

A REPORT
ON
NOVEMBER 1984
SIKH GENOCIDE

Presented to:

Honorable Ban Ki-Moon
Secretary General
United Nations
UN Plaza, New York, NY

Issued by:

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EXECUTIVE SUMMARY

Sikhs for Justice (SFJ), a US based human rights organization, believes in and adheres to the Universal Declaration of Human Rights. SFJ desires to create an environment in which minorities - regardless of race, religion, language, gender, or ethnicity – can freely exercise their right to “self determination” as enshrined in the Universal Declaration of Human Rights and United Nations Covenant on Civil and Political Rights. Furthermore, SFJ also strives to collect and disseminate information, statistics, figures and data regarding the anti-Sikh Genocide of November, 1984. The anti Sikh Genocide ransacked the lives of Sikhs in India at that time and the volume of it are still felt today.

The All India Sikh Students Federation (AISSF) is a registered organization committed to working towards the betterment of the Sikh **community**, promoting the values of Sikhism, and to voice concerns over the issues concerning the Sikh community as a whole.

Sikhism is the 5th largest religion in the world; there are 28 million followers worldwide. Despite the large amount of Sikhs worldwide, Sikhs comprise only 1.8 % of the total population of India. The majority of this percentage lives in the Punjab region of India.

Following the assassination of Prime Minister Indira Gandhi by her two Sikh bodyguards on October 31, 1984, the then ruling party of India, the Indian National Congress¹ also known as “Congress (I)” organized and orchestrated attacks targeting Sikhs, a religious minority, throughout India. The personalized attacks were on the lives, homes, businesses, personal property, and places of worship of Sikhs in India. They were carried out with impunity and in a meticulous and malicious manner resulting in the loss of thousands of lives. More than thirty thousand (30,000) Sikhs were killed in this brief yet tragic time period. Most of the victims were helpless and burnt alive in front of family members and neighbors. Hundreds of Sikh women were raped. Countless Sikh ‘temples’ or places of worship, known as Gurudwaras, were burnt to the ground. Sikh properties, homes, and businesses were looted, ransacked, and destroyed. Over three hundred thousand (300,000) Sikhs were uprooted and displaced during the melee.

The gravity, scale and specifically the organized and intentional nature of these attacks were successfully concealed by the Indian government for three decades. The official story by the Indian government portrayed these events as the “November 1984 Anti-Sikh Riots of Delhi”. These attacks were neither “riots” nor were they confined to the Delhi region. In actuality, from November 1-4, 1984, Sikhs were attacked in at least eighteen (18) additional states of India, including over 100 cities throughout the nation. The ruthless attacks occurred in almost an identical manner to those that took place in Delhi. The hordes of marauders fueled by ignorance, hatred and prejudice were relentless in their attacks. The attackers were motivated with a thirst for ‘revenge’, instigated by leaders of the ruling party of India, Congress-I.

¹ See Lionel Baixas, The Anti-Sikh Pogrom of October 31 to November 4, 1984, in New Delhi, Online Encyclopedia of Mass Violence, [online], published on 9 June 2009, accessed 6 November 2014, URL : <http://www.massviolence.org/The-1984-Anti-Sikhs-pogroms-in-New-Dehli>, ISSN 1961-9898

This report is supported by concrete facts and asserts that the November 1984 anti-Sikh “riots” were not riots. The attacks on Sikhs at this time but are nothing short of Genocide against a peace loving population. The violence and mass murder that took place in November of 1984, as discussed at length herein, were tantamount to Genocide and should be declared as such under Article 2 of the UN Convention on Genocide.

I. HIGHLIGHTS

- On the morning of October 31, 1984, Prime Minister Indira Gandhi was assassinated by her two bodyguards. Ms. Gandhi’s bodyguards happened to belong to the Sikh faith. Many believe that the assassination of the Prime Minister was in retaliation to her involvement in the military action code named “Operation Blue Star”. In June 1984, Ms. Gandhi had ordered "Operation Blue Star", a military attack against the holiest Sikh shrine, Sri Harmander Sahib, located in Amritsar, Punjab. Under Prime Minister Gandhi’s orders, the Indian army entered the holy shrine with tanks, artillery, helicopters, armored vehicles and chemical weapons. “Operation Blue Star” was to diminish the growing popularity of Sant Jarnail Singh Bhindranwale and his demand for an independent sovereign Sikh state. This military action against the “Sikh Vatican” commonly known as "The Golden Temple" resulted in the desecration of Sri Harmander Sahib and Sri Akal Takht Sahib (“the highest temporal seat of Sikhism”). This attack also resulted in the senseless killings of more than 10,000 Sikh pilgrims who had gathered at the Golden Temple on the one of holiest day of Sikhism. The demand for right to self determination was further crushed by Indian government by launching military action against several dozen other Sikh temples across Punjab, simultaneously or immediately following the Operation Blue Star.
- During the months between Operation Blue Star and Ms. Gandhi's assassination, the Indian government went full force against Sikhs in terms of actions that resulted in public dehumanization. The effects of this demoralizing conduct were overwhelming to both the Sikh and non-Sikh populations of India, who observed live beatings, burnings, and rapes committed during these so-called “riots”. The nation of India and its leaders watched silently as the public burning of Sikh men, maiming of Sikh children, raping of Sikh women and looting of Sikh properties occurred. Despite the lack of domestic public outrage at the killing of Sikhs in November 1984, the carnage and havoc speaks for itself. It is immense enough to be categorized as Genocide under the U.N. conventions, especially when such Genocide was organized and orchestrated by the government itself, namely the ruling party of India, Indian National Congress A.K.A "Congress-I". As, the Time magazine reported:

*"Frenzied mobs of young Hindu thugs, thirsting for revenge, burned Sikh-owned stores to the ground, dragged Sikhs out of their homes, cars and trains, then clubbed them to death or set them aflame before raging off in search of other victims"*²

² See Time of November 19, 1984 at <http://content.time.com/time/magazine/article/0,9171,950203,00.html>

- Leaders of Congress-I are largely responsible for the Genocidal acts committed against Sikhs throughout India in November 1984. These leaders have not been prosecuted or otherwise brought to justice³ despite ample evidence of their involvement⁴ in organizing the attacks on Sikhs at that time. Evidence shows that during November 1984, “death squads” were led by Congress-I leaders⁵ including⁶ Union Minister Kamal Nath, Members of Parliament Sajjan Kumar⁷, Jagdish Tytler, Lalit Maiken, Dharam Das Shastri, HKL Bhagat, Arun Nehru, Arjun Singh and even Bollywood movie star Amitabh Bachchan.
- Ms. Gandhi’s successor was none other than her son, Rajiv Gandhi, who condoned the mass killing of Sikhs in the aftermath of his mother's assassination by declaring "When a big tree falls, the earth around it shakes"⁸
- To cover up the systematic nature of the massacre, successive Indian regimes have been misleading the worldwide community into believing that the 1984 killing of Sikhs were “anti-Sikh riots”, confined to Delhi alone⁹, despite ample evidence to the contrary¹⁰. As an attempt to offset the demand for justice and accountability, successive Indian regimes have, over the past twenty-nine (29) years, set up at least ten (10) inquiry commissions and committees on the November 1984 incidents. Even a cursory review of these workings, findings, reports, recommendations and the government’s action pursuant thereto, reveal the hoax played through the facade of investigation into the November

3 See Human Rights Watch (HRWQ), November 02, 2009, “India: Prosecute Those Responsible for 1984 Massacre of Sikhs - On 25th anniversary of Revenge Killings, Organizers Remain Free”.

4 See Seema MUSTAFA, “1984 Sikh Massacres: Mother of All Cover-ups. The Asian Age, New Delhi, Aug. 9, 2005

5 See Amnesty International’s (AI) letter to President Obama urging to raise the issue with Indian Premier Manmohan Singh, Nov 18, 2009:

“Over three thousand Sikhs were massacred when the governing Congress Party incited mob violence targeting Sikh civilians in reaction to the 1984 assassination of Prime Minister Indira Gandhi by her Sikh bodyguards. Scores of women were gang raped and some were burnt alive. After two decades, a judicial commission (Justice Nanavati Commission Report released in 2005) concluded that members of the governing Congress Party were involved. Twenty five years have passed since the massacre, but only a few have been brought to justice for this mass killing.....”

6 See Citizens for Democracy, Truth About Delhi Violence.

7 See also, general sightings of Sajjan Kumar in Palam Colony, such as that by Kishandev Singh in Law enforcing agency was inactive in ’84 riots: Verghese, Outlook India (Jan. 17, 2002), at http://www.outlookindia.com/pti_print.asp?id=34846.

8 See Hindustan Times of November 18, 2008. at <http://www.hindustantimes.com/india-news/1984-anti-sikh-riots-wrong-says-rahul-gandhi/article1-352523.aspx>

9 See People’s Union, Who Are the Guilty?, 1. See, e.g., Many Anne Weaver, After Assassination, India turns to Rajiv, Christian Science Monitor (Int’l), (Nov. 1, 1984), 1 (rioting broke out in at least six other states); Assassination in India; Violence Ripples Through the Nation, New York Times (Nov. 1, 1984), A18 (Sikhs attacked by Hindus in at least eight Indian cities, such as Calcutta, Agartula, Patna, and Madras); Macneil/Lehrer Newshour (Nov. 1, 1984), Transcript #2374 (similar pattern in Hindu heartland of north and central India).

10 See *id.*, at 2.

1984 killing of Sikhs. These commissions did not have any judicial powers and their scope of inquiry was limited to the killings in Delhi alone. By doing this, the commissions were able to cover up the extent of the violence committed against Sikhs as well as belittle the attacks into a realm of utter deniability.

- A recent article in the Indian Express newspaper spoke of the reactions of the Indian government and the government's blatant denial that the anti-Sikh genocide of 1984 ever occurred. Directly quoted from the article: "[f]or some reason, the Rangnath Misra Commission rejected outright the majority of the affidavits filed by the victims as well as witnesses. The commission not only rejected Rahul Bedi's affidavit and mine, but an officer of the commission called me informally to his chamber and dissuaded me from filing an affidavit arguing that I had not suffered in the anti-Sikh pogrom. The state prosecutor accused me of filing reports in The Indian Express at the behest of the management."¹¹
- The discovery of Mass Graves of Sikhs in the village of Hondh-Chillar, District Rewari, Haryana in February 2011, as well evidence in several other states of India including an additional nine (9) Gurudwara ruins in Delhi, mass cremation site in Pataudi and Gurgaon, State of Haryana, ruins of Sikh localities in West Bengal, Uttar Pradesh and Jammu & Kashmir are among recent discoveries which expose the extent of this attack. The recent discoveries also portray the organized schemes, the systematic planning, and the widespread nature of these attacks as well as the successful concealment by the Indian governments during the last 30 years.
- The Government of India has thwarted all attempts by victims to obtain justice¹², including covering up abuse, destroying evidence¹³, affording impunity to Congress-I leaders as well as witness intimidation¹⁴. The wrongdoers have fought tooth and nail to avoid responsibility, especially in federal courts of the United States of America. The victims of the November 1984 anti-Sikh Genocide seek justice and have no other recourse but to approach the United Nations Human Rights Council.

¹¹ <http://indianexpress.com/article/india/india-others/bodies-of-hundreds-of-sikhs-were-scattered-some-showed-signs-of-life/2/#sthash.zGnV82yq.dpuf>.

¹² See *Twenty Years of Impunity-The November 1984 Pogroms of Sikhs in India* a report by ENSAAF

¹³ See April 30, 2013 report by U.S. Commission on International Religious Freedom stating "Resham Singh Resham Singh, a Sikh who was a taxi driver in 1984, alleges that he witnessed Congress Party leader Jagdish Tytler leading a mob.."

¹⁴ See Story of witness Giani Surinder Singh reported by Harinder BAWEJA; "When a big tree falls, the earth shakes" *Jagdish Tytler is a symptom of the unfinished business of 1984*. Tehlka, April 25, 2009, Issue 16 Volume 6 See also 1984 anti-Sikh riots: Eyewitness who couldn't testify before a court. Nidhi BHARDWAJ, CNN-IBN, Apr 11, 2013 at <http://ibnlive.in.com/news/1984-antisikh-riots-eyewitness-who-couldnt-testify-before-a-court/384460-37-64.html>

- Because the perpetrators of the 1984 anti-Sikh genocide were never held accountable, it paved way for the Gujarat¹⁵ massacre of 2002, where Muslims were also killed by the masses with the support, connivance and cooperation of the Indian Government. Furthermore, the absence of justice as precedent in India also enabled the 2008 killings of Christians in Orissa. Consequently, the pattern of attacking religious minorities has not lost its allure in India. The Indian government has, does and will perpetuate violence against minorities and the hands of the dominant Hindu religious leaders.

II. FACTUAL BACKDROP

A. Summary

On the morning of October 31, 1984, Prime Minister Indira Gandhi was fatally shot by her two Sikh bodyguards. A few months earlier in June 1984, Ms. Gandhi had ordered the military action code named "Operation Blue Star" against the holiest Sikh shrine, Sri Harminder Sahib, in retaliation to the growing popularity of Sant Jarnail Singh Bhindranwale and his demand for sovereign Sikh state. The military action against the "Golden Temple" not only resulted in desecration of Sri Harminder Sahib and Sri Akal Takht Sahib ("the highest temporal seat of Sikhism") but also resulted in the killing of more than ten thousand (10,000) Sikh pilgrims present in the Golden Temple at the time. Demand for right to self determination by the Sikhs of Punjab was crushed by military action against several dozen other Gurudwaras across Punjab concurrently, as well as immediately following the Operation Blue Star infiltration.

In the aftermath of Prime Minister Indira Gandhi's assassination by her two Sikh bodyguards on October 31, 1984, the then ruling party of India, the Indian National Congress also known as "Congress (I)" organized and orchestrated personalized attacks targeting Sikhs, a religious minority, throughout India. The attack on Sikh lives, their properties and their places of worship were carried out in a meticulous and premeditated manner; The attacks resulted in more than thirty thousand (30,000) Sikhs being killed: most of the deaths from being burnt alive. Additionally, hundreds of Sikh women were raped, Sikh Gurudwaras (Temples) were lit on fire, Sikh properties were looted and over three hundred thousand (300,000) Sikhs being uprooted and displaced. The gravity, scale and the organizational nature of these attacks was concealed by the Indian government; they portrayed the genocide as "November 1984 Anti-Sikh Riots of Delhi". These attacks were neither "riots" nor were they confined to Delhi. In actuality, during the first four days of November 1984, Sikhs were attacked in eighteen (18) states and over one hundred (100) cities in India. The attacks occurred in an identical manner and the attackers were being led by leaders of ruling party of India, Congress-I.

¹⁵ Ghassem-Fachand, Parvis (2012). Pogrom in Gujarat: Hindu Nationalism and Anti-Muslim Violence in India. Princeton University Press. pp. 1–2. ISBN 978-0-691-15177-9. (a study of an anti- Muslim pogrom in Gujarat, India, that began on February 28, 2002)

Leading researcher and expert on relevant Sikh issues, Cynthia K. Mehmood, briefly summarizes what Sikhs have been subjected to in India as:

“India's crimes of 1984 began with its assault on, and the massacres at, the Golden Temple and dozens of other Gurudwaras across India in the first week of June 1984, and continued with the nationwide government-sponsored pogroms of November 1984. In many ways, the crimes still continue, not just in the cover-up and the sheltering of the criminals, but in actual outrages by the government and its minions to date.”

Cynthia K. MAHMOOD

*“1984 & P” “on the 25th Anniversary of the year
a nation sank to a new low in dealing with a religious minority”*

B. SIKHS OF INDIA – A community lured, betrayed and mistreated

Sikhs are an identifiable religious community in India and across the globe. They have distinct religious traditions, a scripture, a linguistic script and several social, political and economic institutions. The Sikh religion was founded by Sri Guru Nanak (1469-1539) and shaped by his nine successors in the sixteenth and seventeenth centuries in Punjab. Over twenty-five million people worldwide identify themselves as Sikhs and adhere to the Sikh faith. This makes Sikhism the fifth-largest religion in the world. Sikh doctrine teaches that all human beings—regardless of their religious identification or beliefs—have the potential to realize God through devotion, a truthful living, the pursuit of justice and via the service of humankind.

During the Partition of India in 1947, Sikhs were brought into the fold of the Indian Union by treacherous and never-to-be-fulfilled promises of autonomy, independence, separate identity and protection of rights by the leadership of Indian National Congress aka Congress-I. However, soon after the partition, the Indian government and the Congress-I leadership went back on all promises made to the Sikh people of Punjab. One major setback to Sikh identity came in 1952 when, despite the unanimous opposition and strong objection of the Sikh community, Article 25 of the Constitution of India was promulgated. Article 25 amalgamated Sikhism into the Hindu faith, thus dealing a fatal and irreversible blow to the separate identity of Sikhs as a religious community and as an independent religion.

The obliteration of the idea of a separate Sikh identity through Explanation II to the Article 25(2)(b) of the Constitution of India, coupled with the economic exploitation of Sikhs in Punjab (via curtailing land, power, irrigation water), gradually flourished into a powerful and meaningful movement in the early 1980s, calling for the creation of an independent Sikh nation state. Because the Sikhs were not rightfully granted the sovereignty they were promised, they resolved to take it through non-violent and peaceful means. According to an editorial of The New York Times: “There was a nonviolent Sikh protest movement, but it was eclipsed when the Prime Minister rebuffed its demands.... Since Indian independence in 1947, Sikhs have pleaded

for greater autonomy and for specific recognition of their religion in the Constitution. (See *The New York Times*, Editorial, June 8, 1984).

C. June 1984 - When the State launched attack against a faith

George Orwell's novel "1984" illustrated a future where the government controlled all aspects of life. The omnipresent government surveillance and public manipulation of which Orwell spoke would eventually become a reality for the Sikhs of Punjab when promises of independence were inconceivably denied and the violence against them became a government-sponsored mechanism to prevent them from achieving their independence. To carry out the government of India's first mass crime against Sikhs, the June 1984 military operation ("Operation Blue Star") and massacre at the Golden Temple ("the Sikh Vatican"), the Indian government chose one of the holiest days of Sikhism. The choice of the June 1984 date was a tactic to maximize the loss of human life and to inflict a lasting and conclusive punishment to the collective Sikh psyche. As a result of the attack, Sri Akal Takht Sahib, the highest temporal seat of Sikhism, was reduced to rubble and the Sikh Reference Library, an irreplaceable collection of books, manuscripts, and artifacts bearing on all aspects of Sikh history, burned to ashes. Thousands of Sikh pilgrims were first caged and then shot at point blank by the Indian Army during Operation Blue Star. The Indian Government claimed¹⁶ that Operation Blue Star was the "last resort" and was carried out to rid the Golden Temple of the followers of Sikh separatist movement. The Sikh separatist movement was guided by the leadership of Sant Jarnail Singh Bhindranwale, head of Damdami Taksal. Ex-Indian Military Chief General Sinha's clear advice¹⁷ against the Operation Blue Star along with the implementation of seventy thousand troops, gunship helicopters, tanks and chemical gas, belies the Indian Government's claims that Operation Blue Star was a last resort. The documented evidence shows that the actual purpose for the use of this degree of force against Sikhs during June 1984 was not to "flush out," a handful of separatists, but to destroy the fulcrum of a mass movement launched by Sant Jarnail Singh Bhindranwale for abolition of the Article 25 of the Constitution of India and the demand for right to self-determination by the Sikh people.

Anthropologist Joyce Pettigrew explaining the purpose of the Operation Blue Star, states that "the army went into Darbar Sahib not to eliminate a political figure or a political movement but to suppress the culture of a people, to attack their heart, to strike a blow at their spirit and self-confidence."

Days leading up to the "Operation Blue Star", Indira Gandhi imposed strict "Press Censorship"¹⁸ to suppress the civilian death toll and other related details which would make the official reasons for Military Operation widely unacceptable and could expose the government's real motives

¹⁶ *Subramaniam Swami*: "Government of India master-minded disinformation campaign to create legitimacy for its actions. Its goal was to 'make out that the Golden Temple was the haven of criminals, a store of armory and a citadel of the nation's dismemberment conspiracy.'" Imprint, July 1984, "Creating a Martyr", pp. 7-8.

¹⁷ *SK Sinha* (Retired Indian Army General): "The Army Action was not the 'last resort' as Prime Minister Indira Gandhi would have us to believe..." Lt. Gen. SK Sinha, Spokesman, 16th July 1984.

¹⁸ *The New York Times*: The Truth on Trial - In India: Editorial October 23, 1984: "Foreign journalists were barred from Amritsar after the assault, but Mr. Chellaney, an Indian national, was able to remain."

behind the horrendous attack on the Golden Temple. Brahma Chellaney, a reporter for the Associated Press (AP), faced criminal charges¹⁹ in connection with his reports on military invasion of the Golden Temple. Chellaney reported that several Sikhs inside the Golden Temple complex were shot by Indian Army officers after having their hands tied behind their backs. While the government of India claims that only four hundred and ninety three (493) civilians were killed in Operation Blue Star, BBC correspondent Mark Tully, who was present in Amritsar during the operation estimated the civilian death toll to be well over two thousand (2000). Anthropologist Joyce Pettigrew, the author of the book "The Sikhs of the Punjab: Unheard Voices of State and Guerrilla Violence", places the number of civilian casualties to be over five thousand (5,000).

D. November 1984 –Open License to Kill the Sikhs

On October 31, 1984, Prime Minister Indira Gandhi was assassinated by two of her bodyguards who happened to be Sikhs. Over the next five days, one of the worst genocidal massacres of modern times shook India. These events took place in the Delhi (India's capital) as well as throughout one hundred (100) cities and eighteen (18) states across the country. During the gruesome attacks Sikhs were sought out, specifically targeted and deliberately attacked. Despite the attacks being dispersed throughout the country, majority of the carnage occurred in identical manners. While the victims were both male and female Sikhs who encompassed all ages, the majority were men and young boys. The rationale for deliberately targeting males was an attempt to hinder the further reproduction and procreation of an entire subset of the religious dichotomy of India. This genocidal element to the killings was pervasive, as almost 99% of those killed were Sikh males.

According to the Indian scholar Madhu Kishwar:

“the nature of the attacks confirm[s] that there was a deliberately plan to kill as many Sikh men as possible, hence nothing was left to chance. That also explains why in almost all cases, after hitting or stabbing, the victims were doused with kerosene or petrol and burnt, so as to leave no possibility of their surviving. Between October 31 and November 4, more than 2,500 men were murdered in different parts of Delhi, according to several careful unofficial estimates. There have been very few cases of women being killed except when they got trapped in houses which were set on fire. Almost all the women interviewed described how men and young boys were special targets. They were dragged out of the houses, attacked with stones and rods, and set on fire. ... When women tried to protect the men of their families, they were given a few blows and forcibly separated from the men. Even when they clung to the men, trying to save them, they were hardly ever

¹⁹ *The New York Times*: The Truth on Trial - In India: Editorial October 23, 1984: A warrant is out for the arrest of an Indian journalist who provoked displeasure by doing his job too well. Brahma Chellaney of The Associated Press was in the Punjab last June when Prime Minister Indira Gandhi ordered the attack on Sikh extremists occupying the Golden Temple in Amritsar.

attacked the way men were. I have not yet heard of a case of a woman being assaulted and then burnt to death by the mob.

Kishwar, "Delhi: Gangster Rule," in Patwant Singh and Harji Malik, eds., *Punjab: The Fatal Miscalculation* [New Delhi, 1985], pp. 171-78.)

A typical account of the atrocities was provided by a female witness whose "husband and three sons ... were all killed on 1 November." As investigators summarized her testimony:

When a mob first came the Sikhs came out and repulsed them. Three such waves were repulsed, but each time the police came and told them to go home and stay there. The fourth time the mob came in increased strength and started attacking individual homes, driving people out, beating and burning them and setting fire to their homes. The method of killing was invariably the same: a man was hit on the head, sometimes his skull broken, kerosene poured over him and set on fire. Before being burnt, some had their eyes gouged out. Sometimes, when a burning man asked for water, a man urinated on his mouth. Several individuals, including her sister's son, tried to escape by cutting their hair. Most of them were also killed. Some had their hair forcibly cut but were nevertheless killed thereafter.²⁰

The estimate of two thousand five hundred (2,500) dead offered by Kishwar (above) is almost certainly too low. *The New York Times* in 1996 quoting a research study stated that "piles of affidavits from victims' families prove that 5,015 Sikhs were killed, more than double the official figure ..." Whatever the exact death toll, it was "one of the darkest chapters in [India's] half-century of independence²¹". Throughout the massacre, Indian police and security forces stood by or assisted in disarming Sikhs, rendering them defenseless. An Indian Supreme Court Judge, Justice, V.M. Tarkunde, made a powerful statement in the aftermath of the massacre: "Two lessons can be drawn from the experience of the Delhi riots. One is about the extent of criminalization of our politics and the other about the utter unreliability of our police force in a critical situation."²²

Another article in the newspaper India Today, there are accounts of the mass killings that took place during the 1984 anti-Sikh genocide that were recognized simply as riots by the Indian government. In "1984 Sikh riot: They took their time to kill between meals"²³. The author focuses on the atrocities committed against the Sikh population at the time and the blatant disregard for the lives of people simply because of their religion, a violation of domestic and international law, the law of nations, and the purest principles of morals and decency worshipped and cherished by virtually every civilized country on Earth.

It is noteworthy that while the number of Sikh women killed was not nearly as high as the number of men, thousands of Sikh women were raped, often repeatedly, by rampaging attackers.

20 See Case 11 at Witness 84 <http://www.witness84.com/human/ccsikri/histories/>

21 See John F. Burns, "Some Sikhs Get Justice Long After A Massacre," *The New York Times*, September 16, 1996.

22 See Justice, V.M. Tarkunde in "The Delhi Massacre: An Example of Malicious Government".

23 <http://indiatoday.intoday.in/story/1984-sikh-riot-senior-journalists-rahul-bedi-joseph-malliakan/1/158167.html>.

The attackers were directed by the leaders and workers of Congress-I. Many of the female survivors of this shameful massacre today live in Tilak Vihar, a locality of Delhi that has become to be known as the "Widows' Colony." Since 1984, these women are languishing in the hope of justice while those who raped them and killed their husbands, brothers, and sons roam freely. The official Indian attitude towards the widespread genocide reflects a belief that the "massacre was necessary to teach a lesson"²⁴.

E. November 1984 - Evidence Unearthed After 26 Years

Starting with the February 15, 2011 discovery of Mass Grave of Sikhs in village Hondh-Chillar, District Rewari, Haryana, and subsequently the evidence located in several states of India including West Bengal, Uttar Pradesh and Jammu & Kashmir, one can comprehend the gravity and extent of the organization, and widespread nature of the namely identical attacks which were successfully concealed by the Indian governments over the last twenty-six (26) years. The discovery of this evidence reaffirms that the attacks were neither "riots" nor were they confined to the Delhi region. Instead, Sikhs were attacked in eighteen (18) states and in more than one hundred (100) cities of India in an identical manner;

The newly discovered evidence consists of:

- a. Discovery of Mass Graves of sixty-five (65) Sikhs in Delhi killed in November 1984 discovered after twenty-six (26) years.
- b. Discovery of additional Nine (9) Gurudwara ruins in Delhi that attacked and destroyed in November 1984.
- c. Official Records of Government of India showing that a total of thirty-five thousand (35,000) claims of deaths and serious injuries were filed by Sikhs who suffered during November 1984. Out of those more than twenty-thousand (20,000) claims were from attacks that took place outside Delhi and in the states of Bihar, Chhattisgarh, Haryana, Himachal Pradesh, Jammu & Kashmir; Jharkhand, Madhya Pradesh, Maharashtra, Orissa, Uttarakhand, Uttar Pradesh, Tamil Nadu and West Bengal.
- d. Mass Graves of Sikhs at village Hondh-Chillar in State of Haryana.
- e. Discovery of mass cremation site in Pataudi, State of Haryana.
- f. Discovery of ruined houses and buildings in Gurgaon, State of Haryana.
- g. Discovery of ruined Sikh houses and Gurudwaras in State of West Bengal.

During November 1984, the localities and villages consisting of Sikh populations were attacked and wiped out in an identical fashion all throughout India. The remains of all such sites were either cleaned or rebuilt to purge traces of the genocidal attack on Sikhs carried out in November 1984 in attempts to continue efforts for the concealment of any traces of "November 1984 Sikh Genocide" by the Indian government. The forlorn debris and human remains at recently discovered genocidal sites throughout India along with the official records of Indian Government

24 See John F. Burns, "Some Sikhs Get Justice Long After A Massacre," quoting a Delhi Magistrate Shiv Narain Dinghra

are irrefutable and convincing evidence that the widespread killing of Sikhs during November 1984 was, in fact, genocide. This new evidence justifies the need for a new investigation.

F. Perpetrators; Pattern & Modus Operandi

Contrary to what is commonly imparted, November 1984 was not the result of a spontaneous reaction of the public to the assassination of Prime Minister Indira Gandhi. Instead, it was an organized and politically engineered action by Congress-I leaders: it was facilitated by the police and the administration and carried out by Congress-I recruits. These meetings were held by Congress-I²⁵ leaders throughout India on the night of October 31 and on the morning of November 1. The meetings consisted of inflammatory speeches against Sikhs, the distribution of voter lists and ration cards identifying Sikh households, the supply of Kerosene oil and other weaponry used in attacking Sikhs. The police and the administration's cooperation was assured to the attackers. Rajiv Gandhi's justification of the anti Sikh violence against Sikhs was quoted as follows: "when a big tree falls, the earth shakes."²⁶ The inaction of the then Home Minister Narasimha Rao proves that violence against Sikhs had the full approval of the highest officials in the Indian Government. The entire anti-Sikh pogrom was nothing short of a conspiracy hatched by the Congress-I, the political regime in control of the most central and majority, ruling states of India. Through a deeper analysis, the mass-scale nature of the violence in such a short span of time vindicates that the attacks had been pre-planned and contemplated possibly as early on as Operation Blue Star (Kothari, 1985) and underlines the existence of an institutional structure (Brass, 2006 : 63-105) readily available. The scale and nature of violence fundamentally changed between October 31 and November 01. During this night, several meetings of Congress (I) senior and local leaders were held including the one at 10 Akbar Road, the Congress (I) headquarters, in order to mobilize their local supporters. The Congress-I leadership then took the task of actively organizing the attacks that were to continue unabated throughout India for several days to come and to simultaneously numb the sentiments of the general public towards their Sikh neighbors. This was done through highly inflammatory anti-Sikh statements which were broadcasted day and night through government controlled Radio and Television Channels. Many of the Congress (I) leaders i.e. Congress (I) Member of Parliament (MP) Sajjan Kumar and Congress (I) Trade Union Leader and Metropolitan Councilor Lalit Maken provided alcohol and money to attackers, luring them to perpetrate the killings. Attackers were also provided with free transportation from their localities to Sikh neighbourhoods. Transportation included Delhi Transport Corporation (DTC) buses as well as police vehicles. These modes of transportation were used extensively to move the attackers to those areas of the city where Sikhs were concentrated. Congress (I) leaders supplied attackers with lathis (bamboo sticks), uniformed-size iron bars, knives, trishuls (trident), clubs, and highly inflammable substances such as kerosene. Attackers were also supplied with the names and addresses of Sikhs available from electoral lists, ration cards and school registration.

²⁵ See Citizens for Democracy, Truth About Delhi

Violence. See e.g., Citizens Justice Committee, Incidents in Inderpuri, New Delhi (Dec. 10, 1985) "(Congress (I) worker Hem Chander distributed iron rods and lathis to assailants gathered in Inderpuri)".

²⁶ See India Today; Hindustan Time

Between October 31 and November 04, 1984, using All India Radio and Door-Darshan (national television), the Congress-I leaders delivered statements such as “blood for blood”; “the blood stains should reach the home of Sikhs; and “Sikhs are the traitors of the nation”. These hateful statements were aired throughout India. Not only did Congress (I) leaders organize meetings to gather perpetrators, distribute weapons and identify targets, but they also acted as direct leaders for the attackers. In addition to previously named culprits, the names of Congress (I) officials accused of leading attacks and inciting the killings of Sikhs that can be read in most of the affidavits filed by victims and survivors are the following: Dharam Dass Shastri, Jagdish Tytler, H.K.L Bhagat, Balwan Khokhar, Kamal Nath, brothers Tek Chand and Rajinder Sharma, Dr. Ashok and Shyam Singh.

In Delhi, the attacks started simultaneously in various parts of the city between the hours of 8:00AM and 10:00 AM on November 1. The first targets in the localities populated by Sikhs were the Sikh Gurudwaras. The Shri Guru Granth Sahib was desecrated by attackers who urinated on it and then burnt down the Gurudwaras. Sikh properties were targeted as well as symbols of the Sikh faith. Turbans, uncut hair and beards were the next target, making this a direct and personal attack. The modus operandi of killings was meticulous, systematic and reproduced everywhere. Assailants raided previously identified Sikh households, grabbed the men and pulled them out. The attackers tore off their turbans, beat them with iron rods and/or knives and ultimately neck-laced them with a tire, which was set on fire. The Sikhs who were seen by the attackers in the streets were mercilessly chased and killed through the same technique. Killing, looting and arson went on unabated the entire day and continued to escalate into November 2nd. The crowd stopped trains to pull out Sikh passengers to kill them. Women and children were generally spared though some were also killed and many of them gang-raped, often as their relatives were forced to watch.

The first resulting attack on a Sikh in India took place roughly twenty four (24) hours after the assassination of Ms. Indira Gandhi, thus negating the theory that the killing of Sikhs in November 1984 was a spontaneous outburst of public. It was the Congress (I) party that unleashed a nightmare of organized violence against the Sikh community of India on November 1, 1984 which continued unabated for at least next four days. Despite clear evidence of official government involvement, police connivance and participation of Congress Party leaders and workers in attacking the Sikhs, successive Indian Governments have successfully lead the world to believe that the November 1984 massacre of Sikhs was local, spontaneous and a sporadic outburst of public reaction to Ms. Indira Gandhi’s assassination by her bodyguards who happened to be Sikh. In reality, as many of the surviving victims recount, the anti-Sikh Genocide of November 1984 was the systematic and government sanctioned attempted annihilation of the Sikh people in response to and to avenge the death of the Indian Prime Minister, Indira Gandhi. A commission appointed by the Government of India under the Chairmanship of Justice G.T. Nanavati released a report in 2005. The report confirmed that “it received 2,557 affidavits naming Congress leaders for inciting and leading mobs in Delhi during those days²⁷”.

27 See 2005 Report of Nanavati Commission on November 1984.

G. Congress-I, the Nazi party of India

The evidence shows that Indian National Congress²⁸, aka "Congress-I" who was in control of the Central Government as well as the majority of the States of India, through its workers and with the active connivance and cooperation from the police and administration, organized and orchestrated attacks on the Sikh population of India with the intent to fully or partially obliterate the Sikh community. Even a cursory look at the states where Congress-I was in control corroborates that claim as Sikhs were mostly killed in the Congress controlled states. The Chief Ministers were the heads of state at the local level and exercised complete control over the state machinery and the local Congress (I) party machine and acted under the authority of Congress (I). Despite the widespread killings and lawlessness, martial law was never imposed and the Indian Army was not called in until after November 4, 1984.

In the State of Madhya Pradesh²⁹ the Chief Minister was Arjun Singh of Congress (I). Between November 1 and 4, 1984 throughout the state of Madhya Pradesh, Sikhs were attacked, killed, tortured and raped, their properties looted and their temples burned. According to news reports and government figures, in forty-three (43) of the state's forty-five (45) districts Sikh communities were attacked and destroyed.

In October-November 1984, the present State of Chhattisgarh was a region located within the State of Madhya Pradesh where Congress(I) officials, members and workers directed and took part in attacks on Sikh people, properties and temples which resulted in at least thirteen deaths.

One of the *modus operandi* of the attacks on the Sikhs who were travelling on trains at that time took place in the City of Morena. A crowd of one thousand (1,000) people comprised mostly of Congress (I) workers and sympathizers and led by Congress (I) leaders gathered at the railway station. They first stopped the Utkal Express Train going to New Delhi, but found no Sikh passengers on it. Almost immediately the Chhattisgarh Express Train from New Delhi pulled in to the station and was brought to a halt by the crowd which then proceeded to drag out two dozen Sikh men, women and children from the train and slaughtered twelve including a ticket taker.

In the State of Uttar Pradesh ("UP") the Chief Minister was Narayan Dutt (ND) Tiwari of Congress (I). According to the Central Government's official records, 260 Sikhs were killed across the state between November 1 and 4, 1984. These numbers are believed to be grossly understated. For example, in the City of Kanpur alone, approximately 3,000 FIRs ("First Information Reports" of crime filed with the police under the Indian Criminal Law Procedure), were lodged with the police. Approximately 4,200 houses, shops, godowns and factories were destroyed in the violence that went on for 36 hours starting on November 1, 1984.

28 See Lionel Baixas, The Anti-Sikh Pogrom of October 31 to November 4, 1984, in New Delhi, Online Encyclopedia of Mass Violence, [online], published on 9 June 2009, accessed 6 November 2014, URL : <http://www.massviolence.org/The-1984-Anti-Sikhs-pogroms-in-New-Delhi>, ISSN 1961-9898

29 Madhya Pradesh is the home state of Congress leader Kamal Nath. Nath is infamous for his involvement in leading mob that attack Gurudwara Rakab Ganj Delhi. Several Sikhs were killed in that attack. Nath has continuously been winning the election as Member of Parliament (MP) from the state since 1984. MPs exert and enjoy a great deal of control and influence over the party workers and cadres in their home states.

In October-November 1984 the present State of Uttarkhand was a region located in the State of Uttar Pradesh (“UP”) and was controlled and governed by the State of Madhya Pradesh under Congress (I) Chief Minister Arjun Singh. In the areas comprising today’s state of Uttarkhand at least 201 attacks were directed and/or carried out against the Sikhs, their properties and temples by Congress (I) leaders, workers and sympathizers with the purposeful and substantial assistance of the local police and administrators.

In the State of Bihar the Chief Minister was Chandrashekhar Singh of Congress (I). Throughout the State of Bihar 160 attacks on Sikh lives and properties took place between November 1 and 4, 1984 led by Congress (I) officials, leaders and workers where Sikhs were murdered and many others tortured and where Sikh properties were looted and destroyed. In October-November 1984, the present State of Jharkhand was part of the State of Bihar which was governed and controlled by Congress (I) and Chief Minister Chandrashekhar Singh. In the areas comprising today’s state of Jharkhand at least 460 attacks were directed at the Sikhs, their properties and temples by Congress (I) officials, leaders and workers and the police and local administrators either purposefully assisted the attackers and/or planned the attacks. At least 84 Sikhs lost their lives in those attacks and several hundred were seriously injured.

In the State of Gujarat the Chief Minister was Madhav Singh Solanki of Congress (I). Many attacks on Sikh lives and properties took place between November 1 and 4, 1984 across the State of Gujarat, however, no accurate account of the casualties has ever been released by the government.

In the State of Haryana³⁰ the Chief Minister was Bhajan Lal of Congress (I). Throughout the State of Bihar 65 attacks on Sikh lives and properties took place between November 1 and 4, 1984 led and/or directed by Congress (I) officials, leaders and workers and the police and local administrators either purposefully assisted the attackers and/or planned the attacks. The attacks resulted in numerous deaths, serious injuries by torture and damage to real and personal property.

In the State of Himachal Pradesh the Chief Minister was Virbhadra Singh of Congress (I). Throughout the State of Himachal Pradesh 78 attacks on Sikh lives and properties took place between November 1 and 4, 1984 which were led and/or directed by Congress (I) officials, leaders and workers and the police and local administrators purposefully assisted the attackers and/or planned the attacks. The attacks resulted in numerous deaths, serious injuries by torture and damage to real and personal property.

In the State of Maharashtra the Chief Minister was Vasantdada Patil of Congress (I). Numerous attacks on Sikh lives and properties took place between November 1 and 4, 1984 across the state of Maharashtra, however, no accurate account of the deaths and injuries suffered by Sikhs has

30 Haryana is the state where on February 15, 2011, a “Mass Grave” of Sikhs killed on November 02, 1984 was discovered in village Hondh-Chillar in District Rewari. The residents of the village were killed, women raped, Sikh Temple burnt and desecrated by attackers, who according to eyewitnesses came in buses owned and operated by the Government of Haryana. The attackers were led by Congress leaders and they exclusively targeted Sikh population of the village

ever been released.

In the State of Manipur the Chief Minister was Rishang Keishing of Congress (I). Numerous attacks on Sikh lives and properties took place between November 1 and 4, 1984 across the state of Manipur, however, no accurate account of the deaths and injuries suffered by Sikhs has ever been released.

In the State of Kerala the Chief Minister was K. Karunakaran of Congress (I). Numerous attacks on Sikh lives and properties took place between November 1 and 4, 1984 across the state of Kerala, however, no accurate account of the deaths and injuries suffered by Sikhs has ever been released.

In the State of Meghalaya the Chief Minister was W.A. Sangma of Congress (I). Numerous attacks on Sikh lives and properties took place between November 1 and 4, 1984 across the state of Meghalaya, however, no accurate account of the deaths and injuries suffered by Sikhs has ever been released.

In the State of Mizoram the Chief Minister was Pu Lalthanhawla of Congress (I). Numerous attacks on Sikh lives and properties took place between November 1 and 4, 1984 across the state of Mizoram, however, no accurate account of the deaths, injuries and losses suffered by the Sikhs has ever been released.

In the State of Orissa the Chief Minister was Janaki Ballabh Pattanaik of Congress (I). Throughout the State of Orissa 143 attacks on Sikh lives and properties took place between November 1 and 4, 1984 which were led and/or directed by Congress (I) officials, leaders and workers and the police and local administrators purposefully and substantially assisted the attackers and/or planned the attacks. The attacks resulted in numerous deaths, serious injuries by torture and damage to real and personal property.

In the State of Rajasthan the Chief Minister was Shiv Charan Mathur of Congress (I). Numerous attacks on Sikh lives and properties took place between November 1 and 4, 1984 across the state of Kerala, however, no accurate account of the deaths and injuries suffered by Sikhs has ever been released.

H. A Tale Of 10 Commissions

I.

As an eyewash to offset the demand for justice and accountability, the Indian government over the past thirty (30) years has set up ten (10) commissions and committees to inquire into the November 1984 occurrence. Even a cursory review of their workings, findings, reports, recommendations and government actions pursuant thereto, reveals the hoax executed through the facade of investigation into the November 1984 killing of Sikhs. These commissions did not have any judicial powers and their scope of inquiry was limited to killings in Delhi alone, which in no way encompasses the entirety of the Sikh Genocide of 1984. This is merely another way to conceal and belittle the extent and scale of the rampaging violence committed against

Sikhs during this time. Listed below is brief overview of the inquiry commissions/committees set up during the past thirty (30) years.

<p>Nov 1984</p> <p>MARWAH COMMISSION Set up to inquire into the role of the police in the carnage. Was abruptly told by the Central government to stop the probe. Records were selectively passed on to next commission</p>	<p>May 1985</p> <p>MISRA COMMISSION Set up to probe if the violence was organized. Its August 1986 report recommended the formation of three new committees: Ahooja, Kapur-Mittal, and Jain-Banerjee</p>	<p>Nov 1985</p> <p>DHILLON COMMITTEE Set up to recommend rehabilitation for victims. Asked that insurance claims of attacked business establishments be paid, but government rejected all such claims</p>	<p>Feb 1987</p> <p>KAPUR-MITTAL COMMITTEE Enquired, again, into the role of the police. 72 policemen were identified for connivance or gross negligence, 30 recommended for dismissal. No one was punished.</p>	<p>Feb 1987</p> <p>JAIN-BANERJEE COMMITTEE Looked at cases against Jagdish Tytler and Sajjan Kumar, and recommended cases be registered against both. Later, Delhi HC quashed the very appointment of the committee.</p>
<p>Feb 1987</p> <p>AHOOJA COMMITTEE</p> <p>Set up by Misra Commission to ascertain the number of people killed in the massacre in Delhi. In August 1987, Ahooja's report put the figure at 2,733 Sikhs</p>	<p>Mar 1990</p> <p>POTTI-ROSHA COMMITTEE</p> <p>Appointed as a successor to the Jain-Banerjee committee. Potti-Rosha also recommended registration of cases against Sajjan Kumar and Jagdish Tytler</p>	<p>Dec 1990</p> <p>JAIN-AGGARWAL COMMITTEE</p> <p>Appointed as a successor to Potti-Rosha, and also recommended cases against HKL Bhagat, Tytler and Kumar. No cases registered, and probe stopped in 1993</p>	<p>Dec 1993</p> <p>NARULA COMMITTEE</p> <p>In its report in January 1994, it was the third committee in nine years to repeat the recommendation to register cases against Bhagat, Tytler and Sajjan Kumar</p>	<p>May 2000 - 2005</p> <p>NANAVATI COMMISSION</p> <p>One-man commission appointed by the BJP led government. Found "credible evidence" against Tytler and Kumar. The CBI has been consistently trying to give a clean chit to Tytler. No other Congress leader named in the report has indicted and charged.</p>

III. NOVEMBER 1984 - GENOCIDE³¹ - Not Riots³²

U.N. Convention on the Prevention and Punishment of the Crime of Genocide, 1948 defines the crime of genocide as:

“any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;

(b) Causing serious bodily or mental harm to members of the group;

(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;”

The Convention confirms that genocide, whether committed in time of peace or war, is a crime under international law which parties to the Convention undertake “to prevent and to punish” (Article 1 of the Convention). The primary responsibility to prevent and stop genocide lies with the State in which this crime takes place.

The International Criminal Tribunal for the former Yugoslavia (ICTY) stressed the importance of maintaining the rigor of the definition of genocide:

“The gravity of genocide is reflected in the stringent requirements which must be satisfied before this conviction is imposed. These requirements guard against a danger that convictions for this crime will be imposed lightly. Where these requirements are satisfied, however, the law must not shy away from referring to the crime committed by its proper name.”

Prosecutor v. Radislav Krstic, Case No. IT-98-33-A (April 19, 2004), ¶ 37.

In the past three decades, India has consistently labeled the massacre against Sikhs following Indira Gandhi’s assassination as the “anti-Sikh riots”. “Riot” is defined as “a wild or turbulent disturbance created by a large number of people.” Labeling November 1984 as “riots” not only mischaracterizes the massacre, but it also purposefully masks a brutal dimension – the fact that the attacks on the Sikh population of India during November 1984 were in fact “genocidal” in nature.

³¹ “[G]enocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.” [See (Article 2 of the UN Convention on the Prevention and Punishment of Genocide; 18 U.S.C. § 1091(a)(c)(d)]

³² By the very definition, the word “riots” denotes fight between two or more communities resulting in equal or proportionate loss of life and property to all the communities involved. Unlike any riots, November 1984 violence targeted only people belonging to Sikh faith and for being Sikhs. There has not been any reports of any Hindus being killed or attacked during anti Sikh violence of November 1984. Sikhs were the sole and lone target of the violence and thus the violence was not “riots”.

The following features of November 1984 killing of Sikhs qualify it to be “genocide” rather than riots:

(1) The targeting of a religious group for murder and extermination; as evidenced by:

- a. Slogans calling for the death of all Sikhs;
- b. Repeated attacks by gangs to ensure that all Sikhs were killed;
- c. Direct targeting of Sikh property;
- d. Destruction of symbols and structures of the Sikh faith; and
- e. Perpetration of other crimes such as rape and sexual assault, beatings and physical attacks, looting and stealing, extortion, acts of humiliation such as stripping and mutilation of corpses.

(2) Participation of police and administration in instigation of the murders, as well as manipulation of records and destruction of evidence to evade criminal accountability; and

(3) Organized and systematic implementation of the carnage; as characterized by:

- a. A systematic and uniform method of killing;
- b. Meetings of Congress party leaders and workers on the night of October 31 and morning of November 1, before the initiation of the massacres. Leaders of Congress party distributed weapons and asked the attendees to kill Sikhs and promised rewards and assured impunity in return;
- c. Organized dissemination of rumours through state run media;
- d. Use of Government data and record such as voter registration lists and rations card to identify and locate Sikhs.
- e. Transportation of gangs of assailants in Government vehicles; and
- f. Supply and distribution of weapons and kerosene oil to the assailants by local Congress Party leaders.
- g. Supply and distribution on instantaneously combustible chemical powder by local Congress party leaders.

In November 1984, the atrocious attacks against Sikhs were carried out throughout India to destroy the Sikh religious identity by a political party with the track record of openly detesting Sikhs. This conforms to the research published by United Nations Secretary General’s Special Advisor on Genocide stating that “[genocidal] attacks do tend to take place in a country [like India which is] inhibited by diverse religious groups among whom conflicts and differences are fomented by discrimination, hate speech inciting violence and other violations of human rights”.

The latest evidence that Sikhs throughout India were subjected to Genocidal attacks is the recent discovery of Mass Graves of Sikhs at village Hondh-Chillar in the Indian State of Haryana. According to eyewitness reports, on November 02 1984, the Sikh population of the village was attacked by a group of about five hundred (500) people. These attackers were transported to the village in state issued vehicles. The attackers were armed and led by leaders of Congress-I. The group was chanting the slogan “Sikhs are traitors and we will annihilate them”. The attackers surrounded Sikh houses and started throwing petrol bombs into the houses, men and children

were beaten and thrown into the burning houses and the women were first raped and then also thrown into the fire to die. Eyewitnesses also account on the Sri Guru Granth Sahib being desecrated and a Gurudwara set on fire.

The manner in which the Sikh population of village Hondh-Chillar was exterminated coincides with the pattern of the contemporaneous attacks that took place throughout India. These statewide attacks have been documented in statements of survivors, witnesses and reports of human rights groups. Therefore, what Sikhs, a religious minority, were subjected to during November 1984 was "Genocide" because it was organized, systematic, targeted and intentional attack on a religious minority.

IV. JUSTICE FOR SIKHS - A MIRAGE

After thirty (30) years and the implementation of several inquiry commissions, justice for the victims of November 1984 Sikh Genocide appears to be nothing more than a mirage.

An example of the denial of justice to victims of the November 1984 occurrence with complicity of all the organs of the state and Government of India is the treatment meted out to the "Writ Petition" filed by "MANUSHI". In early 1985, an India (New Delhi) based organization "MANUSHI" filed a petition in the Supreme Court of India demanding action against those leaders of the Congress (I) party, who were alleged to have masterminded the 1984 massacre of the Sikhs. (Manushi No. 25, 1984) The said petition was filed against the Indian State, the Home Minister and the Home Secretary: these are the officials who assume specific responsibility for the preservation of the safety of life of Indian citizens. Also named as respondents in the suit were the Delhi police through the police commissioner, the Congress (I) Party through its president and the general secretaries, including the Congress (I) Lok Sabha (Parliament) members from Delhi. The petition stated that by organizing a systematic massacre of the Sikhs, attacking their homes, businesses and religious institutions, the Congress (I) leaders, with the active help and connivance of the city administration, including the police, had violated the fundamental rights of the entire Sikh population of India. These included the right to life (article 21), the right to move freely throughout the country (19(1)(d)), the right to practice any profession or carry out any occupation (19(1)(i)), the right to reside and settle in any part of the country (19(1)(e)), the right to freedom of conscience and the right to freely profess and practice any religion. The previously mentioned rights as well as all other fundamental rights of Sikhs were violated by the State when they entered into an illegal conspiracy with organized gangs of hoodlums. The petition appealed to the court to:

- (a) order an independent enquiry into all the heinous crimes committed, to uncover how the orders were given, and by whom;
- (b) order an interim suspension from office of those who were leading the cover up operations;
- (c) require that the enquiry result in the enunciation of basic principles that should govern the trials of these violators of constitutional rights;
- (d) pending the court's decision, freeze all assets of these organizations and individuals under enquiry;

- (e) offer institutional remedies to return the country to Constitutional rule;
- (f) provide guidelines for the payment of punitive fines, reparations and compensations from the frozen assets of the extra governmental organizations and individuals who are convicted of having participated in the murderous attacks on the lives and Constitutional rights of Indian citizens belonging to the Sikh minority.

Manushi's petition was unceremoniously dismissed by a bench of Supreme Court presided over by Justice Ranganath Misra without as much as a cursory hearing.

The dismissal of MANUSHI's petition without being heard by the Supreme Court of India, the highest judicial forum of the country, proves the complicity of all the state institutions of India in denying justice to the victims of November 1984. This pattern of denying justice is redundant, as it has been seen repeatedly, without fail, over the last thirty (30) years.

Justice Misra was nominated to head the government appointed inquiry committee known as the "Misra Committee". Later, Congress "I" government promoted and made Justice Misra, Chief Justice of the country. After his retirement, Justice Misra became Member Parliament (Rajyasabha) on the ticket of Congress "I", the same political party whom Justice Mishra had exonerated in 1984 violence cases during his career as judge.

Although successive Indian Governments set up several inquiry commissions/committees to investigate the November 1984 killing, a review of their scope, findings, and lack of government action on their recommendations, reveals the hoax played through the facade of investigation into the November 1984 killing of Sikhs. These commissions did not have any judicial powers and their scope of inquiry was limited to the violence in Delhi alone - another way to cover up the extent and scale of violence against Sikhs. These commissions and committees were used as eyewash to offset the demand for justice and accountability for the November 1984 violence.

V. CONCLUSION

In his address to the congressional commission of the United States on the topic of genocide titled "The Cost of Denial", Dr. Gregory Stanton touches on the mental implications of the genocide, as well as what the continuing denial of the justice and recognition will do to victims. He states: "It is actually a continuation of the genocide, because it is a continuing attempt to destroy the victim group psychologically and culturally, to deny its members even the memory of the murders of their relatives...studies by genocide scholars prove that the single best predictor of future genocide is denial of a past genocide coupled with impunity for its perpetrators". The actions of the Indian government in continuously denying Sikhs justice are evidence that the present and future of Sikhs in India is not secure. The facts and details reported in the preceding pages sufficiently establish that violence perpetrated against Sikh people in India during November 1984 was "genocidal" in nature should thus be declared as such under Article 2 of the U.N. Convention on Genocide.

SCHOLARS ON NOVEMBER 1984

“[During November 1984] the mood in India ‘bore an ominous resemblance to that of the 1930’s Germany, likening the orchestrated urban pogroms against Sikhs and Muslims to so many Kristallnachts”.

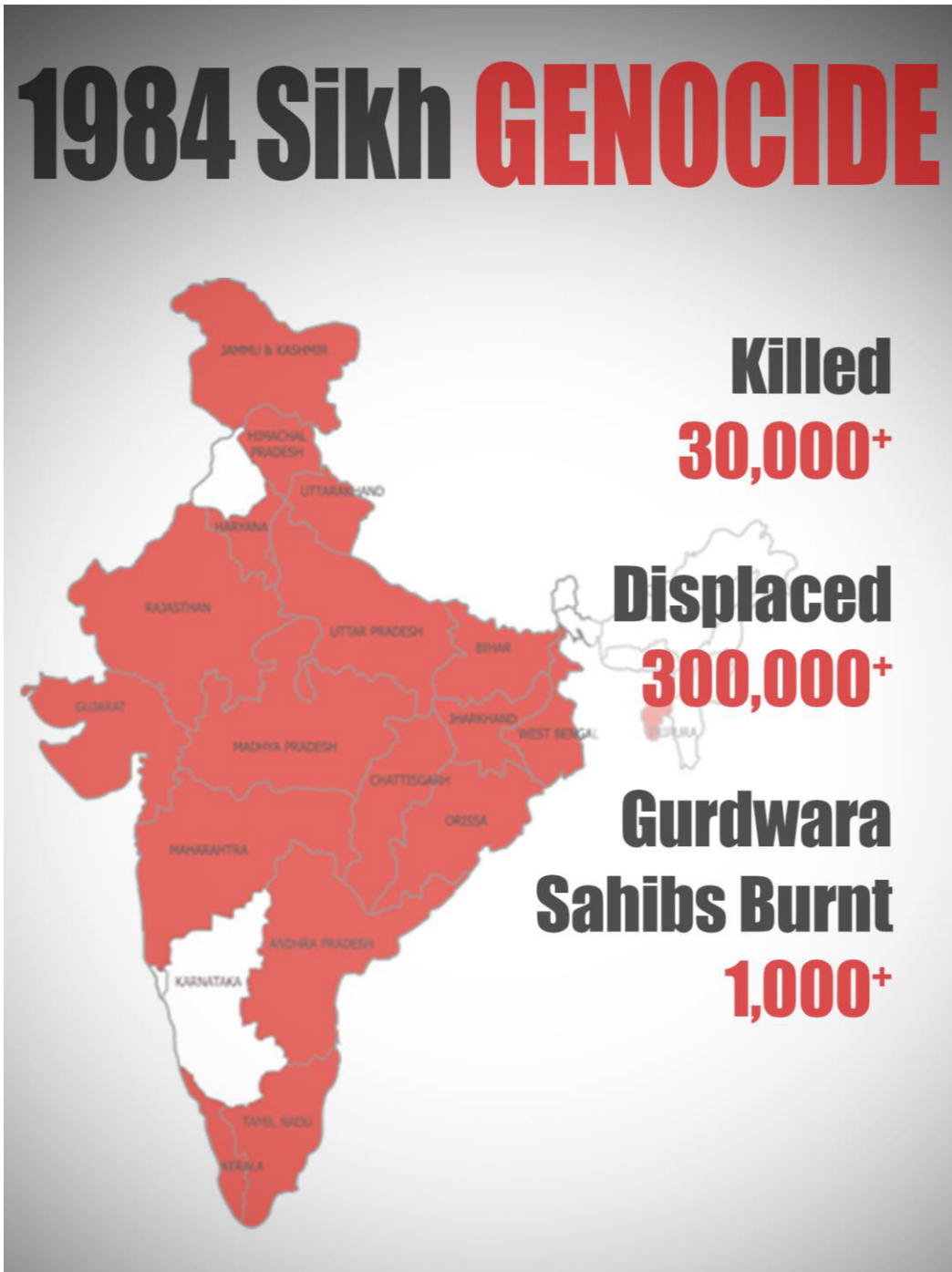
Paul BRASS,
Cambridge History of India Series
Professor of Political Science and International Studies
at the University of Washington, Seattle

“The attacks on Sikhs in the early days of November 1984 killed at least as many people as the Chilean regime of Augusto Pinochet killed in more than 17 years”
Barbara CROSSETT, *New York Times* Reporter

“Though some will find the analogy with Nazi Germany here too extreme, both the explicit targeting of Sikhs as traitors following Operation Blue-Star and the clear earmarking of Sikh residence and business in the post-assassination carnage speak to an incipient genocidal campaign.”

Cynthia K. MEHMOOD,
Associate Professor of Anthropology,
University of Notre Dame, Indiana, USA
Senior Fellow, Joan B. Kroc Institute
for International Peace Studies

APPENDIX - I



Map of India showing the places where Sikhs were attacked during Nov 1984.

APPENDIX - II

Government of India's official records showing more than 35,000 claims filed by victims of November 1984

State-wise information on disbursements of relief under the Rehabilitation Package for the 1984 riots victims as on 2.7.2007

Sl. No.	Name of State	Numbers of claims received	Number of claims			Amount released by the Central Govt.	Amount disbursed to victims so far/allotted to the DCs for disbursements
			Settled	Rejected	Pending		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	NCT of Delhi	11164	8323	-	2841	22,12,00,000	121,95,39,496
2.	Bihar	64	-	-	64	10,37,394	75,59,883*
3.	Chattisgarh	408	363	45	0	1,49,83,000	1,60,00,218
4.	Haryana	618	518	-	100	604,51,872	6,43,50,535
5.	Himachal Pradesh	326	326	-	-	1,92,59,342	1,92,59,342
6.	Jammu & Kashmir	62	62	-	-	-	1,54,51,000
7.	Jharkhand	1265	655	-	610	7,46,45,524	13,86,03,896**
8.	Madhya Pradesh	3587	2725	669	201	11,96,07,325	4,18,39,450
9.	Maharashtra	81	80	-	1	22,33,000	Govt. of Maharashtra has been requested to intimate whether the assistance of Rs. 102.61 Lakh has since been disbursed to the 80 eligible claimants for payment of ex-gratia for loss of property. If not, the reasons which are preventing early disbursement of ex-gratia in each case. They

							have also been requested to indicate total number of persons who have applied for payment of ex-gratia.
10	Orissa	No claims received	<i>settled</i>	<i>Reported</i>	<i>Pending</i>	-	-
11	Punjab	13,125	11,878	-	-	193,12,82,543	237,45,00,000
12	Uttarakhand	378	287	-	91	-	60.03,650
13	Uttar Pradesh	4326	2234	716	1376	-	9,15,20,025
14	Tamil Nadu	41	-	-	-	-	@
15	West Bengal	90	-	-	-	-	@
	TOTAL	35,535	27,451	1,430	5,284	2,44.47,00,000	399,44,27,495

*The amount has been allotted to the District Magistrates by the Govt. of Bihar for disbursements to the victims.

**Out of the amount indicated, Rs. 4,89,81,000 has been released to the respective Deputy Commissioners by the Govt. of Jharkhand for payment to the remaining 610 claimants.

@A proposal is under consideration for extending the "Rehabilitation Package" to the victims in Tamil Nadu and West Bengal.

APPENDIX - III

Pictures of November 1984 Sikh Genocide



Picture of a burnt house during attack on village Hondh-Chillar, State of Haryana, discovered 26 years after November 1984. Source, File Photo "The Tribune"



Rajiv Gandhi and actor Amitabh Bachchan beside the body of former Prime Minister Indira Gandhi - Source : The Indian Express



A file photo showing a part of Delhi's Trilokpuri area where a person from every house was burnt in the 1984 riots. Source- Hindustan Times-



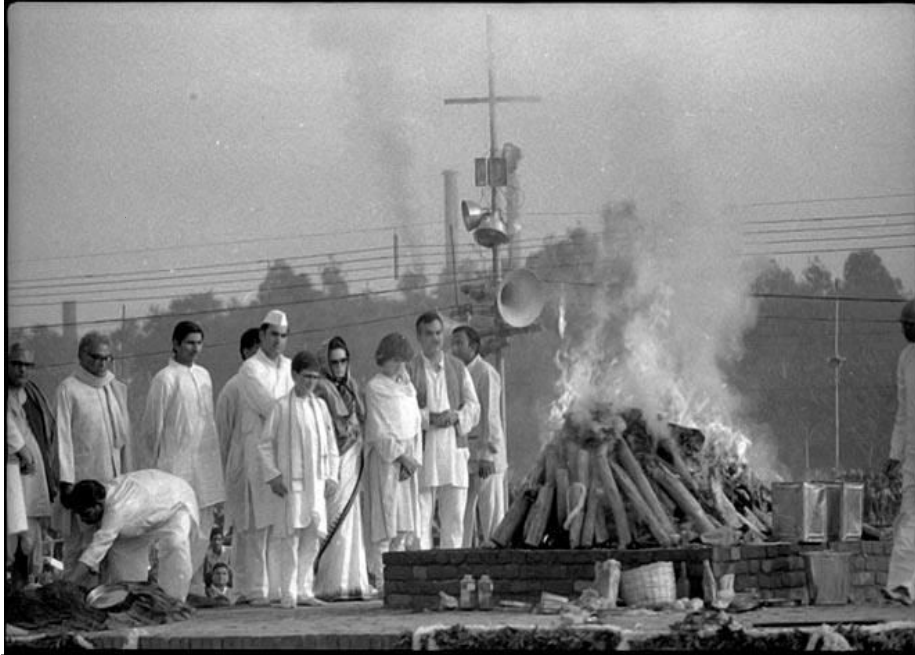
A cop walks past a burning property in Delhi during Anti Sikh violence of November 1984. Photo Courtesy Time, November 12, 1984



Body of Sikh on fire during November 1984 carnage while passersby look on.



Sikhs of India reduced to refugees from second grade citizen. Over 300,000 Sikhs were uprooted and displaced as a result of November 1984 violence against Sikhs. Photo shows a refugee camp in Kalyan Puri, Delhi. Source- Hindustan Times- File photo



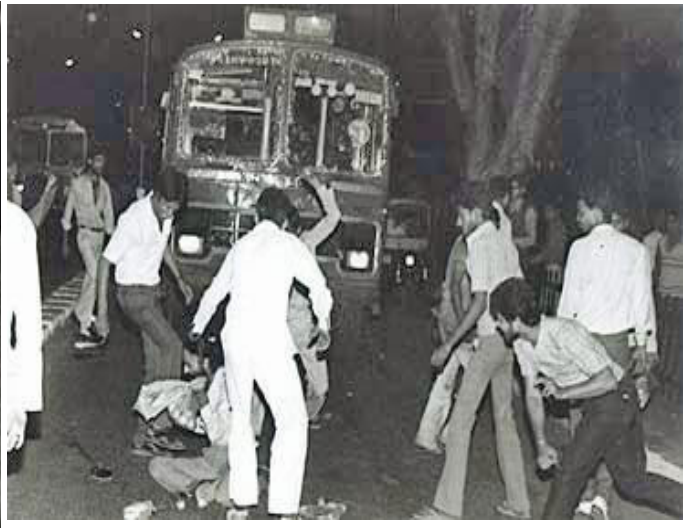
Indira Gandhi's cremation on Nov 03. By that time, thousands of Sikh lives and properties had been destroyed. Heavy clouds of smoke can be seen in the background emitting from a burnt property. Source- Hindustan Times- File photo:



Picture of Sikh properties at fire in Delhi, India's capital which became a funeral pyre for Sikhs in November in 1984. Source- Hindustan Times- File photo:



Bodies of Sikhs slain during November 1984 lying in open while public passing by and watching.



A Sikh man being surrounded and beaten by mob - Source : Outlook Magazine