

A look back in anger: Nanavati Report – A Post-mortem

*Julio Ribeiro**

** The writer is former police commissioner, Mumbai, and DG police, Punjab.*

There is only one classical method to fight terrorism. The killers have to be hunted down and put out of commission, but it is far more important to win the hearts and minds of the people belonging to the community to which the terrorists belong. Without the support of their own people, there is no way in which the terrorists can thrive.

In Punjab, where I spent three-and-a-half years from April 1986 to November 1989, I met with and spoke to the Sikh peasants in nearly 200 or more villages explaining to them that terrorism and killing innocent people would not solve any problem, real or imagined, but only make their own lives more miserable. In particular, terrorists who kill in the name of religion should be disowned because no religion teaches people to kill others in the name of God.

The villagers used to listen with rapt attention, mixed with curiosity; but some of them would then stand up and complain that the Government had been very unjust in keeping in the Jodhpur jail some innocent people found in the Golden Temple during the 1984 army operations and secondly, and more importantly, in not taking criminal action against those who had killed innocent Sikhs in Delhi after Mrs. Gandhi's assassination.

I used to highlight these emotive concerns of the Sikh peasants to Rajiv Gandhi and his advisors when we met in his office, which was almost every month, He never responded but one day Siddharth Shankar Ray, the Governor of Punjab, who I used to accompany for these meetings with Rajiv warned me against bringing up these issues with the Prime Minister because Rajiv, he said, did not like to be told about prosecuting Sajjan Kumar and other Congress leaders. Incidentally, Sajjan Kumar's was the main name mentioned by my interlocutors in the Punjab villages. HKL Bhagat was also mentioned quite frequently but I do not remember Jagdish Tytler being accused by the Jat peasantry. In the big cities well-heeled Sikhs would sometimes take Tytler's name. But I do not recollect any villager accusing him by name.

Once, when Governor Ray was not present at Rajiv's meeting I again brought up this question of prosecuting Sajjan Kumar and HKL Bhagat to assuage the hurt of the Sikh peasantry. I said my task in the Punjab would be much easier if this was done. Rajiv lost his temper and told me in no uncertain terms that he did not want to hear this again because he personally was a witness to the fact that Sajjan Kumar never left his place beside his mother's body after the assassination and hence could not have instigated the crowds.

I do not believe that Rajiv Gandhi or any one from his family had even vaguely encouraged Congressmen to run amok after Mrs. Gandhi's assassination. Rajiv was too decent and humane to even think of revenge of this type and his mental and psychological make-up had no space for such wrongdoing. It was his sense of loyalty that prohibited him from allowing his friends to be prosecuted despite the persistence of the demand.

When a revered and prominent leader is killed, crowds do go berserk. This is happening today, for example, in Sudan after the death of John Garang in a plane crash! Mob mentality is something that any experienced politician can talk about. The collective personality of a mob is quite different from the individual personalities of its constituents. Until the frenzy dissipates there is nothing much the police can do. That is why I feel sorry for Subhash Tandon, a perfect gentleman, if there is one. He happened to be the police commissioner of Delhi at the relevant time. He did not have much experience of urban policing but being a man of integrity and competence he had been selected for this sensitive

job.

No one can dispute the Prime Minister Manmohan Singh's statement that mass killings like those happened in Delhi in 1984 should make every Indian hang his head in shame. We have had repetitions of such barbarity in Mumbai in 1992-93 and Ahmedabad recently. We cannot call ourselves civilised unless we uphold the rule of law in all such cases and prosecute and punish the persons who have indulged in such barbarism. Attempts to shield leaders and supporters on political considerations should be opposed with all our might because up-holding the rule of law is what differentiates a civilised country from another.

When a judicial inquiry is ordered or a commission of inquiry appointed, the findings of the judge have to be respected and follow-up action initiated without demur. In most recent cases, the findings of the judges have been ignored or papered over with the result that public money has been wasted and the government's credibility eroded. It is necessary for all right-thinking citizens to stand up and demand that compliance with the findings of the judge should be instant and binding. Justice Srikrishna's recommendations, for instance, have been side-stepped by successive governments in Maharashtra - possibly because of a reluctance to lock horns with the Shiv Sena chief lest he should instigate a law and order problem in the city of Mumbai and other parts of Maharashtra. In the instant case of the Nanavati Commission's findings, the government should find its way of prosecuting all those persons named as instigators of the riots and ask them to clear their names in courts of law rather than through the media or public platforms. The same principle should, be applied in the Mumbai riots of 1992-93 and the Gujarat riots of 2002. No political party should point fingers at its opponents for the simple reason that all are equally guilty of obfuscation.

Incidentally, I was the commissioner of police in Mumbai in 1984 when Mrs. Gandhi was killed. I was attending a police officers' conference addressed by Chief Minister Vasantdada Patil in Pune when the news was received first by him and through him by the rest of us present at the conference. We were instructed to maintain law and order at all cost. From the Pune police control room I phoned to my control room in Mumbai instructing all officers and men to be out on the streets, concentrating mainly in areas where the Sikhs lived or did their business. There was to be no loss of life or property and any attack was to be met with effective force. In 1984, the police were clearly in charge of the mean streets of the city. The underworld and the Shiv Sena were aware of police capability and determination. Neither dared to create trouble.*

[Courtesy: The Hindustan Times]

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