorists had then rushed to the fifth/sixth floors indulging in the killing. Interviews with the police officials as well as hotel security staff revealed that the police party which entered Taj was totally handicapped because they had only one SLR, one .303 and officers had their normal duty revolvers or pistols. When DCP Zone-I rushed on the second floor of the Heritage TAJ he heard some noise and shots on sixth floor (South wing). In order to detect their exact location , the police party accompanied by Shri Kudiyadi, security officer of Taj, rushed in the area between the south and the north wings and fired a round in their direction to draw fire. The terrorists ran towards the middle (connecting the two wings of the Heritage building) and strategically positioned themselves at vantage positions on the "Royal Staircase" from where they could observe any movement on the staircase. That gave them clear view of any counter attack and also enabled them to fire & throw grenades at the approaching police party. Despite being thus handicapped, DCPs Shri Nangre Patil and Shri Rajvardhan who joined him, showed remarkable grit and courage in trying to engage the terrorists from a lower level position on the stair case. According to Taj hotel security manager Shri Kudiyadi it seemed that one terrorist was injured in the firing by Shri Nangre Patil.

3.22.1 PSI, Shri Nitin Digambar Kakade, who was posted in Gateway of India Chowky (Out post) near Taj had rushed to Leopold Café, on orders from the Control Room, to assist removal of the injured to hospitals. In the meanwhile, Shri Nagarale, who was in civilian clothes, had noticed a bag lying beside the Chowky located across the road on right of the entrance Porch. He suspected that it might be RDX and with the help of policeman got the crowd move away from the spot and got it covered with sand bags. On return PSI Shri Kakade detected that it was indeed 8 Kg RDX and called the Bomb Squad which defused the bomb. This timely action by S/Shri Nagarale and Kakade avoided a major tragedy. Thereafter Shri Kakade joined the small group of police party within the Heritage Taj, led by young DCPs S/Shri Nangre Patil and Rajvardhan, to flush out the terrorists who were playing 'hide & seek' with the police party. In the course of that encounter, PC Shri Rahul Subhash Shinde (SRP) died in AK-47 firing. PC Samadhan More was injured

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by grenade- splinters. W/T operator Shri Amit Khetle sustained bullet injury on his stomach. Inspector Shri Deepak Narasu Dhole and, Police Naik Shri Arun Sarjerao Mane and PSI Shri Kakade suffered severe burn injuries. DCP Rajvardhan too sustained injuries on his foot from grenade/AK-47 attacks while trying to take position on the staircase to shoot at the terrorists. PN Shri Ashok Laxman Pawar, PC Shri Sudagar Nivrutti Shinde, PC Shri Raju Pandurang Mane, PC Shri Vihwanath Gaikwad and PC Shri Gomasse also were injured.

3.22.2 From the control room logs it was seen that DCP Z-1 was repeatedly asking for reinforcements to take on the terrorists at 0046, 0052 hrs etc on 27th saying that he and Shri Rajvardhan had fired at them at various positions but they were throwing grenades. It was also seen that he was repeatedly asking the C/R when Naval commandos were expected since "we are losing lives". At 0214 hrs he was telling C/R that terrorists were tying up hostages. The police had only .303 rifles. At that time Beat Marshall (Colaba) reported that Marine Commandos had reached Northcote entrance. At 0227 Sr.PI Colaba reported that only 7 Marine Commandos had come & they were advancing very slowly. Police posted outside Taj had to perform several roles not necessarily connected with their area of operations. For example at 0336 hrs on 27th Fire Brigade reported to Sr.PI Colaba that their Snorkel ladder was out of order & needed help. At 0337 hrs. they reported that Fire Brigade water had exhausted and wanted police escort to go to Azad Maidan well or for getting water tankers. Police also had to use their vehicles to shift injured public to the hospitals. Till the army columns reached Taj periphery (According to Chief Secretary's report they reached at 0215hrs on 27th) the entire cordon around Taj & Leopold Café had to be managed by the local police. Shri Rajvardhan while on the spot found that cellular communication between the police groups (on the Royal Staircase and those behind the wall adjoining the landing place) was hampered because of thick wall. The only Wireless set (W/T) in his group was with DCP Zone-1's body guard but he was injured. They noticed that the terrorists were very professionally trained & were using the tactics of "area clearing" by throwing grenades. The small hand grenades that they were using had great lethal power. Had the police been able to counter attack with grenades (area weapons) they could have perhaps neutralized this attack. Finding themselves inadequate to counter attack and after deaths and injuries sustained by the police party they decided to exit. In the main

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Lobby they met with Shri K.L.Prasad Joint CP(L&O) and briefed the marine commandos who had arrived by then.

3.23.1 Shri K.L.Prasad told the Committee that before the incident he had paid a visit to Taj on Nov 11th just to see the security arrangements. Even his car was not allowed to be driven into the main porch. On 27th at 0210hrs he went to Taj from Control Room where he was present since 2230hrs. He could not proceed towards Taj Heritage staircase because of firing and as grenades were being thrown on the stairs. At about 0240 hrs. he went to the Tower side to climb up when he received a call from DGP that people were stuck in Chambers(an exclusive club for the elite businessmen/industrialists). He went there and saw some people standing. He called a few chefs & did orderly evacuation of about 20-30 people. Police did not know the topography. Then he suddenly heard a lot of commotion & firing at about 0300 from the Central Stairway. He called Fire Brigade and rescued 48 people stuck in Gateway Room on the first floor. 52 people who were stuck in Zodiac Grill on the ground floor were also rescued. At 0330 hrs DGP again called that terrorists were hiding in Chambers and that one person was shot while coming out on the staircase of Chambers. He rushed there, found one injured who was taken out. He had no BP vests and had with him 3 bodyguards with SLRs. It was only at 0400 hrs. that he could establish contact with Shri Viswas Nangre Patil DCP Z-1 who told him that there were 4 terrorists. Till then he had no idea how many terrorists were present.

3.23.2 Meanwhile marine commandos (8) arrived. Shri Prasad briefed them and took them to Chambers. They responded terrorist fire & lobbed tear gas on a terrorist who was hiding. 47 tear gas shells were lobbed. However there was no trace of terrorists. He found that Chambers had several exits. He was mostly in the foyer, Chambers and the kitchen. From there he was also busy contacting Air Force for vehicles to transport NSG contingent. NSG landed at 0556. At 0730 hrs NSG senior Staff came and he briefed them. Marine Commandos withdrew. Then onwards he gave logistical support to NSG's operations. Taj security officers S/Shri Sunil Kudiyadi and Philip Rodrigues were of invaluable support to the Police & NSG for 60 hours.

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3.23.3 Rear Admiral R.K.Pattanaik, Chief of Staff Western Naval Command had stated in his letter dated 30th Jan 2009 to the Chief Secretary that Marine Commandos consisting 2 officers and 16 men reached Taj at about 1-45 am on 27th. He said that terrorists managed to escape from the "Numerous entrances/exits of the kitchen". Everything was peaceful till 0330 hrs when gunshots were heard from Chambers where a heavy exchange of fire took place between terrorists and Marine Commandos injuring 2 of the latter. Marine Commandos could not directly confront any terrorist but they could segregate the stranded guests and lead them to safety.

3.23.4 Later it was found that the terrorists had 4 AK-47 assault rifles, magazines, several rounds of ammunition, 4 pistols with considerable ammunition and at least 40 grenades whereas the Police had only carbines and pistols.

3.23.5 When asked about the entry of the 2 terrorists through the main entrance of the Taj Palace, the hotel security staff explained that they and the staff deployed outside at the entrance were very busy in controlling the mob of people thronging the Gateway area, who attempted to rush into the hotel in panic when they learnt of the Leopold firing and probably heard noise of firing by the terrorists rushing towards Taj. In that confusion the two terrorists stealthily entered the main lobby.¹

iii) **Trident/Oberoi:**

3.24 The first police officer to enter Oberoi/Trident was Police Inspector Shri Bhagwat Kacharu Bansode of Marine Drive Police Station, who was on night patrol duty near Trident. At 2151 he received a message that firing had taken place at Trident. He reached there in 3-4 minutes. He had only a revolver. On entering the covered passage leading up to the main entrance of Trident he found that the glass frontage of the shop on left at Trident was shattered. The right side entrance glass-door was found cracked with bullet marks. On entering the lobby they realised that it was a big attack. They looked around for terrorists but found several guests injured and dead in the lobby. Soon thereafter Marine Drive

¹ The Committee could not verify this since they could not have access to the CCTV of Taj which was already forwarded to the court. This can be checked with CCTV only.

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Mobiles-1 & 2 (ASI Shri Digambar Y.Rane, ASI Shri Shankar B. Chaudhari) and Beat Marshall(4) Head Constable Shri Suresh Bhosle arrived.

4.25 All the major killings in the lobby, Opium Den, Systems Room of the Trident, Brioni shop situated in the passage connecting Oberoi with Trident, as well as the Tiffin coffee shop of the Oberoi, had taken place before the police came. The RDX bomb placed outside Trident exploded at 2215.

3.26 The police party cautiously climbed stairway leading to Oberoi. In the vestibule they found the Brioni shop windows shattered and a foreigner lying dead in the passage. On entry in the *Atrium* they found that on the left side restaurant (**Tiffin**) a number of dead bodies were lying. On seeing them a steward of Tiffin, who had fortunately survived, pointed his finger upwards towards the second floor. Shri Bansode then saw a terrorist kicking an employee near "**Kandhahar**". Another terrorist was near him. He fired once at one of them. The terrorist crouched and returned the fire. He again fired. The other terrorist also fired at him and also lobbed grenades.

3.27 Like in the Heritage TAJ, the terrorists positioned themselves on higher floor of the "*Atrium*" to direct attack on the police. That made it impossible for the police to go across the vast '*Atrium*'. Moreover the RDX bomb placed adjacent to Oberoi lobby exploded at 2230 hours and caused much damage, igniting fires and making it impossible for anyone to carry out assault. Since they were no match to them in fire power the police had to retreat.

3.28 Commander (Retd) Shri Nagmote, a former naval officer and is presently security manager of the Trident/ Oberoi confirmed that even the "Marcos" (Navy Commandos), who later came in to flush out terrorists, could not advance because of these reasons. All the local police could do was (a) to engage and pin down terrorists through firing from outside which was done by Shri Parambir Singh, Addl.CP(ATS) and his group or (b) rescue and life saving done by Shri Vinay Kargaonkar, Addl.CP (Protection) or (c) cordon operations and management of crowd outside done by Dr.Venkatesham, Addl.CP(South) till NSG came. The Police cordoned off the area, sealed exit points, rescued trapped people, helped Fire brigade in carrying out their activities since they could not carry out anti-terrorist operations like flushing out terrorists

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further. ATS squad under PI Arvind Bapu Sawant tried to enter through the fire escape in the lower lobby(NCPA side) with QRT staff but it was dark and filled with smoke as terrorists were firing from higher floors. Shri Param Bir Singh, Addl.CP(ATS) also went inside with QRT and ACP Shri Ghadge but smoke from grenade throwing and continuous firing by terrorists prevented them from seeing much. They could not enter from other sides since fire exits could not be opened from outside. At midnight Shri Singh received a call from DGP Shri A. Roy asking him to go to Express Towers/ NCPA Residence Complex and engage the terrorists from a higher position. He then saw one terrorist walking on the ledge between 18th and 19th floor in order to get access to other locked rooms. The target was about 1500 meters. He opened fire on him with SLR but the terrorist immediately disappeared. Perhaps this might have saved some lives. Later, on 27th while Shri Singh was on NCPA terrace, terrorists fired on PSI Shri Wakurdekar (ATS) who was with him. The firing came from 18th floor Oberoi. They fired back but could not get angle. Hence he telephoned DGP Shri Roy who promptly contacted the residents of NCPA who allowed the police party to go to the lower floors. Later NSG also came to these floors to join ATS. During these operations, ASI Shri Anil Bhausaheb Kolhe and Police Naik Shri Ranjit Jagannath Jadhav of SRPF were injured.

3.29 At the same time, Dr.Venkatesham, Addl.CP(S) was supervising anti-terrorist operations from outside to ensure safety of the public who had collected outside, ensuring smooth passage of extra policemen & fire brigades and helping evacuation of injured and hotel guests. Since a large number of places under him were affected (Leopold, Taj, Nariman House, Outside CST) he was busy deputing police forces to all these areas from outside by liaising with Control Room & others. Since it was impossible to confront the terrorists with the forces at his disposal around Trident, he decided to requisition the "assault teams" located in his region although these assault teams are technically under ATS. One assault team came at 2240hrs. QRT under PI Sawant also came but they could not advance. He was supervising the arrangements till early morning in addition to briefing NSG. Similarly Shri Vinay Kargaonkar, Addl.CP (Protection & Security) rushed to the hotel on hearing the explosion outside Trident. Along with a squad of Quick Response Team(QRT) he went inside Trident and saved 17 guests with the help of Oberoi staff. He was also helping Marine Commandos as well as N.S.G after their arrival. It may be stated

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that Shri Kargaonkar had already visited Oberoi in the afternoon on 26th along with Sr. P.I. Marine Drive and Central Security officials from SPG and IB for the PM's ASL(Advance Security Liaison) for his visit scheduled on 29th at Trident.

3.30 Rear Admiral Pattanaik in his letter to the C.S dated 30 Jan 2009 has stated that Naval Commandos (8) reached Trident at 0200 on 27th. At about 0245 hrs they rushed to the third floor of Trident on hearing firing but the terrorists had shifted their position. They then entered Oberoi side by a side entrance, sighted a terrorist on 9th/10th floor but could not advance since they came under heavy fire/grenade attack. They helped NSG till 1500 hrs in clearing and sanitizing floor by floor. He added: "Non-availability of the layout of the hotel or any assistance from the staff made it difficult for the team to make quick progress." The Committee also found that the Oberoi security staff were too few in numbers.

iv) CST & Cama:

3.31 This sector (CST-Cama sector which continued till Chowpatty) saw the largest number deaths of police officers including Railway Protection Force (RPF) and Home Guards. (4 in CST & 10 in Cama-Chowpatty sector). 9 were injured in CST while Cama-Chowpatty sector accounted for 11 injured police officers.

3.32 The Committee was told that at 2140 hrs two terrorists alighted from a taxi outside the CST building on the long distance main- line station area (Platforms 8-15). They entered a toilet block apparently to take out their lethal weapons. Around 2144 hrs they came out into the large passenger waiting area facing the platforms and started indiscriminate firing from AK-47s and lobbing grenades. One RPF jawan (Shri Murlidhar Laxman Chowdhary) and several passengers waiting for long distance trains were killed. The two terrorists continued advancing towards suburban rail side station area. (Platform Nos 1-7). The two vast waiting areas for suburban trains and the long distance trains are connected by a large canopy that provides entry to either local train stations or long distance trains and on one side is located CST Police Station which looks after law and order and crime along with RPF which is to protect Railway property. By 2202 hours the terrorists reached CST Police station firing their AK-47s, injuring seriously a number of

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policemen and killing Home Guard Shri Mukesh Bhikaji Jadhav. However with great presence of mind and grit PI Shri Shashank Shinde in charge of the Police Station and his small staff which included PC Shri Pandharkar resisted the attack on Platform No 7 firing with available carbine and .303 rifles taking cover behind a small structure. But they were totally overwhelmed by the superior fire power of the terrorists. PI Shri Shinde and PC Shri Ambadas Pawar were killed while retaliating. In fact Shri Ambadas Pawar was not even on duty and belonged to the Mumbai city's Protection Branch. However on seeing PI Shri Shinde and PC Shri Pandharkar battling with the terrorists he, although off duty, joined the resistance and fired at the terrorists. PC Shri Pandharkar was grievously injured. In all 9 policemen and Home Guards were injured in the exchange of fire. This stout resistance by the CST police made the terrorists flee from Platform No 7 and going across Platform No 1 they ran down the platform towards a foot over-bridge connecting CST terminal across the main road to a narrow lane adjacent to the Times of India building.

3.33 From then on the officers in the Control Room(C/R) could not closely track the movements of terrorists or police teams in their pursuit because simultaneous events were happening in that area and senior officers present on the spot were *not* keeping the C/ R informed of their tactical plans. Moreover the Times of India lane was ill-lighted and in darkness visibility was poor. Also because of old stone built buildings along the lane, sound of firing reverberated and echoes of gun shots were heard all over surrounding area, leading to misleading impression about exact location of the two terrorist, despite a large posse of policemen following them.

3.34 Shri Rakesh Maria who was in C/Room told the Committee that the conditions were somewhat chaotic as rumours that 60 terrorists had entered the city were circulating. Between 2100 and 0200 the C/R received 1,365 public calls of which 267 were terrorism related. The Control Room logs revealed that even among the police, fears that CP's office was being attacked were very strong because the Times of India Lane was adjacent to CP's office. One call from a serving police official's wife (residing in nearby Azad Maidan Police Station complex), spoke of firing near her house. Other calls mentioned that GT Hospital and JJ School of Art were being attacked. Those false alarms kept the police in C/R and CP's Office frantically busy.

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3.35 The Committee learnt that the 2 terrorists running over the steel-bridge across the main road leading to the JJ Fly-over entered the lane adjoining the Times of India building, occasionally firing shots to intimidate. Although a posse of policemen was chasing them they managed to elude them by firing and injuring two police constables: Shri Murlidhar Chindu Zole and Shri Bandu Balu More of Byculla P.Stn who had rushed from neighbouring P.Stns. A few hundred meters down the lane they seemed to have entered Cama Hospital compound by jumping over the hospital's rear wall. Before doing this they shot at some huts near Cama Rear Gate No: 3 killing some hutment dwellers (S/Shri Shivshankar Gupta, Thakur Buda Waghela and Bhagwan Gangaram Shinde) On jumping over the wall they killed Cama Hospital Watchman Shri Bhanudev Narkar outside Maternity Hospital side and headed towards the tall building on the opposite side, again killing another watchman Shri Baban Balu Ugade. They then climbed on to the upper floors of this building. (In all the places of attack, whether in Taj, Oberoi, CST, Nariman House or Cama they had tried to climb up and position at higher levels).

3.36 Meanwhile Shri Sadanand Date, Addl. CP (Central Region) reached Cama Hospital from the front entrance facing the Mahapalika Marg with PSI Prakash Pandurang More (LT Marg P.Stn) whom he met at Metro Junction. Originally he was to go to CST but changed his plans at Metro Junction on learning that terrorists had gone inside the Cama Hospital. Accompanied by six officers and policemen he took the lift to 6th floor. He learnt that terrorists were already on the terrace holding some Cama employees as hostages. He cleverly attracted attention of terrorists to get them down on the landing place of the staircase from the terrace to the sixth floor, facing the lifts. A shoot-out ensued between terrorists and Shri Date's party. Although totally overwhelmed by the superior fire/grenade power of the terrorists who managed to kill PSI More and PC Shri Khandekar and injure all others including Shri Date, he held on to his position by firing at the terrorists from his own revolver and carbine of the injured policemen and getting badly injured in that process. In fact he guided his Wireless/Operator Shri Sachin Tilekar and other injured to exit from the building. Shri Sachin Tilekar would later report outside Cama rear gate to S/Shri Karkare, Kamte and Salaskar about the plight of Shri Date. On Shri Date being injured - and perhaps thinking that he was dead, the terrorists descended the stairs, adjoining the lifts and ran towards the front gate of Cama on Mahapalika Marg. It would

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appear that they jumped over the wall and killed PSI B.S.Durgude (ATS) who was regulating the movement of public there.

3.37 During that period of time, according to Shri Rakesh Maria, who was in charge of the Control Room, there were as many as 60 SRP men, Crime Branch Special Team (SOS), QRT, Assault Squad etc available at Cama venue(rear side) besides the local police. Thus there was a large number of force deployed in and around the area. Despite that, this area witnessed large-scale massacre of police officers and men as there was no planned or determined attack against the terrorists outside, except by a small posse of policemen led by PI Shri Thorawade (Azad Maidan) who fired at them from across the other side of the wide Mahapalika Marg with revolvers. The two terrorists, retaliating fire, fled into the adjacent Rang Bhawan Lane (Now called Prof.U.U.Bhatt Marg). Shri Thorawade did not pursue them since their weapons were no match to those of terrorists and they had also run short of ammunition. At Rang Bhawan lane the terrorists faced a Honda car driven by Shri Maruti Madhavrao Phad (driver of a government car) who was taking the vehicle to his officer (Shri Bhushan Gagrani, Secretary, Medical Education) in Mantralaya. The terrorists fired at the car injuring Phad who pressed the central locking system and lay over the driving wheel, with injury on his hand covering his head with blood, and feigning to be dead. The terrorists unsuccessfully tried to break open the door of the car apparently with intent to use it for get-away. Phad thus escaped certain death due to great presence of mind. Terrorists started walking towards the Rang Bhawan.

3.38 Meanwhile at the Cama rear gate (situated on Prof.U.U. Bhatt Marg, popularly known as Anjuman -E -Islam Lane) a posse of policemen including the late Hemant Karkare, Ashok Kamte and V.S.Salaskar - had fortuitously come together - where they had learnt from Shri Sachin Tilekar W/T operator of Shri Date lying injured on the 6th floor of Cama. They seemed to have decided to enter the lane leading to the Rang Bhawan apparently with intent to enter the Hospital from the front gate. Since they had left their vehicles some distance away from CST, they took over the Qualis in which Shri Shantilal Arjun Bhambre, ACP Pydhonie had arrived at the Cama rear gate between 2345-0000 using the same route that the terrorists a few minutes later were to follow on entering the lane and firing at Phad. S/Shri Karkare, Kamte & Salaskar took ACP Bhambre's Qualis

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along with his staff (ASI Driver Shri Balasaheb C. Bhosale, PC Jaywant H. Patil and PC/Operator Shri Yogesh S. Patil) without conveying anything to him and drove away towards Mahapalika Marg via Teyyabji Marg & Rang Bhawan. PN Shri Arun Dada Jadhav and PC/Operator Shri Jaywant Patil of Shri Kamte also joined them. Thus they faced the terrorists who were moving on the same lane from opposite direction. In the subsequent exchange of fire these 3 senior officers and 3 policemen were killed.

3.39 Shri Arun Dada Jadhav (PN 1642), an aide to PI Shri Salaskar, who traveled in this ill-fated Qualis & was the only one to survive the terrorist attack, corroborated that the decision to go by the Qualis to intercept the terrorists from the front side of Cama Hospital entrance was sudden. Obviously they did not know that by that time the terrorists had left Cama and were in the same lane, facing them from opposite direction. Within a few meters of their entry in the lane they were ambushed by the terrorists who were hiding in front of the Corporate Bank's ATM outlet. After killing the officers and men Qualis was then taken over and driven by the terrorists past the Metro Junction firing and killing PC Shri Arun Raghunath Chitte on way and rushing towards Nariman Point area, chased by the police. They abandoned that vehicle near the Council Hall, from where they hijacked a Skoda, until they were tackled by ASI Shri Tukaram Gopal Omble and his team bravely at Chowpatty. The lone survivor in the Qualis, Jadhav, acted with exceptional presence of mind and but for his telling the getaway of the two terrorists in a Honda-City (it was actually a Skoda) the two could have merrily continued with their killing spree.

3.40 Interviews with S/Shri Shri Sachin Dadasaheb Tilekar (W/T PC and Body Guard of Shri Date) who had met the three senior officers at the gate to Cama and Shri Arun Dada Jadhav (PN 1642) revealed that it was perhaps not necessary for S/Shri Karkare and others to travel along the Prof. Bhatt Marg known also as Teyyabji lane (on which the Rang Bhawan is situated) to rescue Shri Date. According to Shri Tilekar the rear gate of Cama was broken open by somebody to allow him exit at 2345 hrs when he had come to personally report to Shri Kamte about the events inside the Cama Hospital, 6th floor. This was corroborated by Shri Jadhav too saying that Shri Salaskar took Shri Tilekar out through this gate and sent him to the hospital in a Crime Branch vehicle. Hence the posse of policemen assembled at the rear of Cama Hospital, that included one QRT unit, had the

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option to storm into Cama from the rear side. Instead the three senior officers opted to go towards the Rang Bhawan in one vehicle to confront the terrorists from the front gate.

v) **Nariman House:**

3.41 Here the situation was handled almost single handedly by Shri Issaq Ibrahim Bagwan, ACP Azad Maidan division who deserves high praise in containing the terrorists, keeping them pinned down until NSG came on 27th afternoon. He originally was to have gone to Leopold Café but found that the killing had already taken place there and police were removing the injured to the hospital. There he heard an explosion in Colaba Market area. He initially faced a problem in not being able to locate the target building since none in the locality knew anything about the significance of Nariman House. It was only after reaching the spot that he came to know that Jews were staying there. There were no policemen there from Colaba since they were busy elsewhere. After he reached there, MRA Mobile-1 came. (ASI Shri Shinde with 2 PCs with SLRs). At 2330 hrs SRP (striking mobile) came. With their help he cordoned off the area and moved out at least 300 people from the surrounding buildings. He deployed his policemen on the neighbouring buildings (Prem Court, Lalji Terrace etc) and started shooting at terrorists. Although they could not see the terrorists (since the building inside was dark) they wanted to pin them down. On 27th at about 0800 an ayah (Sandra) ran outside with a baby followed by a servant. ACP Shri Bagwan then ordered his men to fire tear gas shells into the House. The terrorists closed the curtains. Continuous exchange of fire was going on between them & terrorists till NSG came in at 1600 hrs on 28th and started their operations. NSG used the same nearby buildings which he had used. *The Committee finds that ACP Shri Bagwan had acted with great presence of mind in pinning down terrorists and saving lives almost single handed.*

(C) **Committee's Appreciation on handling:**

- i **Intelligence inputs.**
- ii **The terrorist Attack**

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3.42 Maharashtra police had not experienced a direct commando attack such as the like of 2001 Parliament attack or 2002 Akshardham temple attack. Except the 1993 serial bomb attacks through hidden timed explosive devices wherein arms, ammunitions and explosives had come through sea route, all other terrorist attacks in Mumbai city were by use of IEDs (Improvised Explosive Devices). This had led the police mindset into thinking only of stealthy bomb attacks. *Contrary to media reports, there was no specific intelligence that sea-borne terrorists would hit Hotel Taj or Oberoi.* Intelligence alerts however pointed a possibility of these two luxury hotels as well as CST likely to being targets of some terrorist violence. *There was no intelligence on the possibility of Cama Hospital and Nariman House being targets of attack.*

3.43 There were several intelligence reports beginning 7th August 2006 indicating that LeT was making preparations to infiltrate Fidayeen (Commando terrorists) into India by sea route. Six alerts were on the possibility of sea borne attack while eleven were on the possibility of multiple and simultaneous attacks and three were on the possibility of commandos attack. (Fidayeen).

3.44 Although attacks on many of the targets mentioned in some reports like BARC, Refineries, Mantralaya, Police Headquarters, BEST bus depots etc *did not* take place and also specific information on possible attacks slated to take place on 20-08-2006, 24-05-2008 and 11-08-2008 on certain targets including Taj and Oberoi hotels *did not happen*, an overall assessment of these reports would have revealed a strong indication that *some major terrorist action was being planned against Mumbai city*, had the essence of these intelligence reports been analysed.

3.45 It would however not be correct to conclude that the Mumbai/Maharashtra Police did not take such specific intelligence, as available, seriously. For example an alert dated 09/8/2008 on the possible bomb attack at various targets in South Mumbai like Taj Mahal Hotel, World Trade Centre, Oberoi Hotel etc was issued by the Jt Commissioner (L&O). It *was taken very seriously* by DCP Zone-1 and his staff. DCP Zone-1 personally visited the target areas on 11/8/2008 and issued written instructions on security measures on 12/8/2008. In fact Sr. P.I. Marine Drive Police Station informed in writing to the Security

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Manager, Oberoi regarding the measures for security and also conducted a security briefing of representatives of various hotels, malls, multiplexes etc in his jurisdiction on 12/8/2008.

3.46 Later, on receipt of IB alert dated 24/9/2008 that LeT was showing 'interest' on certain targets like Taj Mahal Palace Hotel etc another meeting was held with Taj Security Officials on 29/9/2008 by DCP Zone-1 when Shri Karam Bir Kang, General Manager was also present. The DCP Zone -1 visited the Taj Hotel again on 30/9/2008 to personally brief the security officials.

3.47 About security provided to Taj by Mumbai police, it was found that on 27/9/08 itself a guard had been placed outside Taj Mahal Hotel from the strength of Colaba police station. The DCP Zone-1 communicated in writing on 02/10/2008 to Sr. P.I. Colaba listing 26 points including closing the Northcote Gate (through which two terrorists entered the hotel after the Leopold Café massacre), having a single point entry to the Hotel, linking CCTVs of both wings and manning it 24 hours, installing and using door frame metal detectors and hand held metal detectors etc. They were also briefed on the various measures of security as in the Bombay Stock Exchange. On 16/10/2008 the Sr. P.I. sent his compliance report seriatim on all the 26 points. Vide serial number 8 of his Report, he stated that a guard 'was kept' at the entrance of the hotel which indicated that even as on 16/10/2008 the guard was present. However, the guard was in fact withdrawn by the Sr.P.I. Colaba on 13/10/2008 since the staff was required for manning bandobust at other places in view of communal riots at Dhule. Neither the DCP Zone-1 nor Additional CP, South Region was informed by the Sr. P.I. about this withdrawal. Shri Vishwas Rao, Sr. P.I. explained that the use of present tense in his report describing the guard at Taj was a language error in drafting the reply.

3.48 The Committee noted that the guard placed at the Taj of 1 HC and 2 PCs (One sniper on the terrace) was more in nature of a picket from Colaba police station strength. The strength of 1-1 used to stand just outside the main porch near the parking lot. Their instructions were to watch suspicious strangers and respond if there was an attack. In addition, Colaba-1 Mobile with one PSI and 5 men with SLRs was deployed in front of Taj

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and also a Tourist Mobile (two men with lathis) in the vicinity. Thus on 26/11 at the time when the two terrorists walked inside the Taj into the Lobby there was no guard/picket. In fact at that moment both Colaba-1 Mobile (positioned outside the Taj) and Tourist-1 Mobile (positioned around Taj to aid tourists) had moved to Leopold Café at 2150 hours. In other words there was no police presence, in front nor around Taj when two pairs of terrorists came to Taj from two different directions. According to Sr. P.I. Colaba his guard would not have been able to stop/apprehend the terrorists since they looked like any other tourists and had perhaps come in a taxi with back packs, as many tourists come. He added that withdrawal of the guard was his own decision since the policy so far was to mount guards or pickets out of police station strength and withdraw it after the occasion was over. Also, the Committee's enquiries had shown that Mumbai City policemen were not regularly given firing practice.

3.49 In an intelligence alert to DCP Zone-1 on 26/6/2008, Leopold Café was mentioned as one of the sites for attack besides High Court, DGP's Office, Department of Atomic Energy, Naval installations etc. The DCP visited the police station and instructed Sr. P.I. Colaba to take steps to remove the hawkers from in front the Leopold Café. He again visited the spot on 11/8/2008 and 24/11/2008. The Sr. P.I. informed the Committee on 11/01/2009 that he had sensitized the Restaurant owner about the threat. A letter from the owner dated 31/12/2008 was produced before the Committee that he was briefed in July 2008 itself by the police regarding the security steps to be taken by him. He also stated that he could not obtain the services of a reliable private agency for manning security in his Café. According to DCP Zone-1 as many as 92 cases against illegal hawkers were made by the local police on 24/8/2008 and 25/11/2008. Consequently he claimed that there were very few casualty of hawkers in the Leopold firing.

3.50 CST was also mentioned along with 12 other targets by Jt. C.P. (L&O) in alert dated 9/8/2008. The terrorists had entered CST at 2145 hours and started throwing hand grenades and indulging burst fire from 2155 hours onwards. After the initial shock the CST police tried to confront the terrorists with limited weaponry available but were overwhelmed by the superior fire power. They had only 9mm pistols and .303 rifles. Shri V.C. Koregaonkar, DCP Railways, (GRP) told the Committee that the quick response by

the Railway police despite heavy odds was because of the periodic drills against such possible terrorist strikes on railway targets. They have also issued detailed instructions clearly laying down what neighbouring police units should do when incidents take place in a particular place. In addition they plant dummy bombs and if these are not detected, displeasure is conveyed while if detected the police men are rewarded. Finally the railways have enlisted 13,000 educated volunteers to help security surveillance. The Committee felt that CST as a target had the advantage of immediate & proximate police presence which no other targets had on 26/11/08. But it is also a fact that sudden attack by lethal firearm such as the AK-47 and the grenade attack took RPF and GRP by surprise resulting in the carnage of innocent passengers.

3.51 The police were totally taken by surprise when Nariman House was attacked. Three intelligence alerts were received from IB regarding the possibility of Jewish targets being attacked. *However, in none of them this particular target was mentioned.* According to Shri Rajvardhan, DCP, SB-II neither his branch which is in-charge of foreigners' division, nor the local police station or for that matter even the local Israeli Consulate had any idea that there was a Jewish sect residing in Nariman House. Thus when the attack came at 2217 hours neither the local police nor the control room had any idea where this attack was taking place. The first message came around 2217 hours followed by Sr. P.I. Colaba telling the control room 2218 hours that firing was going on in Colaba Wadi. Shri Istaq Ibrahim Bhagwan, ACP Azad Maidan, a seasoned officer, while at Leopold heard a loud explosion from Colaba side. One Salim from Pasta Lane called him that it was from Panch Pairi (Five Steps). Only after reaching the spot he realised that the target of attack was Nariman House. He also did not know of Jews there. After reaching there he quickly assessed the gravity and with help of volunteers and available police, managed the situation almost single handedly till help came.

3.52 The sudden and enormity of task facing the Mumbai Police will be evident from the sequence of events. First call regarding Leopold came to the Control Room(C/R) at 2148 hours about foreigners being injured. The initial impression was that it was drug related or a gang war. At 2150 hours Tourist Mobile was shot at and at 2154 hours details of Taj firing emerged. After these there were no doubts that they were facing serial terrorist

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attacks. At 2156 hours Oberoi shooting report came and at 2159 hours CST firing was reported. Then came reports of taxis being blown up (Vile Parle at 2253 hrs; Wadi Bunder at 2156 hours).

3.53 These simultaneous incidents sparked off panic all over the city leading to 1365 calls between 2100 and 0200 hours among which 267 were terrorism related calls. (4.5 calls per minute). There were no means of knowing how many terrorists were involved since in all these cases police entered the scene well after the terrorists had carried out initial commando type action involving large scale killing. Rumours came in that 60 terrorists had entered the city. C/R was flooded by panicky calls from the out-numbered police units facing actions at different spots. For example, two calls (2240 and 2254 hours) came saying that CP's HQ was being attacked. This was due to the firing behind Police Club and Cama Hospital which is adjacent to the CP's office and had that happened, it would have been a tough situation since HQ reserve was already deployed elsewhere. Simultaneously the police casualties being shown live on the TV also affected the morale of the policemen.

3.54 The Committee was informed by Shri Rakesh Maria that overload of wireless (O/T) communication system made the officers and the Control Room deploy personal mobile phones for communication. Simultaneous attacks and calls from field units for more manpower also resulted in deployment of striking reserves in a haphazard and helter-skelter manner. Nonetheless it appears to the Committee that in general *the Mumbai Police initially responded to multi-targeted attacks efficiently, but in a manner that they usually respond to a law and order situation.*

3.55 Initial response from the police stations, striking mobiles and senior officers was quite prompt as evident from the C/R logs. But they were handicapped since by the time the police had reached the spots the terrorists (except in CST) had already moved to vantage spots by positioning themselves on higher levels after the initial killings from where they could fire upon and lob grenades at the approaching police parties, who lacked stealth tactics of commandos to counter them. It is a fact that many of the police mobile vehicles were equipped with only riot gear of lathis, gas guns and .303 rifles which were no

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match to the superior fire power of the terrorists who carried AK-47 assault rifles, pistols, hand grenades, bags of 8KGs of RDX, sophisticated cell phone with headphone, commando wear clothing etc. On the other hand the policemen were in the usual law & order uniform mostly equipped to perform normal policing duties. This was confirmed by Shri Rahul Kadam, F&B Manager Khandhahar, Oberoi who actually came face to face with two terrorists with a glass door in between. He said that some policemen had rushed with only lathis to face the terrorists.

3.56 Mumbai Police did not have adequate protective gear like good bullet proof vests or anything to withstand grenade attacks. Consequently, PSI Shri Prakash Pandurang More (LT Marg) who was with Shri Sadanand Date died almost instantly in the grenade blast in Cama Hospital. Shri Rajvardhan who had worked in Naxalite areas for long said that the terrorists were adopting the usual commando tactics of "area clearing" by throwing grenades. The local police were not able to counter them as the NSG did by using grenade launchers. *In the circumstances one must admire courage of officers and men - some may consider thoughtless - to launch themselves into situations that were hopeless and knowing that they may be killed. Supreme instance of that was the way ASI Shri Omble tackled two terrorists in Skoda at the Chowpatty. The Committee notes with special admiration that PN Shri Arun Dada Jadhav, who lay injured in the Qualis showed clever ingenuity in feigning to be dead. But for his prompt conveying information of the two terrorist escaping in a car from Vidhan Bhawan area, perhaps they could not have been tackled at the Chowpatty. His role has not been adequately recognized.*

3.57 QRT (Quick Response Teams) were created specially to handle/deal with the situation. This force of 8 officers and 48 men was created in 2003. These selected men are posted for a period of 3-4 years in QRT but none above 35 years of age are retained. They work in two shifts - 4 officers and 24 men - and ready to move as a team of 1 officer-12 men at any given time. They are required to be constantly on training and do firing every four days.

3.58 According to Shri A. N. Roy (DGP Maharashtra) initially one QRT team could have been marshaled in 10 minutes while others could have been brought in within 40

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minutes. *However he felt that QRTs were not used for the purpose they were created for and were split into small groups/ units.*

3.59 Deployment in smaller groups was confirmed by Shri Param Bir Singh, Additional Commissioner, ATS. According to him QRT was not effective in making an assault in Taj and Oberoi since they were split in small units. It is not known how these were split into smaller units.

3.60 On 26/11/2008 QRT was deployed in four teams. Two officers and 8 men at CST, Two Officers and 9 men at Cama, Only 6 men at Taj and two officers and 9 men at Oberoi. Two QRT men were escorting Shri Karkare along with SPU (Special Protection Unit) escort as he was given Z Category Protection – the highest level. Since the vehicle of Shri Karkare was stranded at Haj House due to traffic hold up the SPU officer and constable along with two QRT men accompanied Shri Karkare on foot. They however did not accompany him when he finally left by the ill fated Qualis towards the Rang Bhawan.

3.61 The Committee was briefed that the QRT was trained by State Reserve Police Force (SRPF) in commando course in Pune for 1½ months and three months by NSG at Manesar. *However no actual simulated training in facing terrorist attacks and hostage rescue was given at Manesar. Since September 27, 2007 no firing practice was done due to shortage of practice ammunition.* The 'battle dress' worn by them consists of bullet proof jackets, which protects vital organs from rifle rounds and also from grenades splinters. ATS however said that *this is not total protection from grenade blast.* On 17/2/2009 they sent photographs of QRT men in battle dress but stated that they had only 24 bullet proof helmets (Level III A) for a strength of 8 officers and 48 men.

3.62 The Committee consulted some experts on the quality of training imparted to the QRT. One expert who has long experience in raising & training such commando units for the Indian Army and Special Forces (who did not want to be identified) said that the organizational structure and training curriculum of QRT were totally inadequate. To begin with it was wrong to split QRT units into 1-12 which is too big for such type of assaults. An ideal assault unit should not be more than 1-5. Anything more will dilute command, proximate communication and immediate control which is vital for commando tactics. He

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said QRT could have several of these 1-5 units to mount an operation. He also said that the NSG training for 3 months for QRT is inadequate to psychologically orient civil police into commando tactics since the basic philosophy of civil police is totally different from armed commandos. Anything less than 1 year is inadequate. He volunteered to give a training schedule which is forwarded separately to the government as a classified document.

3.63 ATS informed that QRT performed duties as following on 26/11:

- a) CST and Cama: PSI Shri Pradeep D. Kerkar and team reached CST at 2240 hours, searched the premises but went towards Cama since terrorists were hiding in the vicinity. They divided into two teams and started combing operations. They saw a police vehicle (Qualis) speedily coming towards them and someone inside firing at them. In retaliation PSI Shri Kerkar fired 7 rounds from his AK-47. One QRT Commando Shri Vhahande sustained bullet injuries. Seeing that the terrorists had gone towards Vidhan Bhavan PSI Kerkar and three men rushed that side in a police vehicle. However, he also received information that QRT was required at Oberoi and hence came back to Cama hospital to collect remaining QRT staff. There he came to know about the three injured senior officers at Rang Bhavan Marg and saw them lying on the road. They were admitted in different hospitals.
- b) Earlier, at 2330 hours another team led by PSI Kumbhar, PSI Mahajan and 9 men left for Cama hospital from Bhoiwada office. They divided themselves into three groups to carry out search operations to trace the two missing terrorists who had escaped from CST.
- c) Oberoi: PSI Shri Gaikwad and two men reported to Shri Karegaonkar, Additional CP (Protection) and entered Hotel Trident lobby. There they were joined PSI Shri Vasave and his team and all of them went to first floor swimming pool and rescued 11 persons. It may be mentioned that PSI Vasave had reached Trident at 2245 hours on being summoned by the Commissioner of Police. Meanwhile another team under PSI Shri Sunil P. Balshetwad and PSI Shri Kerkar reported to Additional CP, ATS Shri Param Bir Singh. PSI Gaikwad and PSI Kerkar with their

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men along with ATS Officers PI Shri Arvind Sawant and PSI Shri Sachin Kadam entered Oberoi from NCPA side along with Security officer, Shri Nagmote. They could go only upto **Khandhahar** Restaurant because of grenades and firing. Later PSI Shri Kerkar and his team accompanied Shri Param Bir Singh and tried to enter Oberoi from Fire Exits but *found the way blocked on 7th floor as the passage was lined with pipes and machines*. During this period Shri Singh fired 5 rounds from his pistol while PSI Kerkar fired three rounds from his AK-47 to draw fire from terrorists in order to judge their locations but due to pitch darkness and smoke everywhere nothing could be seen. On arrival of MARCOS, QRT men were asked to withdraw to prevent cross firing. Thereafter PSI Gaikwad and PSI Kerkar sealed all exit gates with their men. On arrival of NSG, one QRT commando Shri Sachin Patel was asked to assist them. He also escorted 16 hostages to safety during this period. The QRT took up position along with ATS Officers Wakurdekar and Ghag in NCPA (11th and 13th floors) building along with NSG Commandos and retaliated when terrorists fired at them. Shri Param Bir Singh was present and led the operation.

d) Taj: Six QRT men assisted the city police and ATS in rescue operations. They could not achieve much since they had none to lead them by way of immediate command.

3.64 The Committee after a *Study of control room logs found that QRT teams were summoned at different locations as an emergency strike force based on situations assessed by local commanders and thereby got themselves divided into various small groups which went against the basic principle of commando teams which work as composite units with their own command & control. QRT lost its punch because of this.*

3.65 Another Anti terrorist weapon in the hands of Mumbai police (ATS) is the 'Assault Mobiles' located at 7 vital spots in the city. These are teams each of one PSI, and five men armed with one 9 mm pistol, one AK-47, one SLR and one Carbine with adequate ammunition. They also have six bullet proof jackets. ATS informed us on 17/2/2009 that these policemen are given 'all weapons' training for a period of seven days, given practice

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of dismantling and handling of weapons and given simulator firing practice once in a month. They wear regular Mumbai police uniform and posted for a period of one year only in 'assault mobiles'. *In other words these men are nothing more than the armed police who cannot be effective in dealing with live terrorist situation as on 26/11/2008.*

3.66 The Committee's enquiries revealed that another set of commandos was trained early in the 1990s originally for anti terrorist operations and for crime control. This unit is now called SOS (Special Operations Squad) attached to the Detection of Crime Branch, CID, Mumbai and comprises 15 officers, 22 men and 4 drivers. Each officer/man carries either an AK-47 rifle or SLR or pistol each. However, this strength is not used for assault purposes but perhaps only to give protection to the investigating or raiding officers. On 26/11/2008 the officers and men of SOS were deployed at Cama Hospital, Taj Mahal and Oberoi Hotels. Some of them were also deployed at the Bomb explosion site at Vile Parle and Byculla. They were also present when Crime Branch teams carried out intensive search of four hotels in Colaba area after receiving real term intelligence from Intelligence Bureau during the attacks.

3.67 **Command and Control :** The Standard Operating Practice (SOP) in case of bomb blast/terrorist strike sent to us by CP lays down that the Jt. C.P.(L&O) will head the Crisis Management Command and be in charge of all control rooms. Jt. C.P. (Crime) would work in close association with Jt. CP (ATS). *These instructions were not followed on 26/11/2008.* Both Jt CPs, L&O and Crime, were in the control room initially. It was only at about 0210 hrs Jt. CP (L&O) left for Taj to take charge of the situation on a suggestion by the DGP. Some retired Commissioners of Police felt that Jt. C.P. (L&O) being in charge of all the operational units in the city would have been a better choice to head the control room since he knew his officers and men better than others. The C.P. told the Committee that he had detailed four senior officers at different locations (Shri Rakesh Maria, JCP (Crime) at Control Room, Shri Sanjay Barve, JCP (Traffic) at Oberoi, Shri B.D. More, Jt. CP (Administration) at Nariman House and Shri K.L Prasad, Jt. CP (L&O) at Taj. However, Shri Prasad told the Committee that he was not instructed by the CP to go to Taj although he knew that he was in Control Room where he was busy coordinating things with MHA etc by making 60 important calls of which 6 were for requisitioning

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Army etc. (He had spoken to the CP at 2159). He said that it was the DGP A. N. Roy who suggested that two senior officers need not be in C/R and that he should go to Taj to help DCP Z-1 whereupon he went to Taj reaching there at 0210 hours. Shri B.D. More reached Nariman House only after 0330 hours. Shri Hemant Nagarale, Director (Vigilance and Security), MSEDCL, an officer of the rank of IGP went to Leopold and Taj on his own. According to him the cordon around Taj was not properly laid out despite the best of his persuasive ability. In any case, not being in uniform, he did not have an official role on that day and had volunteered to go to help the local police. While senior officers like DCP Zone-1, Shri Nangre Patil and DCP SB-2, Shri Rajvardhan were busy battling the terrorists inside the Taj, there appeared no senior officer to marshal the forces outside the Taj, to lay adequate cordon, positioning the fire tenders etc till Shri Prasad reached there. In the absence of a senior officer to be in charge of the command and control, the situation was left to the care of Senior P.I. Colaba, who had three situations to handle (Leopold Café, Taj and Nariman House). Shri Prasad himself felt that the Crisis Management Group should have been immediately called after knowing that it was a terrorist strike to allocate duties among senior officers and nominate incident commanders for each active centre.

3.68 Shri Hasan Gafoor, Commissioner of Police, told the Committee that he located his operational control centre near Trident towards Air India Side. From there he started giving operational instructions to all his forces. Some retired Commissioners of Police told the Committee that CP, after an initial round of the action spots, should have remained in the control room (Command Centre) from where he could have had a better feel of developing situations at several sites around the city and assess them better rather than remaining at one spot even though communications are available to contact anybody from anywhere in the city. If need be he could have visited different spots to motivate his forces. Instead he remained only at one spot at Trident although more serious incidents were happening in Taj and Cama Hospital.

3.69 Shri Rakesh Maria, who was in charge of Control Room, told the Committee that it was a difficult decision for the Commissioner whether to be seen in public, handling a situation, or to be closeted in the Control Room where he would have been accused of shielding himself from the public eye. Shri Rakesh Maria himself was uncomfortable in

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being confined to the C/R, whereas he felt that his real role should have been outside doing investigations.

3.70.1 *The Committee is of the view that on occasion of a crisis, such as the Mumbai faced that the C.P. should have been in the Command Centre in the Control Room which might have helped in preventing duplication of efforts by different police units.*

3.70.2. Also, carefully prepared SOPs that draw upon experience and lessons from past, should not be overlooked in crisis management. If each top officer, such as the CP or the DGP treats SOPs in cavalier manner, why have the SOPs at all? In fact, the Committee with long standing experience of its members finds that in our administrative system, individual officers have increasingly taken liberty with established procedures.

3.71 In fact one of the important lessons of 26/11, is not to tamper on the spur of the moment with the system as such by taking instinctive decisions, but to do Crisis Management as a team. The police can inspire confidence in public if they - in particular senior most officers - in times of emergency, present themselves as an united team, doing their best under situations of stress and strain that they had to face. Also, while the media was reporting on the basis of its teams in Mumbai on different sites, there was hardly any systematic briefing either by the police or by Mantralaya. In the evolving situations at different venues, it is only the Control Room that had more fuller information. CP as head of the Crisis Management or a designated spoke- person at the Police HQ ought to have performed that task.

3.72 The Committee is conscious that in the first one hour after the beginning of different attacks the situation was a confusing one. Also, it was somewhat panicky. But that by it self suggests that the CP should have taken command. *More important he ought to have presented himself as taking command.* That was a serious lapse as much of individuals as of the system in place.

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(D) Systemic failures:

3.73 One must draw on experience of others who may have faced similar attacks and drawn certain lessons. 9/11 Congressional Commission found that the biggest failure in USA was not merely absence of intelligence coordination but failure in aligning the thinking among different police units on how to tackle a terrorist attack. They felt that different organs fighting terrorism both in collecting intelligence and in executing counter terrorist measures *have to have common thinking to have an integrated approach*. They found that intelligence prior to 9/11 was one sided with the consumers not being able to have a dialogue with those producing intelligence. They felt that an intelligence arbitration has to be two way. With this end in view the Department of Home Land Security (DHS) created several intelligence Fusion centres where the intelligence producers and the executing wings like State police, Port and Transportation Security (in-charge of Aviation Security) etc take part in constant dialogue on the likely terrorist threats based on available intelligence. This has worked well in that country.

3.74 Shri K.L.Prasad JC(L&O) had said that he had been addressing officers on new features of terrorism. However it was not clear whether effective efforts were taken in Mumbai city to sensitize them on the likely new features of terrorist threats as conveyed through a large number of terrorist alerts from 2006 onwards. The operational units should have been sensitized on the change in the nature of such threats having regard to the repeated warnings of a sea-borne attack, Fidayeen assault with firing and grenade attacks and be mentally prepared for such eventuality. A former Commissioner of Police has said that such intelligence alerts should have been conveyed to the operational units in the form of frequent workshops asking them to probe further by utilizing their local contacts or by raising new sources especially near the sea front like Machimar Nagar. Instead the alert level seems to have been lowered after certain period or when an anticipated threat did not materialise. None in Colaba police station or for that matter SB-II knew about the existence of a Jewish settlement in Nariman House. Had the operational units been sensitized about the known prejudices of such terrorist groups against Jewish groups, perhaps the threat could have been better handled.

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3.75 The Committee has noted that there is a tendency on the part of uniformed police to depend entirely on outside inputs for terrorism related intelligence. As a matter of fact the local police themselves are in a better position to collect local intelligence since they are in daily touch with their area. Beat system, if properly followed may give them better intelligence. In addition the City Special Branch should have monitored daily press clippings to extract intelligence from open sources. *For example the local press had highlighted a suspicious activity of the Coast Guards apprehending a boat from Pakistan steering towards Mumbai in March 2007. Later two Pakistani LeT terrorists (Abdul Majeed and Mohammad Jamal) who were arrested in Rajauri told the local police that 8 militants had almost reached Mumbai in March 2007 but were let off by Coast Guards. They were later arrested by Rajauri police. This incident itself would have proved that warnings of sea borne attack were real.*

3.76 Several such terrorist incidents involving hotels were reported in the press in the past. For example the "Serena Hotel" in Kabul was attacked by the Taliban on Jan 14, 2008 almost in a similar fashion resulting in 6 deaths. [The hotel also housed the Austrian Embassy]. The Marriot attack in Islamabad in September 2008 was also reported widely in Indian press. *Had such activities been monitored by local Special Branch and their features studied carefully, a further indication would have been available for the City Police which would have confirmed earlier intelligence alerts.* In fact New York Police Department (NYPD) has its own terrorism intelligence wing and does not only depend upon FBI or federal intelligence. "Open Source Intelligence" acts as a valuable input for further tactical action and for drawing lessons.

3.77 *As in the case of Taj, the decision to withdraw security was taken at the Senior PI level who acted on the compulsions of staff needed for other locations. It is true, as remarked by Additional Chief Secretary, Home, that no police system can independently keep police guards at all places covered by earlier intelligence alerts. However, the decision to withdraw a guard placed after a specific IB alert should have been taken at a higher level rather than leaving it to discretion of the Senior P.I. of a police station. In fact the surveillance, in and around Taj should have been re-enforced to make sure that the*

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terrorists do not enter as casual visitors. One picket near the porch can not serve that purpose.

3.78 At the same time the Committee is constrained to observe that *the Taj and Oberoi management did not implement certain important security advice given by DCP Zone-1 during the security audit visits.* The Committee feels that the management should have been requested in writing to place this on record, just as the Sr. P.I. Marine Drive had written a letter to the Security in-charge, Oberoi on 9/8/2008. *It needs to be pointed out that in other countries large hotels do not depend upon police intelligence inputs to beef up their security.* For example, American Hotel & Lodging Association (AH&LA) has their own agency to watch security issues affecting their 10,000 members. Marriot hotel Chain uses a colour code (Blue, Amber & Red) to heighten/downgrade security arrangements. Marriot Hotel, Islamabad had 196 security officers (60 at a time) when the attack came on September 20, 2008. They had beefed up their security worldwide since the attack in Jakarta on Marriot Hotel in August 2003. Because of this the death toll on September 20, 2008 in Islamabad was much less. *On the same analogy, had both Taj Palace and Oberoi management strengthened their security even by way of numbers after Police alerted them in August 2008 it would have been possible to do a better job of life saving and security liaison with the Police, Naval commandos or NSG.* Naval authorities had specifically mentioned that their operations in Oberoi were hampered by the non-availability of layout plans or any assistance from the staff who appeared to be far few in number. We suggest that major hotels in Mumbai – especially hotels with large foreign national clientele – should consider setting up such procedures. Mumbai Police should be equipped to advise them.

3.79 Drawing lessons on a continuing basis from experience is important in present threat scenario. *Joint CP (L&O) Shri K.L. Prasad, told the Committee that after 26/11/2008 all officers were asked to give in writing what they felt should have been done to meet the situation better but that no formal de-briefing session was held after such a serious incident as 26/11/2008 by the Commissioner of Police to make an assessment of what went wrong and how to improve the systems.* Shri Param Bir Singh, Addl.CP(ATS) also said that ATS was not called by the CP for any debriefing. A de-briefing and post

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event assessment is held not to apportion blame but to make systemic improvement. This should have been done.

3.80 Shri Raghuvanshi, Additional DGP, in-charge of ATS also, however, told the Committee that he had individually questioned QRT men on what went wrong. They told him that there was *none* to lead them in Taj & in Oberoi where they had gone up to 9th floor.

3.81 *Despite receiving as many as six alerts about the sea route likely to be used by terrorists, no significant steps had been taken by the State Government to beef up coastal security by having regular interaction with the Coast Guards. It was well known that the patch work joint patrolling started from 1993 had not worked. Nothing other than convening meetings seems to have been achieved as evident from the information given by the DGP Maharashtra.*

3.82 *The Committee found that arrangements for monitoring security along the coast continues to face several impediments despite some decisions at higher levels of the Government of India and the Maharashtra authorities. The difficulties of coastal patrolling requires serious attention as Maharashtra has a coastline of over 720 kms and Mumbai is an island surrounded by sea and densely forested creeks. The Committee is of view that present arrangements are of a cosmetic nature. This observation is based on assessment made by officers in the field, who may have to face consequences of lapses, if any, in future.*

3.83 The DGP has briefed the Committee with detailed information how red tape has held up many police modernization plans as well as purchase of arms & ammunition. He said that the GRs approving the purchases under Modernization programme are usually issued in November/December each year after which other formalities have to be completed. This becomes difficult. The DGP has stated that the purchase involves a lengthy procedure of 13 stages. There are other difficulties like absence of approved testing laboratories, non-availability of special equipments in the market which have to be manufactured or imported, delay in getting abstract bill permission from Govt., etc. There is need to simplify the purchase procedure and delegation of powers. Another suggestion is

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to constitute an "Empowered Committee" to clear all pending proposals rather than following the tortuous paper trail. Government in HD in their letter dated April 6 has also given details of procedure in regard to non-plan and plan provision as well as Modernization Programme of Govt. of India. They have not commented whether this entails any delay.

3.84 Availability of arms and ammunition for Maharashtra Police is a serious problem. It was already mentioned that QRT could not do any firing since September 2007 due to shortage of ammunition although they are to firing practice every 4th day according to DGP Sri A.N.Roy. The Committee found several reasons for this situation. The basic weapons for District Police(Including city police) for law & order duties used to be .410 musket while for SRPF it was .303 rifle. Now Indian ordnance factories have stopped making them. The Draft Weapon Policy of changing this into 7.62 SLR for law & order situations, 5.56 Insas Rifles, AK-47 rifles, 9mm carbines and 7.62 SLRs for Naxal areas, terrorist operations etc was drafted and submitted to the Government. Govt. approved this in principle on 30.06.2008. Due to delay in approving the Draft Weapon Policy the cost which was Rs. 168 crores in 2007 has gone up to Rs.210 crores. Meanwhile the yearly requirement shot up with the induction of 33,000 posts in 2005 out of 55,000 created to partly fulfill the shortage of manpower according to 1960 yardstick. Prices also have shot up. Due to shortage of funds only Rs.15 crores were sanctioned during the last 5 years against a demand of Rs.66.14 crores. This has created serious shortage of arms and ammunition for Maharashtra Police. However, Government in the Home Department has informed the Committee on 6-04-09 that the draft weapons policy which was submitted by DGP on 20-12-2007 was not approved due to the difference between the said proposal and subsequent proposal submitted on 07-06-2008. However Govt. approved it "In principle" on 30-06-2008. The Committee however feels that this issue needs to be sorted out urgently rather than prolonging the correspondence.

3.85 *The order of the former Dy. Chief Minister(GR PEQ 012000/PC/CR-15/POL-4 dated 29.05.2000) in getting vendor approval for all police purchases above Rs.25 lakhs even after regular sanctions are received has created a bottle-neck in modernizing the*

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police forces and their equipment. Government may consider substantially increasing the limit and also giving the responsibility to an Empowered committee.

3.86 The DGP has said that lack of firing practice due to shortage of ammunition has created serious disability in the offensive capability of the police. For example, the last supply of AK-47 rounds was 45,000 received in 2005. After 2006 December no ammunition has been received. However the Home Department statement received on April 6, 2009 has said that a quantity of 1,00,000 AK-47 rounds was received on 2.12.2005 as against indent of 2 lakhs for 2005-06. The same statement has said that a quantity of 1,65,810 was received on 24.11.2006 and 04.07.2007 against a demand of 2 lakhs for 2006-07. For 2008-09 a demand of 16,16,160 was made but only 38,195 were approved which was not received as on April 6, 2009. The Committee is unable to reconcile the differences in the reports between DGP and HD and would urge quick resolution of this problem so that supply would reach the police units concerned.

3.87 The Committee was informed by the DGP that Maharashtra police needs Rs. 65 crores worth of ammunition, in case each policeman has to fire a mandatory 40 rounds each year. But for the last five years they are getting each year only Rs 3 crores. The available ammunition is required to be allotted on priority to the Naxal affected areas, special commandos etc. Hence no ammunition for firing practice was available. The quality and upkeep of equipment must be periodically checked/assessed. It is to be mentioned that the pistol used by Shri Sadanand Date, Additional Commissioner, Central Region did not fire when he was confronting the terrorists on 6th floor Cama Hospital. He was facing certain death but perhaps escaped as the terrorists thought that he was dead. The Home Department in their report dated April 7 has admitted several cases of less purchases due to shortage of funds. There are also several cases of grants totaling Rs.48,662,000 lapsing for 2006-07 due to inability in purchasing before 31.03.2007 (Glock 19C, Glock 26C, 7.62 SLR ammunition, 303 ball ammunition, 7.82 belted ammunition, 9mm Ball ammunition, 7.62 MM AK 47 ammunition & 7.52 SLR magazine). The red tape in procedure mentioned by the DGP may perhaps be responsible for this situation.

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3.88 The Commissioner of Police has brought to the Committee's attention that the Mumbai Police has an acute shortage of automatic weapons and ammunitions besides inadequate bullet proof jackets. Likewise they face lack modern communication equipment/systems while facing a serious situation such as 26/11 when all the communication channels had got clogged.

3.89 In order to get a feel of police preparedness in case of attack in Pune that has a number of highly sensitive and strategic possible targets the Committee visited that city on Jan 30, 2009. We were aghast to find that they were ill-equipped and had very little perception of new threats faced by the country, although there were some officers who had worked in Naxalite/ terrorist active areas. We were shown a bullet proof jacket of 1993 vintage, weighing about 10/12 kg. How can any one resist terrorists with such heavy weight on ones shoulders?. Agility with which the terrorists moved about and operated their weapons holds many lessons. Mumbai/ Maharashtra police must be provided equipment and means to challenge any attacks in future.

3.90 The Committee found total confusion in the processing of intelligence alerts at the level of State Government and Police. Both Addl.CS (Home) and Principal Secretary (Home) gave in writing to the Committee that they had not received any intelligence alerts from MHA. However the DGP had furnished copies of several important intelligence alerts issued by MHA addressed to the Chief Secretary, Home Secretary etc. During our interviews this was pointed out to them.

3.91 Later, Principal Secretary (Home) furnished copies of some circulars issued by Desk Officer, Home Department to all concerned on some such alerts between the period February-July, 2008. The Committee was told that under the "Desk Officer" system such circulars are directly received and processed by the concerned Desk officer who may or not keep the higher officials informed. This is a shocking revelation of working of a system that does not enable the senior-most officials in Mantralaya to keep themselves briefed on the intelligence front. This state of affairs is not desirable having regard to Section 4 of the Bombay Police Act 1951 which makes it mandatory for the Home Department to exercise superintendence of the police force throughout the State. Officers holding positions such as

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the Addl CS-Home or Secretary L&O Home (who is normally a senior IPS Officer) can not perform merely secretarial work of handling paper work but must take active interest in keeping under constant watch the security scenario and requirements of police to face operational situations, not only in Mumbai city but in other sensitive urban/ rural places in Maharashtra. These are not difficult to identify.

3.92 We are aware that over a period of years the police hierarchy and the one in Mantralaya have evolved their working in a way different from that envisaged by the Act. Answer to that is to radically transform management of police, as recommended by the National Police Commission over three decades back. Otherwise the political system, as has happened after 26/11, has to pay price. The officers can certainly not escape responsibility cast upon them by legislation. The least that they should attempt, in the interest of the people, is to work out co-operative administrative ways of functioning, for which Maharashtra bureaucracy as well as the political system had a well earned reputation.

3.93 The Committee has noted that the structure of ATS and its command and control has created confusion. ATS was originally created on 8th July 2004 as part of the Mumbai city police with a strength of one IGP, two DIGs (Additional Commissioners of Police), two SPs, eight inspectors, 8 APIs and some clerical staff. In the same GR it was said that one DIG will look after the work in Mumbai city while the other will be for the rest of Maharashtra. Although it was stated that ATS would be finally under the control of the DGP(Maharashtra) it was laid down that the IGP will report to the DGP through the CP, Mumbai. The work of ATS outside Mumbai will be supervised by Commissioner (SID). It was further stated that DGP will exercise supervision over ATS through the CP, Mumbai and Commissioner(SID). Finally it was stated that DGP will take into account Commissioner(SID)'s views while assessing the work of IGP(ATS). There is some confusion regarding who at a higher level supervises the "Outside Mumbai" in the DGP's HQ. Shri D. Sivanandan, Commissioner, State Intelligence Division (SID) told the Committee that although the outside wing was supposed to report to him, an executive order was passed by a former DGP, to put this squad under the Additional DG (L&O), Maharashtra State. This is yet another instance of individuals over riding the system.

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Government must insist that no official, however high should change decisions taken in larger interest, to suit individual predilections.

3.94 The Committee found that this **dual control** of the ATS was not working well. DGP, Shri A.N. Roy, told the Committee that he had proposed to the Government to restructure the ATS under an Additional DGP and upgrade its technical and research capability. We have had no opportunity to study the proposal as we were told that those had been approved, in principle, by the Government like many other proposals in wake of 26/11.

3.95 The Committee would suggest that this matter ought be handled in a way that what is available today is not weakened, if not destroyed. Presently QRT and Assault Teams are under the City Wing of the ATS. If these units (which are in fact the only reasonably equipped striking forces available for the city police) are removed from the control of the Commissioner of Police, it would severely impair ability of immediate response to any future terrorist attacks by Mumbai police. Perhaps the alternative is to create such teams specifically for stationing outside Mumbai and place them at the head quarters of the cities with Commissioners of Police. Their command and control set up can be worked by the DGP. What is most important is to equip, train and keep them on toes all time to respond to emergencies and not treat as decorative units, as was done in case of Mumbai. *As noted by the Committee such specialized units should not be broken up and deployed at the whim of individual officers. That is an important lesson of 26/11.*

3.96 There is yet another instance of a force created to face serious incidents, but not utilized. Shri R.H. Mendonca former CP Mumbai and Shri D. Sivanandan had told the Committee that in the 1990s Special Motor Cycle borne commandos in 'buddy pairs' were raised and trained to deal with violent under world crimes and for immediate response to terrorist strikes within the city. Both said that this system of commandos fell into disuse after a certain period. Government, vide the G.R. dated 11/2/2000, had created 100 flying squads of two commandos each, for all the Commissionarates in the State. C.P. Mumbai was allotted 46 flying squads, that is 92 policemen with 40 motor cycles. On 31/3/2006 the C.P. Mumbai re-fixed its strength as 75 policemen with 30 motor cycles. They were

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trained for three months in Karate, handling of wireless sets, rescue of captives, handling of weapons like AK-47, SLR, Carbines, 9 mm pistols etc. The Committee was informed that presently 58 commandos are working under Assistant Commissioner of Police, Armed Police, Marol. Out of these commandos, 4 are deployed at the office of DGP, 6 at CP's Office, 12 at Haji Ali Dargha, 12 at Sidhivinayak temple while 2 commandos are engaged with sports activities. Out of the remaining 22, only 10 to 15 are available at Marol for any emergency duty, considering leave, sickness etc. Committee was told that the tendency not to carry forward resources originally created by the Government for specific purposes was one of the reasons for the failure of Mumbai police on 26/11. *The Committee did not find that this force was used at any place for countering the terrorist attack.*

3.97 Another glaring systemic loop hole was observed in the way intelligence from central agencies is processed at the State level in the DGP's establishment. Shri D. Sivanandan, told the Committee that despite he being the nodal authority on intelligence in the State, all central intelligence alerts come first to DGP/CP with no copy marked to him. He comes to know of such alerts only if DGP marks a copy to him. Even proceedings of MAC were not marked to him. The SID under him was not aware of any intelligence alert on terrorism prior to 26/11/2008. After 26/11/2008, copies of intelligence alerts are being marked to him. He felt that IB and RAW should be informed that the Commissioner, SID, is the nodal officer for intelligence in the State. He also felt that intelligence should be integrated. This is an important matter which needs immediate attention.

3.98 The Committee also found that Security Intelligence especially on terrorism in Mumbai City is handled by several officials: ATS, Additional Commissioner (Special Branch) and Additional Commissioner (Protection). How to bring about co-ordination and cohesion in their working ought to be carefully examined by CP with involvement of all concerned officials. We strongly advise that systems once placed should not be tampered by successors, as that seems to be one of the reasons, why in case of real emergency the instruments can not be used. Revisions are necessary but these should be done after careful study and involvement all concerned and not on whims of individuals.

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3. 99 Another important point is about priority of security duties in Mumbai city visa-vis normal policing. Shri K.L. Prasad, Jt. Commissioner (L&O) told the Committee that out of 40,000 odd policemen nearly 16,000/17,000 are for special duties like security, traffic, special branches etc leaving only 24,000 men for normal police station duties. Since they work in two shifts, only 12,000 men are available for crime and law and order duties. At any given time nearly 2,000 men are on weekly off, sick, leave etc. That leaves only about 100 policemen per police station who have to cater to 4 mobile, 4 motor cycles (Beat Marshals) and fixed point duties after every major incident, public relations duties like Mohalla Committees, Citizens Group etc. Vacancy position of APIs is 35%. Every police station is less by 10 officers. Police pickets are mounted at 86 places after 26/11/2008. Because of this no worthwhile investigation work is done at police stations. We were informed that after 26/11 the Government is considering this situation seriously. Recruitment and training require time and money. However this is unavoidable in the present and prospective threat.

R.D.Pradhan

Chairman

Mumbai, April 18, 2009

V.Balachandran

Member

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APPENDIX-1

List of Officials Interviewed

<u>Date</u>	<u>Persons examined</u>	<u>Site visited</u>
Jan 6		Leopold Café, Taj, & Nariman House
Jan 7		Oberoi/Trident, CST, Cama & Council Hall
Jan 19	1. Shri Vishwas Nagre Patil, DCP-Z-1, 2. Shri Raj Bhatt, PI, Cuffe Parade P.Stn	
Jan 20	3. Dr.K.Venkatesham, Addl.CP(South), 4. Shri Amrute, Sr.PI Marine Drive 5. Shri B.K.Bansode, PI, Marine Drive	
Jan 22	6. Shri Param Bir Singh, Addl.CP(ATS) 7. Shri V.Kargaonkar, Addl.CP(Protection) 8. Shri A.B.Sawant, PI,ATS 9. Shri Sadanand Date, Addl.CP(Central) 10. Shri Vishwas Rao, Sr.PI, Colaba	
Jan 23	11. Shri Sanjay Mohite, DCP-Z-2 12. Shri S.A.Bhambre, ACP, Pydhonie 13. Shri V.Kargaonkar, Addl.CP(Protection)	Visited ATS (Jan 23) Visited Oberoi (Jan 24)
Jan 27	14. Shri K.L.Prasad, Joint CP(L&O) 15. Shri Hasan Gafoor, CP	
Jan 28	16. Shri A.N.Roy, DGP 17. Shri S.P.Babar, Sr.PI, D.B.Marg 18. Shri Y.S.Thorawade, PI, Azad Maidan 19. Shri B.V.Parab, PI, Crime Branch	
Jan 29	20. Shri Rakesh Maria, Joint CP(Crime)	Visited Pune on Jan 30 th
Feb 2	21. Shri Deven Bharti, Addl.CP(Crime) 22. Shri I.I.Bagwan, ACP, Azad Maidan	
Feb 3	23. Shri Hemant Nagrale, Director(V), MSEDCL 24. Shri V.C.Koregaonkar, DCP(Rlwys) 25. Shri Maruti M.Phad, Driver	
Feb 10	26. Shri Rajwardhan, DCP, SB-II 27. Shri B.D.More, Joint CP(Admn) 28. Shri Sachin Tilekar, WT/PC of Shri Date 29. Shri Sukhwinder Singh, Addl.CP(ATS)	
Feb 11	30. Shri Arun Dada Jadhav(PN 1642)	
Feb 13	31. Shri Sanjay Barve, Joint CP(Traffic) 32. Shri P.V.Pawar, API, Cuffe Parade 33. Shri H.A.Bavdhankar, API, DB Marg	

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	34. Shri S.V.Bhalekar, PSI, Crime Branch 35. Shri R.G.Kamble, PSI, Cuffe Parade	
Feb 14	36. Ms.Chitkala Zutshi, Addl.CS(Home) 37. Shri A.V.Parasnis, Principal Scy.(H) 38. Shri D.H.Shinde, PI Cuffe Parade	
Feb 16	39. Shri D.Sivanandhan, Commissioner(SID) 40. Shri Madhukar Kohe, DCP(Port)	
Feb 16		Oberoi visit(afternoon)
Feb 17		Taj Visit (Evening)
Feb 18	41. Shri R.H.Mendonca, Former CP 42. Shri J.F.Ribeiro, Former DGP	
Feb 19	43. Shri Premkumar, Former CS 44. Shri Vasant Deshmukh, Former Addl.DGP State Int. Department 45. Shri Satish Sahney, Former CP	
Feb 21	46. Shri K.P.Raghuvanshi, Addl.DGP(Rlwys) 47. Shri Param Bir Singh, Addl.CP(ATS) 48. Shri B.D.More, Joint CP(Admn)	
Mar 2	49. Shri Rakesh Maria, Jt C.P. (Crime)	
Mar 25	50. Shri Johny Joseph, Chief Secretary	
Mar 26	51. Shri Dhanraj Vanjari, Sr. P.I. Cuffe Parade Police Station 52. Smt. Chitkala Zutshi, Addl. CS (Home)	
April 6	53. Shri Vishwas Nagre Patil, DCP-Zone -1 54. Col. (Retd.) M.P. Choudhary 55. Shri Rakesh Maria, Jt. C.P.(Crime) 56. Shri Prahlad Narayan Jagtap (P.I. Crime Branch)	
April 18		Visit to Mumbai city Police Control Room

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Appendix-2

TERRORIST ATTACKS IN MUMBAI ON 26/11/2008
LIST OF DEAD POLICE PERSONNEL OF MUMBAI CITY POLICE AND SRPF

Sr No.	Name	Designation	Posting	Place of incident
1.	Shri Hemant Kamlakar Karkare	Jt. C.P.	ATS	Cama Hosp. North Gate, Badruddin Tayyabaji Marg Near ATM Centre Of Corporation Bank
2.	Shri Ashok Marutirao Kamte	Addl. C.P.	East Region	Cama Hosp. North Gate, Badruddin Tayyabaji Marg Near ATM Centre Of Corporation Bank
3.	Shri Vijay Sahdeo Salaskar	Police Inspector	Crime	Cama Hosp. North Gate, Badruddin Tayyabaji Marg Near ATM Centre Of Corporation Bank
4.	Shri Prakash Pandurang More	Police Sub-Inspector	L.T. Marg	Cama Hospital
5.	Shri Bapusaheb Sahebrao Durgude	Police Sub-Inspector	L.A.T.O. A.T.S.	Near Xaviers College
6.	Shri Balasaheb @ Nana Chandrakant Bhosale	A.S.I.	M.T.	Cama Hosp. North Gate, Badruddin Tayyabaji Marg Near ATM Centre Of Corporation Bank
7.	Shri Vijay Madhukar Khandekar	P.C. 30200	Azad Maidan	Cama Hospital
8.	Shri Jaywant Hanumanta Patil	P.C. 29180	LA-I	Cama Hosp. North Gate, Badruddin Tayyabaji Marg Near ATM Centre Of Corporation Bank
9.	Shri Yogesh Shivaji Patil	P.C 058-0402	LA-II	Cama Hosp. North Gate, Badruddin Tayyabaji Marg Near ATM Centre Of Corporation Bank
10.	Shri Tukaram Gopal Ombale	A.S. 12161	D.B. Marg	Girgaon Chowpatty
11.	Shri Ambadas Ramchandra Pawar	P.C. 05-0063	Protection-1	C.S.T. Railway Station
12.	Shri Arun Raghunath Chitte	P.C. 34008	M.T.	Near Metro Junction
13.	Shri Rahul Subhash Shinde	P.C. 660	S.R.P.F. G.R. 8	Hotel Taj, Colaba

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TERRORIST ATTACKS IN MUMBAI ON 26/11/2008
LIST OF INJURED POLICE PERSONNEL OF MUMBAI CITY POLICE AND SRPF

Sr No.	Name	Designation	Posting	Place of incident
1.	Shri Sadanand Date	Addl. C.P.	Central Region	Cama Hospital
2.	Shri Vijay Tukaram Powar	Asst. Police Inspector	Azad Maidan Police Station	Cama Hospital
3.	Shri Vijay Bhikaji Shinde	Asst. Police Inspector	Azad Maidan Police Station	Cama Hospital
4.	Shri Mohan Tatoba Shinde	H.C. 338	Azad Maidan Police Station	Cama Hospital
5.	Shri Sachin Dadasaheb Tilekar	R.T. P.C 01-901	Byculla Wireless	Cama Hospital
6.	Shri Shankar Bhausahab Vande	P.C. 30818	Azad Maidan Po. Station	Cama Hospital
7.	Shri Vinayak Chintaman Dandgavhal	P.C. 30818	Azad Maidan P.O. police station	Cama Hospital
8.	Shri Arun Dada Jadhav	P.N. 1642	Detection	Cama Hospital North Gate, Badruddin Tayyabaji Marg, Near ATM Centre of Corporation Bank
9.	Shri Sanjay Eknath Govilkar	Asst. Police Inspector	D.B. Marg Police Station	Girgaon Chowpatty
10.	Shri Rajwardhan	D.C.P.	SB-II	Hotel Taj
11.	Shri Deepak Narsu Dhole	Police Inspector	Colaba Police Station	Hotel Taj
12.	Shri Nitin Digamber Kakde	Police Sub-Inspector	Colaba Police Station	Hotel Taj
13.	Shri Arunkumar Sarjerao Mane	P.N. 3290	LA. III	Hotel Taj
14.	Shri Ashok Laxman Pawar	P.N. 6122	Colaba	Hotel Taj
15.	Shri Sudagar Nivrutti Shinde	P.C. 23965	Colaba	Hotel Taj
16.	Shri Amit Raghunath Khetle	R.T.P.C. 05-0183	Byculla Wireless	Hotel Taj
17.	Shri Raju Pandurang Mane	PC 655	S.R.P.F. GR 10	Hotel Taj
18.	Shri Vishwanath Maruti Gaikwad	P.C. 952	S.R.P.F. GR 10	Hotel Taj
19.	Shri Samadhan More	PC 620	S.R.P.F. GR 3	Hotel Taj
20.	Shri S.U. Gomase	P.C. 770	S.R.P.F. GR 8	Hotel Taj
21.	Shri Pravin Pandurang Sawant	P.N. 28388	Colaba	Hotel Taj
22.	Shri Nivrutti Gavane	P.N. 4124	Colaba	Café Leo Pold
23.	Shri Murlidhar Chindu Zhole	P.C. 970983	Byculla Police station	Near Times of India Bldg., Opp CST Rly Station
24.	Shri Bandu Balu More	P.C. 31635	Byculla	Near Times of India Bldg., Opp CST Rly Station
25.	Shri Anil Bhausahab Kolhe	A.S.I.	SRPF, GR 1	Hotel Oberoi/Trident
26.	Shri Ranjit Jagannath Jadhav	P.N. 965	S.R.P.F., GR1/A	Hotel Oberoi/Trident

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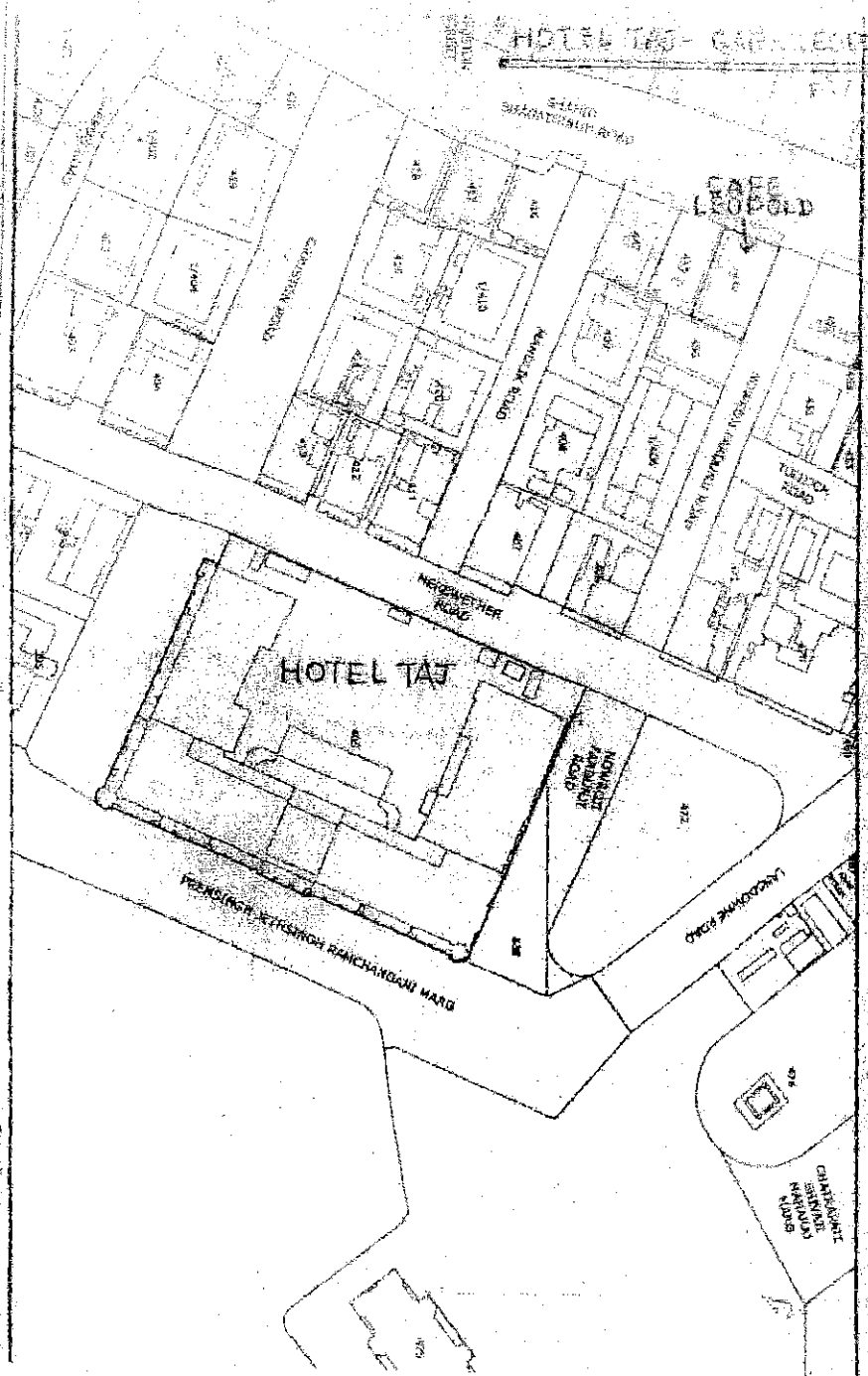
**LIST OF POLICE OFFICERS/MEN DIED IN THE TERRORIST ATTACKS AT
MUMBAI C.S.T RAILWAY STATION 09N 26/11/2008**

Sr. No	Name	Designation and Place of posting
1.	Shri Shashank Chandrasen Shinde	Police Inspector, CST Railway Police Station
2.	Shri Ambadas Pawar	Police Constable, Protection Branch, Mumbai City
3.	Shri Mukesh Bhikaji Jadhav	Home Guard, A Zone CST Mumbai
4.	Shri Murlidhar Laxman Chaudhari	R.P.F. CST Main, Mumbai

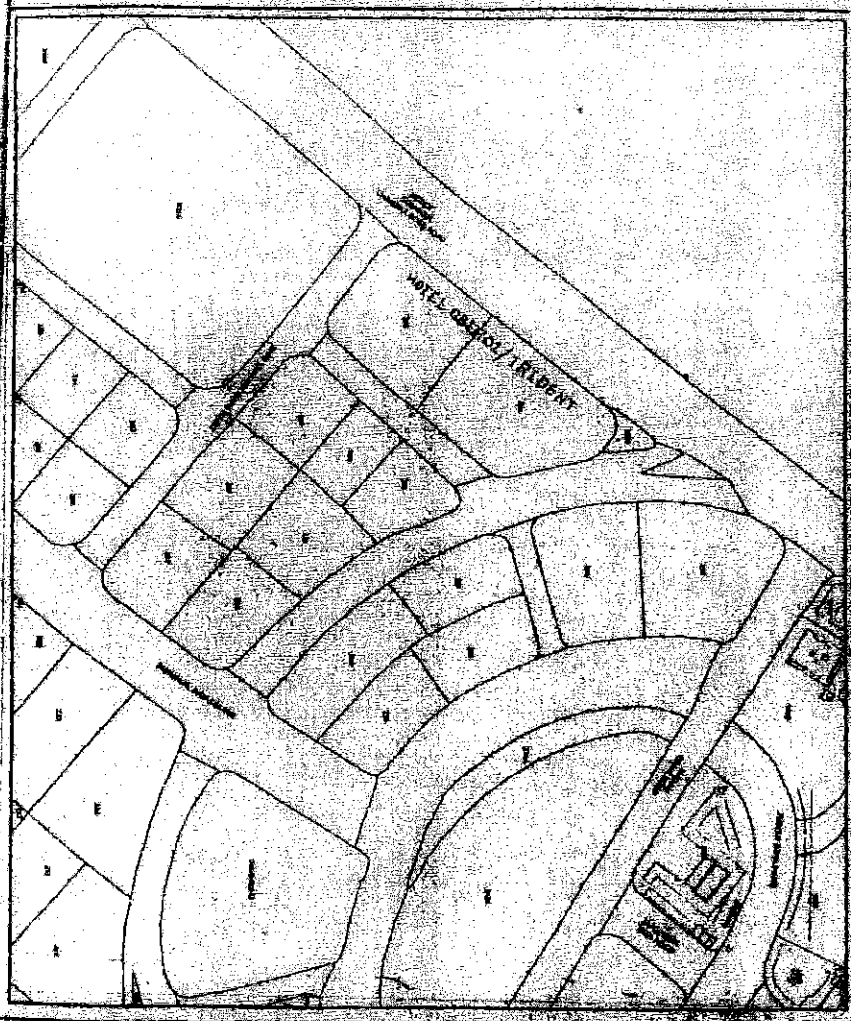
**LIST OF POLICE OFFICERS/MEN INJURED IN THE TERRORIST ATTACKS AT
MUMBAI C.S.T RAILWAY STATION 09N 26/11/2008**

Sr. No	Name	Designation and Place of posting
1.	Shri Bharat Ramchandra Bhosale	Asst Police Inspector CST Railway Police Station
2.	Shri Pandurang Subrao Patil	Asst. Sub Inspector of Police CST Railway Police Station
3.	Shri Sudam Aba Pandarkar	Asst. Sub-Inspector of Police Thane Railway Police Station
4.	Shri Adikarao Nanu Kale	Police Constable CST Railway Police Station
5.	Shri Vishaveshavar Shishupal Pacharane	Home Guard, CST, Mumbai
6.	Shri Uttam Vishnu Sasulkar	Home Guard, CST, Mumbai
7.	Shri Ramji Yadav Napit	RPF CST Main Line
8.	Shri Fhiroj Khanshunnu Khan	RPF CST Main Line
9.	Shri Parasnath Giri	RPF CST Main Line

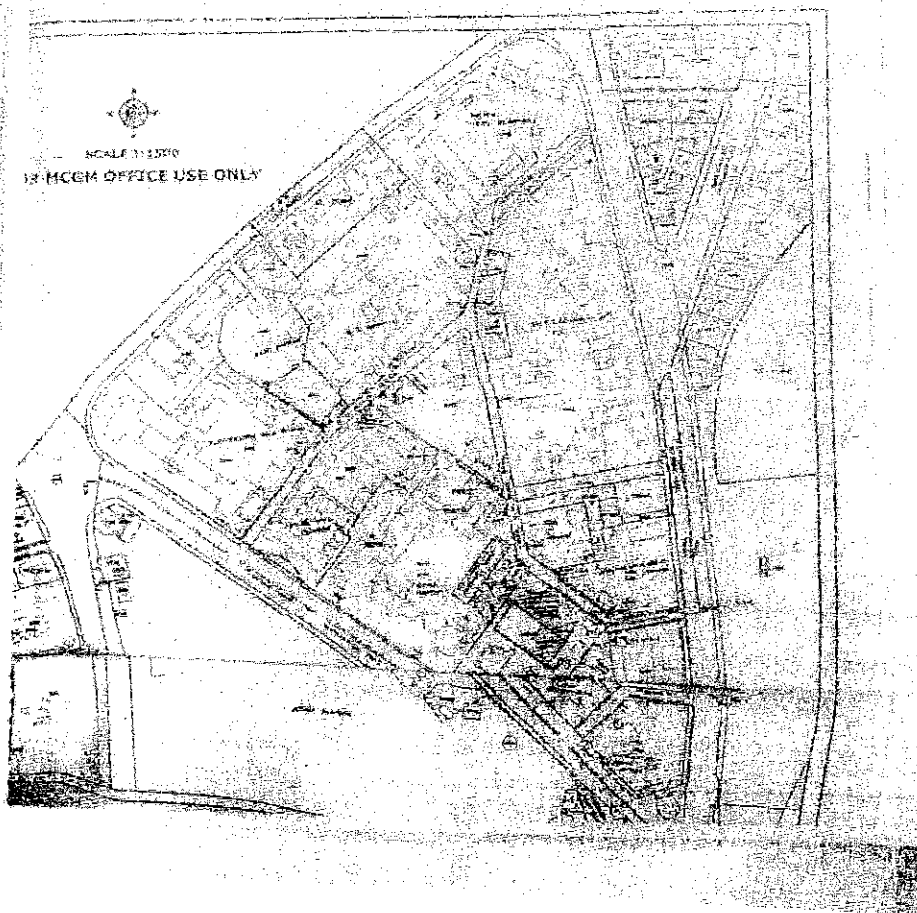
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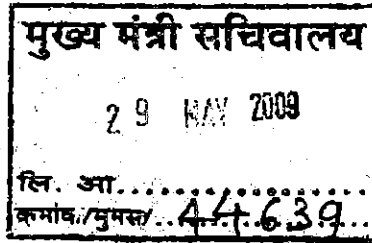
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HIGH LEVEL ENQUIRY COMMITTEE (HLEC) ON 26/11

(Appointed by the Maharashtra Government vide GAD GR No. Raasua. 2008/C.R.34/29-A, dated 30th December 2008)

ORIGINAL

Chairman
R. D. PRADHAN
Former Governor &
Union Home Secretary



Member
V. BALACHANDRAN
Former Special Secretary
Cabinet Secretariat

May 29, 2009

Dear Chief Minister,

On May 27, 2009 we have presented Report of the High Level Committee into 26/11. Along with the Report, we had handed over a note to you to bring to your notice that we have found serious lapses on part of the Commissioner of Police, Mumbai, in handling the multi-pronged attack. There was absence of overt leadership on the part of Shri Hasan Gafoor, the CP, and lack visible Command and Control at the CP's office.

Also, we found several lacunae in working, both within Mantralaya, and the Police establishment. Well set-out procedures for handling intelligence and 'Crisis Management' were overlooked. These require urgent attention.

In that Note we have made some specific suggestions that require priority attention. You may consider to set up other high-level panel to urgently study those matters.

The Note* is intended to be an integral part of the Report and we request that it should be treated as such.

Shri Ashok Chavan,
Chief Minister of Maharashtra,
Mantralaya,
Mumbai.

Yours truly,

(R. D. Pradhan)

* copy attached

Under Secretary
Maharashtra Legislature Secretariat
Vidhan Bhavan, Mumbai/Nagpur

**Subject : Report of the High Level Enquiry Committee
into 26/11 .**

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- 1 We are presenting herewith the High Level Enquiry Committee's Report.
- 2 We have looked carefully into all aspects relating to the terms of reference and also several other issues relevant to our making suggestion and recommendations to deal with such acts in future .
- 3 As the HLEC was appointed pursuant to the Chief Minister's assurance to the Maharashtra Legislative Assembly on December 27, 2008 in reply to the debate on the Adjournment Motion , we have carefully gone through relevant debates and specific points raised by Honorable members . In fact verbatim records of these debate gave us an useful starting point to address several matters that have agitated the public about handling of 26/11 . We have dealt their concerns in our report .
- 4 We are appreciative of full co-operation from all police officers of the State , especially from the Mumbai Police Commissioner's setup and the Director General of Police , Maharashtra State . We have drawn upon several suggestions and observations made by these officers who were greatly concerned about their ability to face any such threat in future and were greatly conscious of public perception of their handling of 26/11 .
- 5 We also got positive response from several high level retired police officials and civil servants with whom we informally inter acted to draw upon their experience . We appreciate their candid participation .
- 6 We have not invited any non-officials for interview despite request from some individuals . Only non-officials interviewed were the Security officials of Taj and Oberoi .
- 7 Action on intelligence inputs prior to 26/11 and , action/reaction of the Mumbai Police to act or react to the terrorist attacks was focus of our enquiry . Regarding intelligence we had access to all information available with the


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authorities in the State Administration. The Chairman had also benefit of informal briefings at the central government level.

8 About the Report : The First chapter " Summary of Conclusions and Recommendations " is self-contained and self- explanatory and should be useful for initiating action . Briefly , with reference to the terms of reference gist of our conclusions are as follows :

✓ (I) We have *not* found any failure to act on inputs provided by the Central Intelligence Agencies .

✓ (II) The war-like attack was beyond the capacity of the Mumbai Police -- for that matter of any police setup . It had to be tackled by specialized forces such as the NSG .

We have *not* found any serious lapses to act or react on the part of individual officers and policemen of the Mumbai Police. In fact we are impressed with speedy and prompt reaction by several officers , especially some younger ones .

✓ However we find that CP Mumbai did not exhibit adequate initiative in handling the multi- pronged attack . He remained at one spot near Trident Hotel throughout the operations . For lack of visible Command and Control at the CP's Office , an impression that the police handled the operation ineffectively , was created in public . Moreover several senior officers told us that in those three days the CP did not give any directions nor enquired of ongoing operations . We found that although the CP kept in touch on wireless and mobile on selective basis , several officers felt that they did not get a feeling that they were part of a team .

We have come to conclusion that there was absence of visible and overt leadership on the part of Shri Hasan Gafoor , the CP .

(III) We have found/ observed several lacunae in working , both within the Mantralaya , and the Police establishment . Well set-out procedures for handling of intelligence and 'Crisis Management ' were overlooked .

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(IV) We have made several recommendations to improve systems and procedures . We wish to invite attention to some recommendations that require priority attention .

✓ A) We have found that several instruments created in the past to deal with terrorist acts or violent and sudden incidents have over a period of time become weak or lost their relevance . Today's threats are far more serious and the war-like acts of terrorists have shown that we require more efficient , well equipped ones , as soon as possible .

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We have noted that the State Government has decided to create FORCE-1 to be available for deployment in the State and also NSG will be setting up a center at Marol . But these will take some time to raise . Also their response time may be longer , because of their location and traffic conditions on Mumbai roads .

As an urgent measure we recommend that the Quick Response Teams (QRT) formed in 2007, and already available , should be urgently upgraded and strengthened to promptly and effectively counter such attacks , till more specialized forces come on the scene .

We are separately furnishing a blue print for their reorganization , training , equipment and service conditions .

✓B) State of preparedness of police administration in other major cities of Maharashtra to face terrorist attack, such as the one Mumbai faced , require to be reviewed by team of experts and necessary steps taken . In particular , we cannot over look that the police of Mumbai , Thane and Navi Mumbai must have an integrated action plan . This region should not be dealt on basis of administrative boundaries of the three Commissionrates . Further , administrative limits to DGP Maharashtra's powers to operate in Mumbai city should not inhibit action .

C) Likewise working of several Crisis Management mechanisms set up to deal with situations need to be reviewed in the light of experience of 26/11 in Mumbai . This will require looking into set ups within the Mantralaya , Municipal Corporations , Hospitals , Fire Brigade etc .

D) We visited the Control Room of the CP's Office to see its working as we were greatly impressed with the promptness with which it handled communications on 26/11 . In fact in the absence of CCTVs meticulous recording and transcription done by the staff helped the HLEC to get correct picture of the unfolding of events at five different places and reaction of individual officers to act/ react . We greatly appreciate there work .

During the visit we found that accommodation and conditions of work are far from satisfactory . As the Control Room must function as the heart of any Crisis Management , we recommend that a separate , fire and blast proof structure should be constructed on the land available just behind the over 150 year old office building of the Commissioner , to provide state-of -the art communications and other sophisticated equipment . This should be given high priority .

Handwritten signature
Under Secretary

Maharashtra Legislature Secretariat
Vidhan Bhavan, Mumbai/Nagpur

9 We wish to record our thanks to Shri Hasan Gafoor , IPS and all those who appeared before us and for their positive attitude to our deliberations.

In that connection we wish to specially mention , Shri A.N. Roy , IPS who as then DGP helped our work with material and background briefing of the working of the police administration as evolved over course of time .We also found that throughout the 26/11 operations he , while taking care not to intrude into the functioning of the officers of the Mumbai Police , made himself available to provide information and offered help/ advice , that was sought .

10 We would have very much liked to have submitted this Report by 19 March 2009 . We appreciate the Mumbai Police preoccupations with several important tasks in the months of January/February and their work relating to the trial that is now underway . We wanted to see CCTV recordings within the Taj , Oberoi/Trident . But we were told that these are part of the FIR and evidence . We were expecting to view these with the Court's permission , prior to our submitting this report , But that may cause delay , which we would wish to avoid and therefore we finalized our report on 19th April and informed the CM .

We are thankful for this opportunity to be of service to the State and people .

As
Under Secretary
Maharashtra Legislature Secretariat
Vidhan Bhavan, Mumbai/Nagpur

Asghar

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