

THIS MONTH-END, THE SIKHS ACROSS THE WORLD WILL RECALL THE PAINFUL SCENES OF THEIR COMMUNITY MEN BEING BURNT ALIVE ON DELHI'S ROADS, BEING THROWN INTO BOKARO'S IRON FURNACES FOR THE SIMPLE REASON THAT THEY WERE SIKHS. TWENTY-TWO YEARS LATER, INDIA IS STILL EMBARRASSED WHEN IT TALKS OF HUMAN RIGHTS AT THE INTERNATIONAL FORA BECAUSE ITS RECORD ON THE POGROM AND AFTER IT IS SHAMEFUL. THERE IS NO WAY OUT. INDIA HAS A CHOICE – TO EITHER LIVE WITH THE SHAME OR DO SOMETHING ABOUT IT.

1984 pogrom and the Nanawati exertions

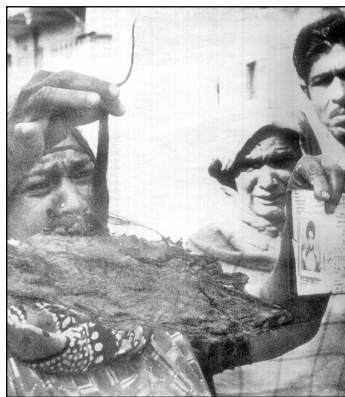
AT Bureau

The forbearance with which the Sikhs absorbed the 1984 tragedy should be a lesson to all warring groups in the country. Barring the first burst of anger, they have contained their pain for two decades. Their resurrected rage shows the power of information, of the printed word and of images. The Nanawati report generated an overdue media catharsis. Not a single newspaper dismissed the report as the work of a commission appointed by an unfriendly government. Every commission is appointed by some government and if its report should suffer a crisis of credibility for that reason, all reports must be consigned to the dust bin. The country luckily had no satellite TV in 1984 and the newspapers remained above the pulls of communalism/secularism. Otherwise, the country would have had another minority problem on its hands.

There is hardly a newspaper that tried to politicize 1984. Yet, they demanded prosecution of individuals named in the report.

Can we as a country afford to bury and forget the terrifying messages that last year's massacres in Gujarat carry? The 1984 massacre did not take place in some remote hamlet, it occurred in the national capital, under the glare of parliamentarians, judges, bureaucrats, journalists of at least a few dozen newspapers, and a few million citizens. Did nobody see anything? The massacres did not just touch ordinary Sikhs; the flames embraced bureaucrats and top businessmen, too. Do all of their ilk now suffer from amnesia?

Not one of those who masterminded or spearheaded this carnage has had to face punishment and that it would remain an affront to the nation; an unfinished business that mocks the government's democratic pretensions. The Action Taken Report on Nanawati's efforts is evidence, if any was needed, of



the UPA government's utter despair in rushing to clutch technicalities to save face. In that it was not successful. The government failed to show its human face when it was critically needed.

Will the Indian state and its people also look the other way if the Nanawati-Shah commission in Gujarat were to come up with a similarly caveated indictment against Mr Modi as Nanawati had done in case of the 1984 pogrom?

The failure of the government to take action against those the commission identified as having played a role in the riots shows how fictional is the line between secularism and communalism.

Prime Minister Manmohan Singh had last year tried to reclaim some political ground by offering an apology to the nation. Does the government need a video-clipping to convince it about the guilt of these leaders who were seen leading murderous mobs following the assassination of Indira Gandhi?

The Nanawati commission was the last of nine such commissions asked to probe the 1984 riots and to identify the guilty. These nine are only a minuscule fraction of the hundreds of commissions appointed to mollify the Opposition and cheat hapless victims of the riots. People have lost faith in these knee-jerk exercises. Neither for the Akali Dal in Punjab is the pogrom of 1984 an issue nor for any other party. So much for our quest for justice.

When the man who won the 1971 war for India ran on the streets to save himself

S P Singh

It could not have got any bigger.

He had overseen the surrender of over 90,000 Pakistani soldiers, stripped the epaulettes off a Pakistani general's shoulder, something no one before or after him had ever done, and made him sign an Instrument of Surrender at the very spot where Shiekh Mujibur Rahman had declared freedom of Bangladesh about nine months earlier.

Thirteen years later, the same man ran for his life on the streets of Delhi. On October 31, 1984, "I alongwith Air Chief Marshall (ret'd) Arjan Singh (and two others) left the house of Patwant Singh but immediately saw on our way mobs attacking the Sikhs ... Within 15-20 minutes we returned," the retired general Jagjit Singh Aurora told the Nanawati Commission.

"It was shocking. I K Gujral was furious and said it is shameful that the man who led the country to its biggest victory needed protection," prominent Supreme Court lawyer H.S.Phoolka told me. Aurora and his wife had to spend the night of November 1, 1984 at the residence of Gujral. "It was apparent that the government of the day was not interested at all in protecting the lives and properties of citizens," Aurora stated on oath before the Commission.

It could not have got any more shameful.

But dignity came naturally to Aurora. He looks composed in the picture as Lt Gen AAK Niazi signed the surrender. "He looked composed when he barged into the house of India's Home Minister PV Narasimha Rao on November 1, 1984 to demand action to stop rioting," Phoolka said. And he looked composed and happy when General Niazi's daughter-in-law came to meet the Auroras years after the surrender.

Just before his death, a depositor of a Delhi-based company, Hindustan Financial Management Ltd, filed a case naming Aurora as accused, Aurora's counsel argued that he was no longer associated with the company, but the Patna judge refused the anticipatory bail application. No one from the Indian government spoke up to say that a giant cannot be insulted by any pygmy.

It could not have got more embarrassing.

But Aurora remained composed. It was his nature. "My father was a soldier, but he could tell the most wonderful of fairy tales. For him, my mother was the most beautiful woman till her very end when she was very old. We learnt from this man of war what love is all about," Aurora's daughter Anita Kalra said, as she stood by the side of a frame which has a picture of Aurora watching Niazi signing, a picture which is a full stop in the nation's memory.

"My father was fond of telling us a story of a dead Pakistani soldier from whose pocket he found a letter from his wife. So poignantly had the wife beseeched the soldier husband to return home safe and sound that papa's eyes would well up with tears while telling us the story. He could never complete it. Now, he never will," Kalra said. Nor will he ever tell us anymore how it feels like to run on the Delhi roads for one's own life, particularly after one has saved the life of a nation. What India does to its heroes?

COMMISSIONS & COMMITTEES

1 Marwah Commission : Appointed in November, 1984. Mr. Ved Marwah, ACP was assigned the job of enquiring into the role of police during the carnage of November, 1984. Enquiry completed towards the middle of 1985, when he was directed by the Central Government not to proceed further, as Misra Commission was appointed by then. Complete records taken over by the Government and transferred to Misra Commission but the handwritten notes of Mr. Ved Marwah, which contained important information, were not transferred to Misra Commission.

2 Misra Commission of Enquiry, Appointed in May, 1985. Justice Rang Nath Misra, was a sitting judge of the Supreme Court of India. Justice Misra submitted his report in August, 1986 and the report was made public six months thereafter in February, 1987. In his report, Misra stated that it is not part of his terms of reference to identify any person and recommended formation of three Committees. There was only one term of reference to this Commission, i.e. Whether the violence was organized?

3 Kapur Mittal Committee, Appointed in February, 1987 on the recommendation of Misra Commission to enquire into the role of police, which job the Marwah Committee had almost completed in 1985 itself, when the Government asked that Committee to wind up and not proceed further. After almost two years, this Committee was appointed for the same purpose. This Committee consisted of Justice Dalip Kapur and Mrs. Kusum Mittal, retired Secretary of U.P. This Committee submitted its report in 1990. 72 police officers were identified for their connivance or gross negligence. The Committee recommended forthwith dismissal of 30 police officers out of 72. However, till date, not a single police officer has been awarded any kind of punishment. Rather, each one of them have got two or three promotions thereafter.

4 Jain Banerjee Committee : This Committee was recommended by Misra Commission for recommending registration of cases. This committee consisted of Justice M.L. Jain, Former Judge of the Delhi High Court and Mr. A.K. Banerjee, Retired IGP. Misra Commission held in its report that a large number of cases have not been registered and wherever the victims named political leaders or police officers, the cases were not registered against them. This Committee recommended registration of cases against Mr. Sajjan Kumar in August, 1987, but no case was registered. In November, 1987 many press reports appeared for not registering cases inspite of recommendation of the Committee. In December 1987, one of the co-accused along with Mr. Sajjan Kumar namely Mr. Brahmanand Gupta filed a Writ Petition in Delhi High Court and obtained a stay against this Committee. The Government did not oppose the stay.

5 Potti Roshia Committee was appointed in March, 1990 as a successor to Jain Banerjee Committee. This Committee also recommended registration of cases against Sajjan Kumar whose constant position as a prominent Congressman only added to the Sikh-Congress gulf.

6 Jain Aggarwal Committee was appointed in December, 1990 as a successor to Potti Roshia Committee, consisting of Justice J.D. Jain, retired Judge of the Delhi High Court and Mr. D.K. Aggarwal, retired DGP of U.P. This Committee recommended registration of cases against HKL Bhagat, Sajjan Kumar, Dharamdas Shastri and Jagdish Tytler. This Committee was wound up in August, 1993. However, the cases recommended by this Committee were not even registered by the Police.

7 Ahuja Committee was the third Committee recommended by Misra Commission to ascertain the total number of killings in Delhi. This Committee submitted its report in August, 1987 and gave a figure of 2733 as the number of Sikhs killed in Delhi alone.

8 Dhillon Committee headed by Gurdial Singh Dhillon was appointed in 1985 to recommend measure for rehabilitation of the victims. This Committee submitted its report by the end of 1985. Its major recommendation was that businesses which had insurance cover, but whose insurance claims were not settled by insurance companies on the technical ground that riot is not covered under the insurance, should be paid compensation. The Government did not accept this recommendation and as a result all insurance claims were rejected.

9 Narula Committee was appointed in December, 1993 by Madan Lal Khurana Government in Delhi. This Committee submitted its report in January, 1994 and recommended registration of cases against Bhagat, Sajjan Kumar and Jagdish Tytler.

10 Nanawati Commission was appointed by an unanimous resolution passed in the Rajya Sabha. This Commission is headed by Justice G.T. Nanawati, retired Judge of the Supreme Court of India.

