

Punish the Guilty of the 1984 Anti-Sikh Carnage

“As soon as we entered Block 32 we were greeted by a strong stench of burnt bodies which were still rotting inside some of the houses. The entire lane was littered with burnt pieces of furniture, papers, scooters and piles of ash in the shape of human bodies – the unmistakable signs of burnt human beings. Dogs were on the prowl. Rats were nibbling at the still recognizable remains of a few bodies.”

from *Who Are The Guilty?*

first fact-finding report (PUDR and PUCL) released on 10 November 1984

In this manner 2733 Sikhs were killed in Delhi, houses and goods destroyed in the first week of November 1984. The team of democratic rights activists that investigated these incidents, found it to be a massacre organised primarily by the Congress party. It also declared the names of Congress leaders, police officers and others who were identified by the survivors as inciting and participating in the mobs.

Today, 25 years later, most of these murders remain unprosecuted. In the over 300 FIRs filed on murder charges, barely 10 persons been convicted. This outcome is only to be expected, given that the ruling Congress party prevented FIRs from being filed, refused to institute a commission of enquiry. The judiciary lent a helping hand by rejecting every petition demanding the same. No political party came out in aid of the victims or even to oppose the murders.

Committees were set up only six years later to identify the accused. Even then they received sufficient witness testimonies to recommend launching of cases against Congress leaders Sajjan Kumar, Jagdish Tytler, HKL Bhagat and Dharam Das Shastri. As years passed, witnesses died and other witness' accounts lost their clarity and still others preferred silence in the face of threats. Either no charges were presented or else courts acquitted the accused. The government did not care to challenge in the High Court and victims' families were forced to file appeals. The Nanawati commission reopened some of these closed cases. Thus finally, one case each remained against Sajjan Kumar and Tytler. The filing of the final report by the CBI on 28 March acquitting Tytler marks the end of the road for justice to the victims.

The 1984 carnage thus represented a turning point in India's political scene. It sent a message that powerful political parties could organise killings of thousands and get away scot free. Thus we were to witness many similar pogroms during Advani's Rath Yatra, Modi's Gujarat genocide, in Mumbai in 1993 and against Christians in Orissa, Gujarat and Karnataka. The reference to 1984 occurs now at times of election when victim's grief becomes political football, and political parties trade charges as to who has committed greater crimes against humanity and to compare their communal credentials.

Ultimately the denial of justice does not become just an abandoned orphan. The pogrom and subsequent administrative and judicial apathy leads to festering wounds that find expression in a mindless cycle of revenge and further violence. For, the 1984 carnage contributed more to Sikh militancy through the eighties and nineties than any other factor. Similar analogies can be seen for Gujarat and the crimes by security forces in Kashmir.

It is high time we reject the vicious cycle of these murderous games and those who play them; to demand that those who use their positions of power to commit heinous crimes against innocent people should face jail and punishment; and that such criminals shall hold no office in our institutions of democracy.

People's Union for Democratic Rights, (PUDR)
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