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The Canary in the Coal Mine

Some Thoughts on the Nanavati Commission Report

*I.J. Singh, (usa)**

* *Head, Dept. of Anatomy, New York University, Res:2414 Capri Place, N. Bellmore, NY 11710, USA.
Email: ijs1@nyu.edu*

Miners carry canaries to warn them of dangerous gases deepdown in the coalmines, the Catskills have their songbirds to measure air pollution. And now India has the Nanavati Commission.

It has been a full 21 years since the Indian government inspired carnage of Sikhs erupted, not just in the capital city of Delhi, but also simultaneously in several cities across the length and breadth of India. Within hours of the assassination of the Indian Prime Minister, Indira Gandhi, on October 31, 1984 armed mobs in trucks carrying official lists of Sikh-owned houses and businesses appeared in cities of India, including New Delhi and as far as Kanpur and Bokaro steel town. What followed was a systematic carnage of thousands of Sikh men, women and children. The army was not called in to maintain order. The police stood by to watch as mute spectators. Credible witnesses labeled it attempted genocide by a government of its own people.

Why did the charge-stick burn so efficiently is not surprising if you know the socio-economic realities of India. Arms – guns and all kinds of ammunition – are strictly controlled. Licenses to carry weapons are neither freely available, nor are they easily accessible, because they are so expensive and require the filing of a zillion papers with multitude of bureaucrats. Kerosene - that was used to burn down houses, businesses and victims - is rationed; it is not freely available in the marketplace. Trucks are hard to come by. Lists of property owners cannot be downloaded in an instant; such service does not exist in India. Then how is it that a poor country, not previously known for its organizational efficiency could muster hordes of people within hours of Indira Gandhi's death and unleash them on a rampage? This speaks of awesome efficiency that is still not visible in much of Indian society.

Three days later the carnage stopped as suddenly as it had begun, as if the job had been completed to the extent that it had been desired and directed. Canny observers suspected the hand of the Indian government leaders in the killing of Sikhs across India. After much stonewalling the Indian government admitted that in Delhi alone about 2300 Sikhs were killed in the 48 hour period, but labeled the killings, '**random acts of violence**' spurred by the death of Indira Gandhi at the hands of her two Sikh bodyguards.

Rajiv Gandhi, who succeeded his mother, Indira as the Prime Minister, continued to deny that there were any human rights violations in India, while reputable organizations like Amnesty International documented horrendous violations in Punjab and all over India. Six months later, under national and international pressure, Rajiv Gandhi signed a memorandum of understanding with Sikhs that agreed to an inquiry into the killing of Sikhs in 1984. Justice might happen, we thought.

I have lost count of the Inquiry Commissions that were appointed by the government. There was the Ranganath Mishra Commission, the Jain Commission, the Banerjee Commission, and perhaps others that I do not even remember. Each started hopefully, with its report to be hastily buried. For some reason none of the reports was released to the public. None could identify any major or minor characters that might have committed any crimes against Sikhs. Finally, last year five individuals were indicted – for killing over 2000 people within 48

hours in the capital city of the country! This bespeaks unparalleled levels of incompetence or dishonesty by the judiciary and the government or, alternatively, of an efficient killing machine, the likes of which has never been seen in this world.

In the meantime evidence has been mounting against the continuing denial of justice and against some of the prominent leaders of the **pogrom against the Sikhs**. A comprehensive report "*Reduced to Ashes*" was published two years ago by a team headed by a non-Sikh human rights activist, Ram Narayan Kumar. One of his colleagues on the report, Jaskaran Kaur Grewal, a Harvard trained lawyer released an update "*Twenty Years of Neglect*" a year ago in 2004.

The latest commission headed by Justice Nanavati was set up five years ago, by the NDA government. It's report came to be tabled in August 2005 when times - and politics - were changing. The report was ready a year ago, but to a government headed by the political party that masterminded the killings, its release was awkward. I have to commend the Prime Minister, Dr. Manmohan Singh, that he finally mustered the courage to release it.

The problem is that the Nanavati Report now finds credible evidence of criminality against two (and perhaps three) stalwarts of the ruling party – Jagdish Tytler, Sajjan Kumar and Dharam Das Shastri. In fact, Jagdish Tytler, was a minister in the current government, in charge of building bridges with non-resident Indians. The irony is that survivors of 1984 have never wavered in their affidavits and evidence that these men were the ringleaders in directing the carnage. In the past this evidence and statements were dismissed. I suppose this was a war of attrition with the hope of the Indian government that soon enough evidence will become lost - or - tainted and the perpetrators will be home free.

The security forces of the Indian government killed thousands of Sikhs in Punjab, some in fake encounters, during the troubled 1980s and 1990s, all without trials and in the name of national security. Many Sikhs remain incarcerated without trials even today. It cannot be that the Delhi Police could not find any killers of Sikhs in over 20 years. Don't the police forces of Delhi and Punjab operate by the same laws and by the same training manuals?

Just as the canary speaks of the health of the underground mine and thus the safety of the miners, the Nanavati Commission report at this time speaks of the health of the Indian nation and the safety of its citizens. Actions must follow words. And that is the onus on the government.

I know that indictment in a report does not equal conviction in a court of law. The canary has spoken. Is there a glimmer of light at the end of the tunnel?

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II

Parliamentary anti-climax after 21 years

*Dimpy Gurvinder Singh**

* Associate Editor, *The Sikh Review*. Email: rajenter2003@yahoo.co.in/dimpygs@yahoo.co.uk

The dangers of being clubbed into the 'minority' class has been starkly portrayed during the 1984 Sikh *pogrom* in India. It has taken 21 years, seven commissions and many an electoral change in central governments for the media to report the 1984 anti-Sikh Riots as a *pogrom*, massacre, or an organized killings. All along these 21 years everyone who had witnessed the macabre killings of Sikh males of all ages, including children, were aware as well as those in power during and after 1984 that these were not riots but a **pogrom**. Kudos to the media to have realised this truth only after the tabling of the Action Taken Report on the Nanavati Commission Report in the Indian Parliament on 8th of August. What a irony that it has taken 21 years for the world to know the bare facts of the 1984 happenings!

Justice delayed is justice denied. The P.M.'s timely apology to Sikhs and the Nation in the Rajya Sabha on 11th August, 2005 averted a social unrest that was brewing, and could have taken a ghastly turn, specially in Punjab and New Delhi. 'I bow my head in shame that such a thing took place', said an emotionally struck P.M. of India. In fact it was the most savage happening to have taken place, after the World War II extermination of the Jews by the Nazi regime. Had the Prime Minister not taken a bold step in asking for forgiveness from the Sikhs on behalf of the government and the people of India, the matter could have taken a serious turn, for the so-called Congress leaders who had no regrets to save the hide of rich politicians, in particular, Jagdish Tytler, Union minister (resigned on 10th August), H.K.L. Bhagat (bed-ridden and on the verge of insanity- a case of poetic justice), Sajjan Kumar, M.P. (resigned from the position of chairmanship of Rural Housing Development Board on 11th August). Dharam Dass Shastri and Ajay and Lalit Maken were also named, besides the evil trio mentioned above, in a much earlier report published by an N.G.O. in 1986. The interesting point to note is that the names of all of them connote Godly virtues, whereas their deeds speak something evil.

What a diabolical irony that in 1984 the Congress was in power who masterminded the killings soon after an inexperienced Rajiv Gandhi remarked, in fake remorse, "When a big tree falls, the earth is bound to shake." Now, again after 21 years, the same Congress in power want the matter closed once and for all, and give itself a clean chit image. However, Dr. Manmohan Singh, opting for truth and justice, has given a glimmer of hope to all those victims who were affected during 1984 economically as well as psychologically. He said, **"Such occurrences like 1984 Sikh massacre and 2002 Muslim carnage should never occur again in the history of our country"**. This speaks volumes for his integrity and concern – *sarbat da bhala* - for all the communities, specially the minorities. Mere submissions of resignations by those named in the Nanavati Report and pleas of the government that those involved during 1984 have retired, thus putting them in a safe haven and outside the gambit of law will not do. The media, collectively and, in alliance with the government, should create a National Fund for the Victims of the 1984 Sikh Carnage, on the lines of the Tsunami Disaster Fund. Playing with the sentiment's of the minorities since Independence of India has resulted in the coining of the following couplet which was moving around as **sms's** all over the Sikh Diaspora in the last few months, which I also happened to receive:

"Guzar gayee zindagi zulm-o-sitam sehte huey, sharam si aati hai is mulk ko watan kehtey huey."

Meting out just punishment to the evil perpetrators is only touching the tip of the iceberg. The actual justice, in essence, will be when those affected in the Sikh pogrom of 1984 are identified and given economical, psychological and moral support from all fellow beings.

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