

Chandrachur Bhattacharyya

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BY SPEED POST AND COURIER.

To,
Sanjeev J Thaker,
Thaker and Co.,
Advocates and Legal Consultants,
Office:- 403-404,Basant Asiatic,
Besides Navnirman Bank,
Opp. HDFC Corporate House,
Mithakali,
Ahmedabad – 09.

REPLY DATED 06.07.2017 TO LEGAL NOTICES

DATED 24.06.2017 AND 05.07.2017

Acting under instructions from and on behalf of my client's, Sameeksha Trust- a registered charitable trust, Mr Paranjay Guha Thakurta who is the Editor, Economic and Political Weekly, Advait Rao Palepu, Shinzani Jain and Abir Dasgupta, hereinafter collectively referred to as "my clients", I serve upon yourselves this reply/response to your legal notices dated 24.06.2017 and 05.07.2017:-

1. At the outset it is submitted that all the allegations made by your client in your legal notices dated 24.06.2017 and 05.07.2017 are

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all denied. Your client has instructed you to issue legal notice with a mala-fide intent to harass and intimidate my clients. The contents of the aforesaid legal notices dated 24.06.2017 and 05.07.2017 and the allegations levelled therein are all false, baseless, frivolous and as such my client's reject the same outright in toto. It appears your client has kept you in the dark about entire factual matrix.

2. I submit respectfully to you, as a member of the bar, that each and every word written in the two articles dated 19.6.2017 and 14.6.2017 which are a subject matter of your legal notice, is not only truthful, but also backed up by documentary evidence in the possession of my clients. My clients reserves their right to bring on record these documentary evidences if the circumstances so warrant.
3. It is also submitted that the articles dated 19.6.2017 and 14.6.2017 have been written in larger public interest to make the public aware of certain events that have happened which are perhaps contrary to public interest.

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4. May I reiterate that all allegations made by you in your legal notices are denied as being baseless. May I also reiterate, at the cost of repetition, that every averment made in the said article dated 14.6.2017 and 19.6.2017 is not only truthful, but is also backed up by documentary evidence in the possession of my clients. In view of the aforesaid documentary evidences in the possession of my clients, each and every averment made by you in your legal notice is unfounded and without any merit.
5. My clients being thorough professionals have done their job in a transparent and fair manner in public interest in furtherance of inalienable fundamental constitutional right, guaranteed under article 19 (1) (a) of the Constitution of India, which is a basic feature of India's constitution. You will of course be aware of this very basic constitutional principle. I would implore upon you please to bring these constitutional principles to your client's notice.
6. Please also note that my clients had sent a detailed questionnaire to your client before publishing the article dated 14.6.2017 for

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eliciting response. My client had also sent detailed questionnaire to the government agencies and officers who have been involved in the transactions in question. However they have chosen not to respond. The questionnaire sent to your client was answered by the Chief legal Officer of your client. Each and every word of the said reply sent by the Chief Legal Officer was published by my client in the said articles, so that your client's point of view is also put forth to the public. This shows that my client's have been totally transparent and fair in their reporting.

7. It is also pertinent to mention here that your client has not been able to contradict factually any of the contents of the articles dated 14.6.2017 or 19.6.2017. For example in the article dated 14.6.2017, pertaining to the issue of your client misleading the Hon'ble Gujarat High Court, my client's have referred to the fact that no tax has been paid by your client on the raw material and other consumables imported by you. This fact has not been disputed by your client, and neither has your client produced any evidence to show that tax was paid by your client on the raw materials and consumables. This shows that everything mentioned

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in the said article is correct, and all allegations made by your client are completely false and baseless.

8. That on the issue of misuse of the export promotion scheme, even the Hon'ble Supreme Court has used very harsh language against your client as to how your client has misused the scheme and fraudulently inflated export turnover, and how your client has even without making actual exports, played around with the provisions of the scheme and tried to take undue advantage thereof. This finding of the Hon'ble Supreme Court of India has also been quoted by my client's in the said article. Thus, the reporting done by my client's is not only back and supported by documentary evidence, but also by judicial pronouncement.
9. That in view of the above it is re-iterated that there is not an iota of substance in your client's bald claims. Your client will be well advised to withdraw your legal notice dated 24.06.2017, failing which my client shall be constrained to invoke the majesty of law

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to the hilt, should your client choose to trigger the first ill conceived/advised shot. Your client may kindly note the adage "be you ever so high, law is above you". Your client may further be informed that truth can never be suppressed and it is the constitutional obligation of an independent journalist to surface the truth at any cost. I do sincerely hope, you would be gracious enough to suitably advise your client appropriately.


Thanking you, 06/07/2017

Yours sincerely,

CHANDRACHUR BHATTACHARYYA
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