

## INTRODUCTION

*'Thou shoudst not decide. until thou hast heard what both have to say,'*

*Aristophanes.*

A spate of false propaganda, prejudiced reporting, distortions and one sided versions of the Punjab Problem have filled the columns of newspapers. As a result most people in India and abroad have not formed a correct assessment of the problem. Biased versions circulated by the Government controlled media have led to all sorts of misunderstandings and misconceptions in the public mind. The White Paper issued by the Government of India was nothing but an exercise in self-proclaimed righteousness. It was an ingenious attempt to white wash the glaring facts in order to justify the ill-conceived policies of the Government epitomising in the Blue Star attack on the Golden Temple, the sanctum sanctorum of the Sikhs. It takes up the events of only three years (1981-84) and takes no cognisance of the historical backdrop. Such a study is bound to be lop-sided, limited and partial.

The multi-dimensional problem in Punjab must be studied in its entirety and in its historical totality. It is sad that the contemporary history of Punjab has been grossly misrepresented. Justice VR. Krishna Iyer once remarked that "the full Punjab story in its veridical objectivity and dialectic perceptivity remains a challenge to nationalistic courage and holistic vision." The purpose of this Paper is to provide a true perspective on this challenging subject and to enlighten those, who have no access to actual facts. The full Punjab story presents a sordid tale of political trickery, colossal discrimination, Machaivillian strategies, deceptive accords, murky intrigues, confrontation and blood-shed. The Sikhs constitute only 2% of the total population of India, though they form a majority in the northern province of Punjab and

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this very province is a target of discrimination and economic strangulation by the Centre. During the pre and post independence India, the Sikhs have sacrificed and toiled to break the shackles of slavery and to develop the country. Inside and outside India, wherever the Sikhs have gone, they have made a name for themselves in every field of life-skilled or unskilled, professional or non-professional. They are an enterprising, hardworking and God fearing people with a belief in equality of man, irrespective of colour, creed, origin, race, religion or sex. In spite of overwhelming economic, political, social and religious odds, the Sikh farmers of Punjab have made India self-sufficient in food and their ethos have transformed Punjab into an enterprising state.

It is well-known that the Sikhs constituted the backbone of India's freedom struggle. It was on the ashes of the Sikh freedom fighters that India built its citadel of freedom. During the British rule, the Sikhs were looked upon as the third political entity in the country, along with the Hindus and the Muslims. Nationalism, secularism and democracy were the chief planks on which the Indian National Congress sought to build its strength in the pre-partition days. Congress had also promised a federal structure for free India. It had solemnly pledged constitutional safeguards for the minorities and had assured the Sikhs that no future constitution of India would be acceptable to the Congress, which did not provide 'full satisfaction to the Sikhs.' But after Independence, the Congress made a big somersault and began to play a deceptive role in the name of nationalism. Political life in the country was vitiated when the Congress started usurping the political rights of the minorities under the alluring camouflage of secularism and democracy. The wheel of the Government policies started moving in a direction that was bound to disillusion the Sikhs. Making of a unitary constitution, instead of a federal one, was a glaring breach of promise and came as a rude shock to them. The Sikh representatives outrightly rejected this Constitution and refused to append their signature to it. Secular and democratic professions of the Congress were soon exposed when it began to identify itself with communal forces and started to follow

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a policy that was inconsistent and even contradictory from state to state. A noteworthy instance of the lack of a uniform domestic policy came to light when the ball of linguistic states was set rolling in the country and it was not allowed to reach Punjab due to communal reasons. Out of the fourteen recognised languages in the Indian Constitution, thirteen states were formed on a linguistic basis, only the Punjabi speaking state was not formed because of the fear of the Sikh majority in the state.

Both Pandit Jawahar Lal Nehru and Indira Gandhi opposed the creation of a Punjabi speaking state tooth and nail, due to their communal bias and short-sighted approach. The Akali Dal had not asked for anything more than what was morally and legitimately due to the State on the principles of equity and equality. It is significant to note that the Akali struggle extending over almost two decades, for the creation of Punjabi Suba was well organised and non-violent in character. A record number of two lac people peacefully courted arrest. No other people in the country had to make so many sacrifices and carry out such a prolonged struggle for the formation of a linguistic state. Ultimately, when after a long and hard struggle the Punjabi Suba was formed in 1966, it was not equal in political status and powers with the other states like Maharashtra, Gujarat, Tamil Nadu and Andhra Pradesh. It was nothing more than a crippled sub-state, mercilessly deprived of its economic resources, its capital and other vital limbs.

The most destructive aspect of the Punjab Reorganisation Act 1966 was the introduction of Sections 78 to 80 which empowered the Centre to have tight grip over irrigation and hydel-power in Punjab. Their development and distribution have also been kept in tight Central control, even though these are exclusively state subjects in the Indian Constitution. These Clauses have been calculatedly employed to the detriment of the economic and political well-being of Punjab. Diversion of 75 per cent of Punjab's river waters by the Centre to non-riparian states of Haryana and Rajasthan is in flagrant violation of all national and international norms. Thus the creation

of Punjabi Suba was a mere eye-wash. A sense of deprivation and " injustice continued to be felt as before.

Apart from the unconstitutional and ruinous drain of its river waters, Punjab was also deprived of its capital and valuable Punjabi-speaking areas. Through a planned process of arbitrary and unilateral Awards announced by Indira Gandhi, relating to both water and territory, the betrayal of Punjab's interests was sought to be made a *fait accompli*. Punjab had perfectly legal case to contest or refute the unconstitutional and irrational Awards. In 1978, the Akali Dal filed a case in the Supreme Court challenging the constitutional validity of Sections 78-80 of the Punjab Reorganisation Act of 1966. But two years later when the duly elected Akali Government in Punjab was dismissed by Indira Gandhi in an arbitrary manner and the Congress took over, the case was withdrawn from the Supreme Court. Such a high-handed policy was bound to leave deep scars on the politics of Punjab.

Anti-Punjab stance of Prime Minister Indira Gandhi became more pronounced during her second tenure as Prime Minister, which began on January 14, 1980, after two years of ignominious defeat and political eclipse following the inglorious Emergency. She was hellbent on throwing the real issues out of the political arena. She concentrated all her energies on devising ways and means to keep the Akali Dal away from the portals of power, to inflame passions and to ignite the communal cauldron to sidetrack the actual problem. During her first tenure she had sown the wind and during the second she reaped the whirlwind.

The Akalis were hard put to come up with a *modus operandi* to seek justice. As the Government had no intention to reverse the existing direction and trends, they were at a loss as to how to get the redressal of their grievances, Punjab continued to be in the tight grip of the ill-conceived and the discriminatory policies of the Centre. Eventually, the Akali Dal decided to launch the Dharam Yudh Morcha (1982) - a fight for righteousness and not a holy war as

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misinterpreted by many. The basic issues of the Dharam Yudh Morcha were related to the prevention of the digging of the unconstitutional SYL Canal, redrawing of Punjab's boundaries, restoration of Chandigarh to Punjab, re-defining of Centre-State relations and greater autonomy for the state as envisioned in the Anandpur Sahib Resolution. The main thrust of the Morcha was against the economic erosion of the State. The most important demand was the restoration of State's river waters as per constitutional, national and international norms based on the riparian principles. The Akali Dal had not demanded anything more than what was constitutionally due to Punjab. But the crisis in Punjab was kept alive due to the failure of the Government to find a political solution. The pretence of a negotiated settlement was put up by the Prime Minister Indira Gandhi several times but she had no real intention to reverse her discriminatory policies.

Law and order was made an excuse to skip the real issues and prevent a constitutional settlement of Punjab's legitimate grievances regarding the unconstitutional drain of 75% of its river waters and territorial and socio-political discrimination. The process of oppression started with police atrocities, fake encounters, custodial deaths and free use of military and paramilitary forces to put down democratic and non-violent movements sparked a chain reaction, with Sant Jarnail Singh Bhindranwale openly defying state tyranny. Outrageous behaviour of the Sikh youth was the outcome of a mounting frustration and a sense of disillusionment with the unjust and repressive policies of the Government. Vicious cycle of violence and vengeance was set in motion due to the iniquitous steps taken by the Government. Indian media thrived on sensationalism and real political issues were intentionally sidetracked in the murky atmosphere. Resort to purely repressive measures was bound to lead to disrespect for authority and loss of its credibility. It is significant to note that though there were retaliatory killings in Punjab, there has never been any mob violence against the Hindus. In the above context the Blue Star attack on the Durbar Sahib and the other Gurdwaras has been considered by the Sikhs as simply

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unprovoked and purely a demolishing and diversionary measure by the Government so as to camouflage the actual problem and destroy the moral and religious source of Sikhism.

Gradually, evidence is leaking out that Blue Star attack was a pre-meditated design to give a fatal blow to the Sikh identity. Instead of producing the desired results, it added new dimensions to the crisis. Large scale killings of its own people and the use of tanks and guns against them is a known feature of centralised dictatorships but not of democracies perceptive to the sentiments and aspirations of all section of their own countrymen. The attack left deep scars on the Sikh psyche.

The November 1984 massacres of the Sikhs in Delhi and other parts of the country in the wake of Indira Gandhi's assassination further intensified the feelings of hurt, alienation and humiliation in the Sikh community. It is noteworthy that those directly responsible for the massacres were never made to stand trial, whereas prices have been fixed on the heads of Sikh militants. There seems to be no rationale for this kind of ambivalence on the part of the Government. Independent investigations have raised the accusing finger at some top Congress leaders, who continued to hold ministerial portfolios at the Centre, in spite of the horrendous crimes attributed to them. Due to politician-criminal nexus in some quarters of the Congress, the party has touched the lowest ebb.

Traumatic events of 1984 failed to generate any change in the policy and approach of the Government towards the Sikhs. Demoralised Akali leadership was brought to its knees and made to sign on the dotted line of a deceptive Accord, known as Rajiv-Longowal Accord (July, 1985). Under this, a major diversion of Punjab waters to the non-riparian states was secured through a government appointed Tribunal. The digging of the SYL Canal was started with full vigour but the work was stopped due to some incidents of violence involving the killing of some top officials. The so called Accord proved nothing more than a propaganda

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gimmick verging on another fraud on the people of Punjab.

The Indian polity has failed to establish its credentials as a dispenser of justice and fair play. The credibility of the Indian leadership in regard to its integrity, motives and statesmanship is so low that the religious, cultural and ethnic minorities feel seriously threatened. The phenomenon of so-called extremism in Punjab has to be viewed in the context of dwindling standards of political behaviour and policies aimed at sheer repression and intimidation without providing justice. The political climate in the country has been vitiated by wide-spread corruption, pseudo-secularism and communal policies leading to the alienation of the minorities. Such trends are essentially the manifestations of a national trauma - the trauma of shattered values and convictions. Discriminatory policies lacking in vision and statesmanship, have led to the failure of both secularism and democracy.

Unwarranted delay in finding a political solution to the problem in Punjab had led more and more people to give their verdict in favour of decentralisation of powers. A consistent posture of confrontation, rather than of accommodation, and the use of harsher and still harsher strategies based on cold calculations by the Centre have forced the Sikhs to seek political arrangements where they can experience the 'glow of freedom' and get rid of majoritarian high-handedness, tyranny and control mechanisms, aimed at eroding the Sikh identity. The Sikh demand for more state autonomy has been articulated in the form of Anandpur Sahib Resolution and the Amritsar Declaration.

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*"It was the Sikhs who placed themselves at the head of the nation; who showed themselves as interpreters of the rights of the people; who maintained the struggle between good and evil, between the sovereign will of the people and the divine right of kings and the opposition of liberty to despotism; who avenged the insults, the outrages and slavery of many generations past; who delivered their mother country from the yoke of the foreign oppressor; who displayed all that was great and noble; who left to the children of their province a heritage unsullied by the presence of any foreign soldier; who won for the Punjab the envied title of 'the land of soldiers'; who alone can boast of having erected a 'bulwark of defence against foreign aggression', the tide of which had run its prosperous course for the preceding 800 years and to whom all other people of Northern India in general, and the Punjab in particular, owe a debt of gratitude ".*

*Dr. Hari Ram Gupta.*

It is necessary to state who the Sikhs are and what they stand for. Sikhism, a revelatory religion, arose in the 16th century' as a new revolutionary ideology aimed at the spiritual rejuvenation, moral upliftment and social emancipation of people. On the one hand it confronted the dogmatism and religious hypocrisy of the priestly classes and on the other hand it challenged the religio-political oppression of the contemporary rulers. Guru Nanak, the founder of the Sikh religion, stressed the unity of God and brotherhood of man. He attacked such pillars of traditional society as caste, idolatry, ritualism, asceticism and intermediary role of the priests in man's relations with God.

Closely integrated with religion was the Guru's programme of social regeneration through reorientation of the prevailing social outlook. He exhorted people not to shun the battle of life, not to renounce their hearths and homes, not to retreat to the private solitude of hills and caves but to live the life of full-blooded householders. In the integrated vision of the Guru, the spiritual and the temporal

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realms of human existence were welded into a healthy and harmonious whole. As such the realm of religion was widened to cover man's worldly concerns and social responsibilities. Guru believed that religion should be an effective vehicle to promote the values of love, harmony and peace. Spiritual insight into the nature of things should lead to an enlightened understanding of the phenomenal world.

The Guru aimed at creating an egalitarian, forward looking and just social order with emphasis on work ethic (*Kirt Karo*), sharing of one's wealth (*Vand Chhako*) and contemplation of God's name (*Nam Japo*) in pursuit of the higher meaning of life. Guru Nanak established *Dharmshals* (later on called Gurdwaras) as the centres of the new society, which not only came to serve as repositories of the Sikh faith but also played a significant role in maintaining the corporate life of the community and reinforcing the notion of religious collectivism. Congregational prayers held in the Gurdwaras helped in reviving the Sikh spirit. It brought before them the vision of the mighty deeds of their Gurus and martyrs and the sacrifices the Sikhs had made for the defence of religious autonomy and the glory of the Sikh banners, temples and the Panth. The valour and sacrifice of the Sikh community can hardly be envisaged without noticing the fervour of their attachment to the Gurdwaras which constantly remind them of their heroic past and inspire them to forge their future with courage and confidence. Guru's movement released the energies of men and women slumbering for centuries and roused their conscience against degrading socio-religious practices, no less than their abject submission to a tyrannical rule.

The second Guru Angad challenged the undue sanctity attached to Sanskrit as '*Dev Bhasha*' and decided to propagate the new faith through the popular medium of Gurmukhi. Thus religion ceased to be a mystery hidden behind a linguistic curtain; it became a part and parcel of life, a matter of day-to-day experience. The fifth Guru compiled the scripture of the new society, called the Granth Sahib. Written in Gurmukhi script, the Granth Sahib became the nucleus of the Sikh way of life and all religious observances. It is noteworthy that Granth Sahib is the only religious scripture in the world which accords divinity to the compilations of holy men of different faiths.

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The fifth Master also built the Harmandar Sahib, which apart from being a principal place of worship also became the rallying centre of the Sikhs. The supreme act of martyrdom of the Guru for the cause of righteousness left an indelible stamp on the Sikh way of life.

The combination of the spiritual and the empirical, stemming from the creative and life-affirming vision of Guru Nanak was given a concrete shape by the sixth Guru Hargobind when he raised the Akal Takhat (the throne of the Timeless), a seat of temporal authority, adjacent to the Harmandar Sahib, visibly symbolising the highly cherished Miri-Piri doctrine. In the integrated complex, the spiritual concerns of the human soul and the temporal concerns of daily life came to be taken care of. Not only Darbar Sahib but all Gurdwaras came to acquire a theo-political status.

The ninth Guru Tegh Bahadur suffered martyrdom to counter the forces of tyranny and injustice to uphold the freedom of man to practice his religion. He demonstrated that to lay down one's life in defence of righteousness was a paramount religious duty.

The founding of the Khalsa by the tenth Master Gobind Singh on the Baisakhi of 1699 A.D. was the epitome of the mission of Guru Nanak. The Guru adopted for himself and his followers the martial appellation of Singh meaning literally a lion and metaphorically a champion or a warrior. The Singhs were saints and soldiers in one, very aptly described as saint-soldiers (*Sant-Sipahis*). The Guru wrote to the Mughal King Aurangzeb, in explicit terms, that 'when all other means to restore righteousness fail, it is but legitimate to take up the sword'. The Guru aimed at creating a nation that would be pure and strong enough to free itself from the oppression of the rulers and the priests. The ideal of blending the spiritual and empirical fully blossomed in the role of a saint-soldier prescribed for his followers by the tenth Guru.

Guru Gobind Singh prescribed five symbols, including *Kirpan* (sword) and unshorn hair, for his followers. These articles of faith strengthened religious discipline and served as aids to the preservation of the corporate life of the community.

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This, in brief, is the history of the Sikh community created, led and motivated by the ten Gurus over a period of over two hundred years. With the development of its life-embracing ideals and institutions, Sikhism became an independent, conspicuous and sovereign dispensation.

After Guru Gobind Singh, Banda Bahadur kept the torch of Sikhism ablaze. With his decisive victories he shook the foundations of the mighty Mughal empire. Banda and his men kept their cool even in the face of torture and death. They had to fight against very heavy odds. But they preferred death to slavery, defiance to submission. None of them renounced his faith to save his life, thus carrying on the tradition of sacrifice for the cause of righteousness.

Eighteenth century was a turbulent period for the Sikhs when they had to live precariously, with a price on every Sikh head. But the intense faith kindled in them by the Gurus never wavered, even in the face of the worst kind of persecution. Their blood created fertile soil for sprouting the seeds of Sikh glory. They confronted the hordes of Persian and Afghan invaders and were eventually successful in, once for all, repulsing a thousand year wave of invasion from the North-West of India. Thus the brave community with its glorious record of great enterprises imparted a new direction to Indian history. It is noteworthy that in their long history of warfare, the Sikhs deserved moral and ethical norms and never wilfully destroyed places of worship, belonging to other faiths. They fought against tyranny and injustice, not religious wars.

After a long period of turmoil, suffering and persecution, the Sikhs rose to political power under Ranjit Singh, who was a glorious product of Sikh ethos. Four decades of peace, prosperity, progress and communal harmony, which the people of Punjab enjoyed under the Sikh rule of Ranjit Singh, was a unique phenomenon in the annals of Indian history. In the words of Jawahar Lal Nehru, "Ranjit Singh was remarkably humane at a time when India and the world seethed with callousness and inhumanity. He built up a kingdom and a powerful army and yet he disliked bloodshed. He had a strong army yet his reign was free from cruelty and oppression. He abolished death sentence even for the most heinous crimes at a time when in a

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country like England even petty pilferers had to face death."<sup>1</sup> He followed the injunction laid down by the Gurus : "Exercise forbearance in the midst of power, be humble in the midst of honour." The period after the fall of Sikh kingdom was again a period of acute trauma for the Sikhs when they had to face a multi-pronged attack, from the Christian missionaries and the Sanatan and the Arya Samaj Hindus on their sources of strength, their religious places and ideology. The Singh Sabha Movement, started in 1873, was a powerful movement which sought to restore Sikhism to its pristine purity. With its assertion of the Sikh identity, the Movement very effectively countered the Arya Samaj propaganda that Sikhism was nothing but a sect of Hinduism.

The British used the Sikh Gurdwaras as channels for the indirect control of the Sikhs. They supported the Hinduised corrupt Mahants and Pujaris, in charge of the Gurdwaras, who were consciously misrepresenting and distorting the Sikh tradition and identity by introducing certain rituals and practices, contrary to the faith. The Sikhs had to take up a protracted fight with the government first for the freedom of the Gurdwaras and then for the freedom of the country.

In 1920, the Shiromani Akali Dal was established which came to be looked upon as the supreme organisation of the Sikhs. After tremendous sacrifices and sufferings, the Akali Dal secured for the Sikhs an undisputed and exclusive control over their religious places, in the form of Sikh Gurdwaras and Shrines Act, 1925. The success of the Sikhs exploded the myth of the invincibility of the British power in India. Liberation of the Gurdwaras re-established the unique religious identity of the Sikhs. Control of the Gurdwaras passed into the hands of the S.G.P.C.

The Akali Dal emerged as a formidable force and the next phase of its struggle was directed towards the freedom of the country from the foreign yoke. Although the Sikhs constituted hardly 2 % of the country's population, yet they played a pioneering role in the fight for country's freedom. This was due to the tradition of suffering

1. Nehru, Jawahar Lal; *Discovery of India* (New Delhi, 1964), P. 298.

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and martyrdom handed down to them by the Gurus. The ideal of self-sacrifice for a righteous cause and the tales of unprecedented valour of men like Bhai Taru Singh, Baba Deep Singh, Bhai Mani Singh, Nawab Kapur Singh, Jassa Singh Ahluwalia, Jassa Singh Ramgarhia, Hari Singh Nalwa and Akali Phoola Singh are deeply implanted in the Sikh psyche. The long chain of martyrdoms in Sikh history have left an indelible imprint on the Sikh outlook. The edifice of Sikh religion is based on principles which are valid for all times. It has been sustained and nourished by the blood of martyrs.

The first two revolts against the British, the Kuka revolt and Ghadr rebellion were almost wholly manned by the Sikhs. The Kukas led by Baba Ram Singh set up 'a state within a state'<sup>1</sup> by challenging the British authority and boycotting the British goods, law courts and English education. They established their own law courts and their own communication system. The situation took a tragic turn when more than a hundred Kukas were mercilessly blasted off from the mouths of the cannons by the government. Kuka leaders were deported to Burma and the Andamans. A similar fate awaited the Ghadrites. Over a hundred of them, all Sikhs, were hanged. A very large number of them were imprisoned for life under the most inhospitable circumstances. The following table would give an accurate picture of the Sikh contribution during the freedom struggle.

Punishment suffered	Sikhs	Non-Sikhs	Total	Percent
Hanged	93	28	121	80%
Imprisoned for life	2147	449	2596	80%
Killed at Jallianwala Bagh	799	501	1300	70%
Killed at Budge Budge Ghat	67	46	113	59%
Killed in Kuka Movement	106	-	106	100%
Killed in Akali Movement	500	-	500	100%
Indian National Army	20000	12,000	32,000	60%

In the Indian National Army, led by Subash Chander Bose,

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60% of the officers and soldiers were Sikhs. Thus the battle for country's freedom was won, with the Sikhs in the forefront. All Sikh agitations, whether social, religious or political in character, were launched from the platform of the Gurdwaras. Not a single eyebrow, from any quarter, was raised against the use of the Gurdwaras for political purposes.

Baba Kharak Singh, a veteran freedom fighter, who was fully nurtured in the Sikh tradition, once remarked : "In the fight for India's freedom if you find a bullet in my back, do not count me as one amongst the Sikhs of the Gurus and do not cremate my dead body according to the Sikh rites. A disciple of the great Gurus is an ideal saint-soldier and is supposed to fight in the vanguard and face the bullets in the chest and not in the back, and we the Sikhs shall never allow any foreigner to rule over our Motherland, and we shall brook no injustice."<sup>1</sup> He said this while presiding over the All India Sikh Conference, held in Lahore, in 1929. A few days later, Lahore again was the venue of the historic session of the All India National Congress which fixed complete Independence as its political goal. But the tremendous response, vigour and enthusiasm at the Sikh Conference witnessed in the form of a five hundred thousand strong procession, with Baba Kharak Singh leading it on elephant back from under the walls of the ancient fort of Lahore, was in sharp contrast to the Congress session. The Times, London, described the Sikh Conference as 'a most impressive spectacle of human congregation that put the Congress show into shame and shade.' While talking to Master Tara Singh outside the Assembly Hall at Lahore, Mahatma Gandhi said, "What's the reason that the enthusiasm for freedom is not so much visible in the whole of India as in Punjab?" Master Tara Singh replied in all earnestness, "India has been slave for about two thousand years and this has abated the Indians' enthusiasm for freedom. But we (the Sikhs) have been ruled only for one hundred years and we did not accept the slavery even for a single day. That's why our zeal for freedom has not yet waned.' Another Hindu Congressman, Pandit Madan Malviya, was so impressed with the Sikh fervour for freedom that he went to the extent of saying that if we want the country to be freed at the earliest,

1. **Faug Singh**; *Eminent Freedom Fighters of Punjab (Patiala, 1972)*, PP. 155

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every Hindu family should have at least one Sikh member in it.'

The Sikh history, in all its varied phases, unfolds the genius of the Sikhs as a dynamic community. The life-affirming faith of the Gurus and the historico-political position of the Sikhs have bestowed upon them a vitality, not found in other communities. The Sikh spirit of enterprise has been in evidence on all fields of life, whether agriculture, industry or trade. Their martial prowess has made the Sikhs the finest of soldiers. Hari Ram Gupta observes, 'The Sikhs had won for the Punjab the envied title of the 'Soldiers' land'<sup>1</sup> and they alone can boast of having erected bulwark of defence against the foreign aggression, the tide of which had run its prosperous course for several hundred years before the birth of the Khalsa'.<sup>1</sup> Till Independence, the Sikhs constituted about 20% of the Indian Army.

In the Post-Independence period, the Sikhs have played a glorious role in preserving the country's freedom. In 1948, it was the military prowess of Air Commodore Mehar Singh and his men that saved the Kashmir valley from being captured by the Pakistani invaders, who had created an extremely critical situation for India, by surrounding the Sri Nagar air field and the city. At a grave personal risk, Mehar Singh landed his Dakota with the soldiers on board at Sri Nagar airfield. This unrivalled feat unnerved the invaders and they fled the valley. Even during the Indo-China and Indo-Pak wars, the feats of bravery and grit shown by the Sikh soldiers were "unequaled. During the 1965 war with Pakistan, the enthusiasm shown by the Civilian Sikh population, including the womenfolk, in serving the Army Jawans in the frontlines of the battles with packets of food was exemplary. Most of us are living witnesses of the role played by the Sikhs in the liberation of Bangla Desh. under the command of Lt. Gen. J. S. Arora. The Sikhs were again in the forefront in the peace making force sent to Sri Lanka, in 1985.

In 1975, when Prime Minister Indira Gandhi was treading the road of dictatorship after declaring an internal Emergency in the country, in the wake of an election defeat, it was the Shiromani Akali Dal that launched the ' Save Democracy Morcha'. The party

1. Gupta, Hari Ram; *The History of the Sikhs, 1739-1768* (New Delhi. 1978), P. 272.

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fought and won the battle against Emergency with credit. It emerged as the most courageous opposition party in the country. Vijay Lakshmi Pandit paid a glowing tribute to the Akalis for their brave resistance to Emergency in these words ; ' Punjab which had always been in the forefront of resistance to oppression, kept its colours flying, during the Emergency also. It was in Punjab and Punjab alone that a large Morcha was organised against it. The worst thing that happened during the Emergency was that a brave nation was frightened into submission and nobody spoke except in hushed tones. In Dehra Dun, where I was, I hung my head in shame and wondered if this was the Bharat for which we, the freedom fighters, had suffered. Even those, not actually in prison, were no less than in jail. Only in Punjab the Akalis organised a Morcha against this. Punjab's lead against such matters should continue."<sup>1</sup>

In free India, the basic issue faced by the Sikhs has been that of preserving their distinctive socio-religious and political identity. In a pamphlet, Harchand Singh Longowal expressed the Sikh apprehensions in these words : "India is a multi-lingual, multi-religious and multi-national land. In such a land, a microscopic minority like the Sikhs, has genuine forebodings that like Buddhism and Jainism earlier, they may also lose their identity in the vast ocean of the overwhelming Hindu majority."<sup>2</sup>

Right from the beginning, the attitudes that have determined the outlook and policies of the people at the helm of affairs have been governed by a kind of fear psychosis that a strong and united-India could emerge only if the Sikhs formally merged themselves into the national mainstream which has become synonymous with the Hindu mainstream.

The militant Hindu organisations like the B.J.P., R.S.S., V.H.P., Shiv Sena, Bajrang Dal, etc. argue that 'Hindutva' alone can be the basis of India's unity. This combine claims that Hinduism i-s the other face of Indian nationalism. They also assert that Hinduism is not a religion, but a way of life. The erstwhile R.S.S. Chief Gowalker

1. *The Tribune*, March 13, 1977.

2. Tully, Mark and Jacob, *Satish; Amritsar; Mrs. Gandhi's Last Battle* (New Delhi, 1985),

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sought to unify the heterogenous and diverse people of the country by projecting 'Hindutva' as the only way to maintain unity. In his book, 'We or Our Nationhood Defined,' Golwalker says that the Hindu nation is one where "all those not belonging to the nation i.e. Hindu race, religion, culture and language, naturally fall out of the pale of real national life. The foreign races in Hindustan must either adopt Hindu culture and language, must learn to respect and hold in reverence the Hindu religion, must entertain no idea except the glorification of the Hindu religion and culture, i.e. the Hindu nation and must lose their separate existence to merge in the Hindu race or they may stay in the country wholly subordinate to the Hindu nation, claiming nothing, reserving no privileges, far less any preferential treatment, not even citizens rights."<sup>1</sup> This is the definition of nation based on 'Hindutva'. The theoretical and intellectual exercises of their leaders and the practical slogans given to their followers have brought out the diabolical nature of their campaign. The slogans given at the grass roots and poisonous communal propaganda have created a deep sense of insecurity among the minorities.

The events of the past five decades in the Post-Independence period in India have unmistakably revealed that central polices in Punjab in relation to the Sikhs have been not only discriminatory but openly hostile. The Sikhs are fighting a battle for survival and identity, To believe that it will be possible to subdue the Sikh struggle in Punjab through sheer force is to ignore the Sikh history and ethos.

### **Darbar Sahib : The Core of Sikh Faith :**

The Sikh Shrines called Gurdwaras have always played a central role in shaping and governing the life of the Sikhs and their institutions, ethos and traditions. In the words of Bhai Gurdas, "Dharmsal (Gurdwara) is Mansarovar and the Sikhs flock there like swans." Built by the fifth Guru Arjan Dev, Darbar Sahib is the epicentre of Sikh faith which has served as the principal place of inspiration, direction and rallying centre of the Sikhs. It is by its construction and placement of the Sikh scripture there in that the fifth Master Guru Arian openly proclaimed to the world the independent identity of the Sikh faith. Thus it is the Guru who created the place as the capital and core of Sikhism. For, after installing the

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Scripture of the shrine, the Guru sanctified its sacredness by always sleeping on the ground in its precincts. Hence the meaningful sacredness of Darbar Sahib is the creation of the Guru himself and is not man made. The Guru created a cohesive *Panth* by introducing the system of *Daswandh*, which the ruling elite felt to be a tax levied by the Guru on his own people. It was this Guru, called the *Sachcha Padshah*, who created in his own life time 'a state with in a state', laying down the foundation of direct confrontation with the Empire by his martyrdom.

The sixth Guru Hargobind projected this step further by militarising the *Panth* and building the Akal Takhat as a centre of Sikh empirical life. It was not sheer coincidence that the day of confrontation with the Mughal Empire (i.e. the day of martyrdom of the Fifth Guru) was also the day on which Prime Minister Indira Gandhi mounted the attack on the Darbar Sahib with Akal Takhat, the nucleus of inalienable *Miri-Piri* combination in Sikh religion, as the special target. Obviously, such a calculated step had loud implications. It was from Akal Takhat that the Gurus had raised the banner of religious and political freedom and denounced the state oppression of the times. The highly cherished twin doctrine of *Miri and Piri* is visibly symbolised by the Akal Takhat and the Harmandar Sahib built adjacent to each other. Together they represent the unique ideal of spiritual and empirical unity handed down to the Sikhs by Guru Nanak, the ideal that has sustained and nurtured them through the centuries. Throughout the entire span of its eventful history, the Temple has been the centre of freedom and a cradle of martyrs who made supreme sacrifices to defend its sanctity.

Thus the Guru created the Akal Takhat as the official seat of authority and the venue of all socio-political deliberations of the Panth. During the turbulent period of eighteenth century, the Sikhs assembled at the Akal Takhat to discuss matters of political importance and sought spiritual and temporal blessings. Meetings of *Sarbat Khalsa* were convened to defend the community against the threats of the State and chalk out plans for military operations. Vital problems and dangers to the community were discussed and *Gurmattas* (decisions in the name of the Guru) were passed. The decisions taken at the Akal Takhat, because of its religious sanctity,

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were binding on the Sikhs. It was from the Akal Takhat that the Sikhs conducted their long drawn out political struggles against the foreign invaders. It has been the nucleus of crusade against every malevolent rule and a symbol of Sikh struggle for freedom. Realising its significance as the heart and soul of Sikh faith, the shrine was made, several times, the target of attack by the enemies in order to annihilate the Sikhs.

Ahmed Shah Abdali had attacked the Temple as it had become "In his eyes a rock of offence because of what it represented of the religious and political importance which Sikhism had acquired" <sup>1</sup> The event had stimulated a great cohesion and solidarity in the Sikh community. So bitter was the Sikh reaction against Abdali that on the eve of his last raid, in 1764, an assembly of the Sikhs passed a *Gurmatta*, proclaiming the independence of the Sikh state and religion. The term *Ghallughara*, coined during Abdali's invasion, connotes aggression, mass destruction and religious persecution and has become an integral part of the lore of the Sikhs.

In the eighteenth century when prices were fixed on the heads of the Sikhs and Amritsar was made out of bounds for them and pickets were posted on all roads leading to the city, the Sikhs refused to be cowed down and vowed to protect the sanctity of the holy place. It was learnt that the Shrine was desecrated by Massa Rangar, a Lambardar of Jandiala, who indulged in orgies of drink, smoke, obscene music and dance within the holy precincts. Two Sikhs, Mehtab Singh and Sukha Singh, braving all hazards of their visit to Darbar Sahib, came in disguise and chopped off Massa's head. Retributive action by the Government followed. Bhai Taru's scalp was scrapped. Bota Singh, Subegh Singh, Shab haz Singh and other Sikhs were killed in cold blood. But no persecution could extinguish the light which the Gurus had lit in their hearts. Gordon writes. "Bands of Sikh horsemen were to be seen riding at full gallop towards Amritsar, running the gauntlet of Mohammadan troops. The message would be sent round the distant villages, "who will ride to-night?" Death was martyr's crown on such occasions."<sup>1</sup> There were numerous instances of Sikh devotees who risked their lives in visiting

1. Gordon, J.H.; *The Sikhs* (London, 1904), P. 159.

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Amritsar to take a dip in the holy tank. Some of them must have had their heads chopped by the soldiers on the vigilance duty. "Some might be slain and some might be captured but none were ever known to abjure their creed, when thus taken on their way to the sacred place."<sup>1</sup> The Sikh pay homage to these martyrs in their daily *ardas*

Sikh annals record how Baba Deep Singh, the first Head of the Dam Dami Taksal had made the supreme sacrifice of his life in defence of the shrine. Severely wounded in the battlefield, the Baba is said to have pushed forward through the enemy lines and, supporting his almost severed head, reached the precincts of Darbar Sahib.

Ahmed Shah Abdali carried out his seventh invasion in December 1764. He rushed to Amritsar to make the Golden Temple his first target for the demoralisation of the Khalsa. As it happened, only about thirty Sikhs led by Baba Gurbax Singh were present in the Akal Bunga. They were ready to spill their blood for the honour of their sacred shrine. They were men of grim determination "who didn't have a grain of fear in them; they were unmindful of slaughter and the dread of death."<sup>2</sup> Instead of evading the surprise attack of the mighty hordes of Abdali, instinctively they came out and confronted their onslaught before they could enter the precincts of Darbar Sahib. In the brave struggle they checked the entry of the Afghan invaders into the Temple area till they died fighting to the last man.

The shrine was plated with gold by Maharaja Ranjit Singh and came to be known as the Golden Temple. Many great martyrdoms and triumphs have been associated with this historic shrine. In the words of Rattan Singh Bhangu, an eighteenth century Sikh chronicler, "no better death is conceivable for a Sikh than that which overtakes him while defending the great cause of Sikhism at this Centre of Sikh faith."<sup>3</sup>

Intertwined around the Shrine are the hallowed memories of

1. Malcolm, John; *Sketch of the Sikhs* (London, 1512), P. 88.
2. Nur Mohammad, Qazi; *Jagnama*.
3. Bhanga, Rattan Singh; Prachin Panth Parkash (ed.) Bhai Vir Singh (Amritsar. 1962). P. 325.

their Gurus, saints and martyrs, their hopes and fears, their songs and tales of heroism, their struggles and triumphs. It reminds them of their great heritage, eventful history and tradition and of so many legends that have become attached to it through the centuries. It mirrors the entire panorama of Sikh history. It is a living monument of the spiritual yearnings and the socio-political objectives that have shaped the dynamic Sikh people and animated them over the years. The history of the Darbar Sahib is, in a way, the capsuled history of the Sikhs. The Temple is not merely a structure of brick and mortar, but its every inch is soaked with the sacrifice of Sikh blood against social and state tyranny.

The Sikhs have never compromised their right to assemble at the Darbar Sahib in complete freedom. It has been a centre of resistance against the tyranny of rulers. The socio-political struggle of the Sikhs started first with the liberation of Darbar Sahib from the control of the Government-Mahant combine and continued thereafter, from its premises, for the liberation of their motherland. Forces emanating from here have caused not just ripples but great tides in the political ocean of the region. Both Gandhi and Nehru supported the Sikhs in their fight against British imperialism, conducted from its precincts. During the struggle against the British rule, the Congress leaders never objected to the combination of religious, social and political objectives of the Akali Dal and the executing of their plans from the precincts of the Gurdwaras. In fact, when the Sikhs gained the control of the Darbar Sahib, Gandhi sent them a complimentary telegram: "First battle of India's freedom won. Congratulations."<sup>1</sup> Rather the Akalis were projected in such flattering terms as 'the only living wing of the national movement', and 'the strongest community in India.'<sup>2</sup> In their statements, the Congress leaders supported the Akali Dal and the S.G.P.C. in all their programmes and activities. On one occasion, it described the official attack on the Akali Dal as "a direct challenge to the right of free associations of all Indians and a blow aimed at all movements for freedom."<sup>3</sup> In September 1923, the Congress held a special session

1. Mohinder Singh; *The Akali Movement* (Delhi, 1978), P. 47.
2. *Ibid.*, P. 140.
3. *Ibid.*, p. 139.

in Delhi and passed a resolution supporting the Akali agitation in Nabha State.<sup>1</sup> Nehru personally visited Nabha and was put behind the bars for

Supporting the Akalis.<sup>2</sup> In a long written statement, full of emotion and highly appreciative of the Akalis, Nehru attacked the high-handedness of the British bureaucracy and the arbitrary nature of justice in the State. He condemned the British for their 'unscrupulous' and 'crooked ways' and praised the Sikhs for their sufferings and sacrifice. In all Akali agitations, including the Jaitu and other Morchas, the centre of organisation and movement of the Jathas was the Darbar Sahib.

The Gurdwara Reform Movement and a number of other Morchas such as Guru Ka Bagh, keys of the Golden Temple and the Akal Takhat, Bhai Pheru Gurdwara and Gurdwara Gangsar, which played a significant role in keeping the socio-religious liberties of the Sikhs intact were all launched from the Akal Takhat. Even after Independence, all Sikh agitations, *Morcha* for the creation of Punjabi Suba and the 'Save Democracy Campaign' against the premises of the Akal Takhat. No objection was ever raised about the use of the Golden Temple Complex for the socio-political purposes. It was only after the launching of the Dharam Yudh Morcha (1982) that the use of Darbar Sahib for political purposes became the subject of an unsavoury controversy.

1. *Ibid.* P. 140.

2. *Ibid.*

## **HISTORICAL BACKGROUND: PRE-PARTITION PROMISES**

*"I ask you (Sikhs) to accept my word and the Resolution of the Congress that it will not betray a single individual, much less a community. Let God be the -witness of the bond that binds me and the Congress to you. I venture to suggest that non-violent creed of the Congress is the surest guarantee of good faith and our Sikh friends have no reason to fear that it would betray them. For, the moment it does so, the Congress would not only thereby seal its own doom but that of the country too. Moreover, the Sikhs are a brave people. They know how to safeguard their rights by the exercise of arms, if it should ever come to that. "*

*Mahatma Gandhi.*

Once the sovereign rulers of Punjab, the Sikhs played a dominant role as an honourable community in pre-independent India. As a leading and illustrious component of India's struggle for freedom, they enjoyed a pride of place in the country. Their parallel standing as a distinct national entity, with an ethos and traditions of its own, was duly recognised and always taken into account by the Hindus, the Muslims and the British alike. Driven by a common potent urge to overthrow the foreign yoke, the three communities, the Hindus, the Sikhs and the Muslims were placed on a common platform. But the bid to weld three of them into a single nation proved abortive, as the Muslims could not overcome their apprehensions of being dominated and dictated by a permanent Hindu majority. So far as the Muslims were concerned, they could not trust the Congress, especially after Jawahar Lal's going back from his commitment envisaged in the Cripps' Formula. Jinnah's apprehension was that in free India, the majority community would not honour its commitments and would enforce its will in the future framing of the country's constitution and running its affairs. He, therefore, emphatically advocated the partition of the country.

The Sikhs too had similar misgivings and fears concerning”

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their future in free India but they did not insist on a separate homeland of their own on account of the most solemn and categorical assurances held out to them by the Congress leaders that after independence the Sikh interests would be adequately protected through a satisfactory autonomous status and constitutional safeguards.

The Sikhs were explicitly recognised as one of the three main national entities by the Montague-Chelmsford Report (1918). The authors of this Report expressed the view that the Sikh representation in the administration and the services should be consistent with their distinctive position. They wrote, "The Sikhs in the Punjab are a distinct and important people; they supply a gallant and valuable element to the Indian Army; but they are everywhere in a minority and experience has shown that they go virtually unrepresented. To the Sikhs, therefore, and to them alone, we propose to extend the system already adopted in the case of Muhammadans."<sup>1</sup> Franchise Committee Report,<sup>2</sup> Government of India Act (1919), Simon Commission Report (1930), Ramsay Macdonald's Communal Award (1932) and Government of India Act (1935) all referred to the Sikhs as a distinct entity. There were Sikh representatives, along with Hindu and Muslim representatives at the Round Table Conference, London (1931), the Cripps<sup>1</sup> Mission (1942), Lord Wavell's Plan (1944), The Cabinet Mission Talks (1946) and the Mountbatten Plan (1947). The principle of separate electorates was applied to Sikhs as well as to Muslims.

When the Sikhs expressed their dissatisfaction with the proposals of the Cabinet Mission, they were assured that Sikh interests would never be overlooked. The assurance was conveyed in these words: 'It is inconceivable that any future political set up can afford to ignore the special interests of the Sikhs.'<sup>1</sup> Nehru clarified : The Indian Union would be an independent sovereign republic, comprising autonomous units with residuary powers, where in the idea of social, political and economic democracy would be guaranteed

1. *Indian Constitutional Reforms Report*, P. 150.
2. *Home Judicial* No. 2120, dated November 1918.

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to all sections of the people and adequate safeguards would be provided for the minorities and backward communities and areas."<sup>1</sup>

The Sikh case came up for discussion in the House of Commons and the House of Lords on July 18, 1946. In the debate on the Indian Independence Bill, Lord Pethick Lawrence, the then Secretary of State for India and Sir Stafford Cripps, the President of the Board of Trade stated that in the future constitution of the Punjab, 'Special means should be devised for giving the Sikhs a strong position in the affairs of Punjab.'<sup>2</sup>

While preparing a frame work of the constitution for free India, the Congress at first did try to ignore the Sikh demand for recognition as a separate community. A Committee formed by the Congress, in 1928, under the Chairmanship of Pandit Moti Lal Nehru to prepare a draft constitution for free India upheld the principle of communal reservation for the Muslims while denying the same to the Sikhs and other minorities. But when the Sikh leaders expressed their resentment and threatened to dissociate from the Congress, the party in its annual session at Lahore, in 1929, passed a resolution with a categorical assurance that 'no constitutional arrangement would be finalised without the consent of the Sikhs.'<sup>1</sup> This assurance was incorporated in a resolution, known as the Lahore Resolution which read as under : "No future constitution would be acceptable to the Congress that did not give full satisfaction to the Sikhs".<sup>3</sup>

It was at the same historic session of the Congress at Lahore that the national colour of the Sikhs was also incorporated in the flag of the Congress. Mahatma Gandhi was often heard reiterating that the Congress tri-colour flag stands for Hindu-Muslim-Sikh unity and always referred to Punjab as the 'only home of the Sikhs'.<sup>4</sup>

1. *Minutes of the All India Congress Committee*, Calcutta, 1946.
2. Kirpal Singh; *Partition of Punjab* (New Delhi, 1968), P. 238.
3. Bannerjee, A.C.; *The Constitutional History of India*, Vol. II (Delhi, 1978), P. 117, *The Tribune*, Lahore, January 14, 1930.
4. Tendulkar, D.G.; *Mahatma* (New Delhi, 1950), Vol. VII, PP. 144 and 374.

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The criticism of the government of India Act, 1935 by the Congress Party was mainly on the grounds that it did not bestow sufficient powers on the provincial governments in the political dispensation as laid down therein. The stand of the Congress Party was formalised in its 51st session held at Haripura in 1938 when federal system with autonomous provinces as its constituents was strongly reiterated.

Before Independence, the Indian National Congress had consistently propagated a federal structure and had committed itself to the concept of unilingual states for free India. The 'Quit India' Resolution (1942) emphatically declared, 'The constitution of free India would be a federal constitution with the largest powers to the states, residual power being vested with the states.' The Congress had also pledged constitutional safeguards for the minorities. The Sikhs had extended full cooperation to the Congress in view of the repeated assurances to them that in free Indian constitutional provisions would be made to protect their socio-political rights. In October 1920, Macleagan, the then Governor of Punjab, made an offer to the Sikhs that if they refused to lend support to the non-cooperation movement of the Congress, they could be given 25% representation in the Punjab Assembly as well as similar representation in the services.

Again in 1932, at the time of the Second Round Table Conference the British Government made an informal proposal to the Sikhs that if they disassociated finally with the Congress movement, they would be given such a decisive political weightage in the Punjab as would lead to their emerging as a third independent element in India after the British transfer of power to the inhabitants of this subcontinent. Master Tara Singh rejected this offer and decided to remain loyal to the Congress.

The Congress tried to win the confidence of the Sikhs by hanging out the baits of democracy and secularism and promised equal share to all in the fruits of freedom. At a solemn function in Gurdwara Sis Ganj in Delhi, which was attended by Mahatma Gandhi, a Sikh leader Madhusudan Singh voiced the apprehensions

of a section of the Sikhs that the Congress, once in power, might go back on its commitments to the Sikhs. With a view to allay the Sikh fears, Gandhi said, "I ask you to accept my word and the Resolution of the Congress that it will not betray a single individual, much less a community. Let God be the witness of the bond that binds me and the Congress to you. I venture to suggest that non-violent creed of the Congress is the surest guarantee of good faith and our Sikh friends have no reason to fear that it would betray them. For, the moment, it does so, the Congress would not only thereby seal its own doom but that of the country too. Moreover, the Sikhs are a brave people. They know how to safeguard their rights by the exercise of arms, if it should ever come to that."<sup>1</sup>

The Congress party manifesto for Central Legislative Assembly election in October 1945, as drafted by Nehru, declared, "The Congress has, stood for the unity of all communities and religious groups in India and for tolerance and goodwill between them. It has stood also for the right of Indian people as a whole to have full opportunities for growth of the nation: it has stood also for the freedom of each group and territorial area within the nation to develop its own life and culture within the larger framework... This constitution in its view should be a federal one with a great deal of autonomy for its constituent units."

The assurances given to the Sikhs were reaffirmed at the meeting of the All India Congress Working Committee held in Calcutta in July 1946. Addressing a press conference on July 6, Nehru spelt out the content of his solemn undertaking in these words, "The brave Sikhs of Punjab are entitled to special consideration. I see nothing wrong in an area and a set up in the North wherein the Sikhs can also experience the glow of freedom."<sup>2</sup> With these words Nehru promised an autonomous state to the Sikhs within India. A similar pledge was repeated by Nehru while moving the executive resolution at the opening session of the Constituent Assembly in 1946. The resolution 'envisaged the Indian union as an independent

1. *Young India*, March, 1931.
2. *The Statesman*, Calcutta, July 7, 1946.

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sovereign republic, comprising autonomous units with residuary powers, wherein the ideal of social, political and economic democracy would be guaranteed to all sections of the people and adequate safeguards would be provided for minorities and backward communities and areas."<sup>1</sup>

In his letter dated June 11, 1946, in response to a communication from Master Tara Singh, the then Secretary- of State for India also reassured the Sikhs that 'it is inconceivable that either Constituent Assembly or any future Government of India will overlook the special place of the Sikhs in the province of Punjab.' Again on December 9, 1946, when the first meeting of the Constituent Assembly was held under the Chairmanship of Rajendra Prasad, Pandit Jawahar Lal Nehru moved the first resolution in which it was stated: "Adequate safeguards would be provided to minorities and areas. It was a declaration, a pledge and an undertaking before the world, a contract of millions of Indians and therefore in the nature of an oath which we mean to keep."<sup>2</sup> The Resolution was published on behalf of the Constituent Assembly.

The Sikhs had opposed the division of India tooth and nail as they were fully aware of the catastrophic consequences that were bound to follow the division. They had their roots, their homeland and their holy places in Punjab. They were determined to preserve the unity of their homeland for the liberation of which they had played an important role. The interests of the Sikhs because of their demographic situation and economic future required that Punjab should remain undivided. On June 14, 1947, Lord Mountbatten's press attache wrote : "We are in the heart of Sikh country here, and the prevailing atmosphere is one of tension and foreboding .... they (the Sikhs) see that the partition of India means substantially and irrevocably the partition of the Sikhs, and they feel themselves to be sacrificed on the altars of Muslim ambition and Hindu opportunism."<sup>3</sup>

1 Rao, B. Shiva; *Framing of Indian Constitution* (New Delhi. 1960). P. 120.

2. *Ibid*

3. Campbell-Johnson A.; *Mission with Mountbatten* (London, 1951). P.118.

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The Hindus were also anxious to achieve the goal of a united independent India where they, being the preponderant majority, would naturally be the dominant rulers to determine its policies, growth and development. Mahatma Gandhi had declared that the partition of the country would take place over his dead body but unfortunately he failed to uphold his pledge. His acceptance of the two nation theory and demand for Pakistan in complete disregard of Sikh interests came as a rude shock to the Sikhs. Most of the Congress leaders following Gandhi were ready to appease the Muslim League for what they called the 'larger cause'<sup>1</sup> of freedom. They believed that creation of Pakistan would not be worse than the 'foreign domination'<sup>1</sup>. Akalis looked upon it as putting an end to the freedom of the Sikhs in the Punjab. The Congress had failed to realise how Pakistan was going to adversely affect the Sikhs in Punjab. The Akalis were prepared to postpone the attainment of independence if Pakistan could be stalled. At the All Parties Sikh Conference convened by Master Tara Singh in Amritsar on August 20-21, 1944, the Sikhs were extremely critical of the ambivalent attitude adopted by the Congress over the Pakistan issue. Master Tara Singh frustratingly asked: "If you cannot force a minority to stay in India, how can you force another minority to go out of India?"<sup>1</sup> Santokh Singh, leader of the Opposition in the Punjab Assembly said that 'no one, not even ten Gandhis had a right to barter away the Sikhs'.<sup>2</sup> The Sikhs felt that the demand of Pakistan was going to be very unfair, rather suicidal, to them as it would endanger everything they valued; their holy places, their political interests, their lands and their heritage. In fact, their very identity as a distinct community was at stake. In retrospect, it seems obvious that the Congress reflected no concern, whatsoever, with the interests of the Sikhs, its foremost aim being the safeguarding of the Hindu interests.

On March 3, 1947, when the Governor invited the Muslim league to form a ministry in Punjab, Master Tara Singh vociferously

1. *The Tribune*, Lahore, August 21, 1944.

2. Banga, Ind; "The Crisis of Sikh Politics (1940-1947)" in Connel o, T. Joseph, Israel, Milton et al (ed.); *Sikh History and Religion in the Twentieth Century* (Toronto, 1988), P. 248.

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Protested against the move and declared that the Sikhs could not and would not allow the entire Punjab to go to Pakistan. He asserted that if the Pakistan demand was conceded, Sikhs would also demand the establishment of an independent Sikh homeland. It was Master Tara Singh's brave resistance that saved at least half of Punjab and Bengal for India. The Sikh demand for an equitable division of Punjab was irrefutable but painful as the Sikh population was going to be split in the middle. It was under the pressure of the Sikhs that the Congress passed the resolution demanding a partition of Punjab. Otherwise the entire Punjab would have gone to Pakistan. In a memorandum submitted to the Boundary Commission the Sikh legislators stated: 'As for the Sikhs, if a community can lay special claim to the Punjab as its homeland, it is they. They were the last rulers of the Punjab and their most important shrines stretch from Sirhind on the one side to Panja Sahib on the other, with the Golden Temple in Amritsar in the centre of the Province. It is not only the homeland but the holy land of the Sikhs, to which they are attached by all intimate bonds of religion, history and tradition. The Sikhs number a little less than six millions. About five millions are settled in the Punjab where lie all the Sikh States.'<sup>1</sup>

Robert Needham Cust, I.C.S., in his book, 'Linguistic and Oriental Essays', written in 1859, makes a moving reference to the Punjab as 'the original Sikh land, the cradle of the Sikh faith and the nursery of the chivalry of the Sikh Gurus.'<sup>2</sup>

According to their partition plan, Muslim league wanted to establish Pakistan with the whole of Punjab as one of its provinces. This would have placed the Sikhs permanently at the mercy of the Muslim majority. The Sikh reaction was very strong. They said that 'the Sikhs, 95% of whose world population resides in the Punjab, will become politically extinct. A people who, not hundred years ago, were the rulers of this land would become subservient to those whom they had conquered and ruled. This is unjust, unfair and preposterous and shall not be permitted. Therefore, by the right of

1 Sapru Conciliation Committee (1945), paragraph 176, (Kirpal Singh; *op. cit.*, P.237).

2 Cust, Needham Robert; *Linguistic and Oriental Essays* (London, 1959), P. 24.

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self determination, by the right of majority and by the inherent rights of a culturally homogeneous people to live their own life, the division of the Punjab is absolutely essential."<sup>1</sup>

It was in recognition of the just claims of the Sikhs that the Hindu and Sikh legislators from Punjab held a meeting in Delhi, on May 2, 1947, under the Chairmanship of Chaudhary Lehri Singh and passed a unanimous resolution emphasising that any future political setup in Punjab would take full cognisance of Sikh interests. The resolution read as under :

' This, Convention of the Hindu and Sikh legislators of Punjab and members of the Central Legislature and Constituent Assembly has come to the unanimous conclusion that the only solution to the political problem in Punjab lies in a just and equitable division of the province and providing for, *inter alia*, the preservation of the integrity and homogeneity of the Sikh community.'<sup>2</sup>

In this respect, it would be pertinent to record another significant event revealing the Sikh approach. On May 17, 1947, representatives of the three communities, Jawahar Lal Nehru, Nawab Liaquat Ali Khan and Baldev Singh, along with Lord Mountbatten, flew to London to negotiate with the British Government about the future set up of India and find a solution to the intricate communal problem of the country. When Nehru and Liaquat Ali Khan failed to arrive at any mutual compromise and Nehru decided to return to India, some influential members of the British Cabinet made a confidential offer to the Sikh representative, Baldev Singh, that if he could stay back, a proposal could be framed and finalised under which the Sikhs, in stead of being a permanent minority, should have a political status enabling them 'to have political feet of their own on which they may walk into the current of world history'. Baldev Singh must have felt that such a step, though clearly in the interests of the Sikh community as a whole, could not be in the over

1. Kartar Singh, Giani; *The Case of a New Sikh-Hindu Province in the Punjab* (Delhi, 1946), P.9.
2. The Tribune, Lahore, May 3, 1947.

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all interests of the country. He deliberated over the matter and decided to divulge the contents of this confidential offer to Nehru and, in compliance with the latter's wishes, declined to stay back and flew back to India after releasing the following historic statement to the press: "The Sikhs have no demand to make on the British except the demand that they should quit India. Whatever political rights and aspirations the Sikhs have, they shall have them satisfied through the goodwill of the Congress and the majority community."

In retrospect, the opinion that prevails among the Sikhs is that Baldev Singh did not play his cards with the required skill, vision and foresight and the consequences of the irretrievable political blunder, made by him proved disastrous for the Sikh community. Baldev Singh failed to see that Pandit Jawahar Lal Nehru was primarily concerned with the Hindu interests rather than the future of the Sikhs as such. It was only after they had become too helpless and ineffectual to change the situation, the Sikhs realised that they had missed a historic opportunity to become masters of their own destiny by securing for themselves an independent political foothold on this sub-continent on parallel lines with the other two communities.

It is abundantly clear that the British always took note of the Sikhs' standing as one of the three would be partners in the sovereignty of India after the transfer of power. On 15th July, 1947, in the third reading of the 'Transfer of Power' Act. Sir Stafford Cripps expressed the hope that independent India would look after the vital interests of the Sikhs. He said, "We hope and believe that those to whom we are now remitting power in India will do their utmost to admit the reasonable claims of the Sikhs, the splendid people who have contributed so much to the life of India."<sup>2</sup>

By holding out the promises of fair play, justice and an equal share in the political power, the Congress leaders were able to win the confidence of the Sikhs, who never suspected that there would be a hiatus between the promises and their execution. It is well-

1 Dhillon, G.S.; *India Commits Suicide* (Chandigarh, 1992), PP. 7-8. 2. *The Tribune*, Lahore, July 15-16, 1947.

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known that Jinnah was as keen to woo the Sikhs as the Congress. In April, 1947, Jinnah, in consultation with certain most powerful leaders of the British Cabinet in London, offered to the Sikhs, first through Master Tara Singh and then through the Maharaja of Patiala, a sovereign Sikh state, comprising areas lying to the West of Panipat and east of the left bank of the Ravi river, on the understanding that this state would confederate with Pakistan on very advantageous terms to the Sikhs. With his eyes set on the realities of the situation and conscious of the disadvantages of a truncated Pakistan, Jinnah had very sound reasons to make this offer because, as he observed, the Muslim-Sikh accord could avert the partition of the Punjab and keep it intact. He could foresee that the partition of Punjab would not only cause incalculable misery, ruin and suffering to the Sikhs but would also render a grievous blow to Pakistan as well.

Jinnah had emphasised repeatedly that the Sikhs had seen the Hindus as fellow slaves and not as masters. In his efforts to wean the Sikhs away from the Congress, Jinnah offered a virtual *carte blanche* to them. Some British administrators, for geographic, linguistic and other reasons, were also anxious that there should be no division of the old Punjab which was an integrated unit and that it would be calamitous to break that unity. Sir Panderel Moon, an I.C.S. Officer, argued that Sikh-Muslim pact was the only solution of the problem. He wrote to Lord Ismay, "Without Sikh-Muslim Pact there will be chaos in Northern India."<sup>1</sup> He arranged a dinner meeting between the Maharaja of Patiala and Jinnah to discuss the offer. In yet another letter to Lord Ismay, Moon wrote, 'They (Sikhs) must come to a settlement with the Muslims if the Punjab is to be spared disaster... if the Sikhs are taken out of the Hindu clutches and put in a more of less independent position on their own, they are much likely to gravitate in the end towards their natural alignment with the rest of the Punjab and Pakistan.'<sup>2</sup>

Lord Mountbatten also exercised his mind over the problem

1 *Indian Constitutional Documents and Muslim Papers* (Bhartiya Vidya Bhavan Series, Bombay, 1967), Document No. 73.

2.. *Ibid.*

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and expressed the view that 'in the last analysis, Jinnah would acquiesce and the only way the Sikhs could improve their position was through negotiations.'<sup>1</sup> Stafford Cripps advised the Akali leaders to negotiate with the Congress and the League for securing the maximum possible protection which could even mean 'a semi-autonomous district on the Soviet model within Pakistan.'

Master Tara Singh was not inclined to consider the offer of a Sikh-Muslim accord, in view of the repeated assurances, particularly in the Constituent Assembly, in 1946, given by the Congress to the Sikhs in regard to the 'adequate'<sup>1</sup> safeguards for the protection of their just interests in the Punjab. Maharaja Patiala also declined this offer on the advice of Jawahar Lal Nehru and Sardar Patel. Communal disturbances that had started in the country also stood in the way of Sikh-Muslim accord. As the Sikhs reposed their faith in the promises of Congress leadership, the demand for a Sikh homeland, which had cropped up along with the Muslim League demand for Pakistan, was given up.

Sikhs, nationalist Muslims like A.K. Azad and the simple hearted Pathans were stunned when the Congress accepted the partition. 'We have been abandoned to the wolves,'<sup>2</sup> complained Khan Abdul Ghaffar Khan.

In these circumstances, the Sikhs threw their lot with the Hindu India, thereby relinquishing their bargaining powers as the third party in the political life of the country. The Sikhs who had made outstanding sacrifices, disproportionate to their small numerical strength, during the long period of India's struggle for freedom, did not capitalise on their unique position as the third political entity in the country and took the ruinous step of self-effacement when the Crucial decision of partitioning the country had to be made. Had the Sikh legislators in the Punjab Assembly voted with the Muslim members, in stead of the Hindu members, the boundaries of India would have been near Delhi and not near Wagah. This fact has been

1. Johnson, Campbell A.; *op. cit.*, P. 85.
2. Dillon, G.S.; *op. cit.*, PP. 10-11.

deliberately ignored by the leaders of free India. Mountbatten Plan of June 3 provided for the division of India into two sovereign states. Mountbatten finally prevailed upon Jinnah to accept the partition of the Punjab and also of Bengal by conceding the right of self-determination to the non-Muslim minorities in the provinces. Thus Jinnah had to agree to 'the truncated Punjab'<sup>1</sup> or 'the mutilated and moth-eaten version of Pakistan' which he had rejected earlier.

The Akali Dal was the sole representative of the Sikhs which had thrown all its weight against the creation of Pakistan and had stood for the unity and the integrity of the country. East Punjab became a part of the Indian Union only due to the firm stand taken by the Akali Dal. A commentator has rightly noted, "The modern Punjab owes its existence on the map of India due to the ceaseless sufferings and sacrifices of the Sikhs."<sup>1</sup> Otherwise the border of Pakistan would have been somewhere close to Delhi, without access to Kashmir.

### **Partition of Punjab :**

On August 15, 1947, as India celebrated its independence, Punjab witnessed only tears and bloodshed in the wake of partition. Never in the history of the world was there a bigger exchange of population attended with so much bloodshed. The Sikh population was vivisected almost in the middle. As a result, the Sikh community suffered far greater losses than the Hindus and the Muslims. Almost 2.5% of the Sikhs population was brutally massacred in the communal holocaust. Nearly 40% of the Sikhs were forced to abandon their homes and hearths and become refugees. V.P. Menon, a contemporary observer, noted that 'the Sikhs bore the main brunt of the communal fury'<sup>1</sup>. In his book 'The Transfer of Power in India.' He wrote, "One must appreciate that the Sikhs had been driven out of their homes contrary to all their hopes and expectations; that they had been deprived of their lands and property, their shrines and holy places; that their losses in men and property had been comparatively

1 Kumar, Ram Narayan and Sieberer, George; *The Sikh Struggle* (Delhi, 1991), P. 122.

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greater than those of any other community affected by the communal upheaval; that nearly forty percent of the entire Sikh community had been reduced to penury and had become refugees with the necessity of having to start life afresh." The spearpoint of the Muslim League attack was mainly aimed at the Sikhs who had opposed the Muslim demand for entire Punjab, with all the force at their command.

Apart from the gruesome tale of horror and bloodshed, the agricultural and economic interests of the community were also jeopardised. About seventy percent of the fertile, irrigated and rich lands of the community were left in Pakistan. Prosperous colonies developed by an industrious and capable peasantry had to be abandoned. Uprooted peasants had to start life anew, on lands far less productive and greatly reduced in area. As against an area of 67 lakh acres of land, equivalent to 39,35131 standard acres, abandoned by the Hindu-Sikh landholders in West Pakistan, only 47 lakh acres, equivalent to 24,48830 standard acres, were available in East Punjab and PEPSU. The gap in area to the extent of 20 lakh acres, or 14, 86 301 standard acres, i.e. 38 per cent of the total area abandoned, precluded possibilities of full compensation being given to displaced landholders.<sup>2</sup>

The gap in area was bad enough, but the position was actual ly much worse when we consider factors like fertility of the soil and means of irrigation. Our land owners left 43 lakh acres of irrigated land as against 13 lakh acres of irrigated area left by the Muslims. Out of the irrigated area left in West Pakistan, 22 lakh acres were perennially irrigated, as against 4 lakh acres of such land left by Muslims in East Punjab and PEPSU. In the pre-partitioned Punjab, the Sikhs paid forty percent of the total land revenue, which meant that they were possessing that much percentage of land before 1947. In order to make the distribution of land equitable, a scheme of graded cuts was introduced (even upto 95% in case of bigger land holdings) and the rich and prosperous Sikh community was reduced

1 Memon, V.P.; *The Transfer of Power in India* (Bombay, 1957), PP. 432-33.

2. Randhawa, "M.S.; *Out of the Ashes* (Bombay, 1954), P. 13.

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to the level of other Indian communities.<sup>1</sup>

The urbanite Sikh was even more adversely hit than the peasant. Urban property left behind by the Muslims was infinitesimal compared with what the Sikhs left in Pakistan. But the actual position after partition is thus stated by Sir Campbell Johnson, "The Muslims had won everything they had hoped for. The leaders of the Muslim League, and the leaders of the Congress had won, not all that they had hoped for, but, in the final analysis, more than either had expected. The Sikhs had lost everything they valued, their homes, their property, irrigated rich lands and their holy places."<sup>2</sup>

The Sikhs realised that no one seemed to care very much as to what happened to minorities so long as the Congress and the Muslim League were satisfied. Jinnah probably did not care, while Nehru and Patel were not particularly interested. The five rich rivers that gave to Punjab its name were split, leaving a truncated homeland for the Sikhs. The Boundary Commission awarded 13 out of the 29 districts of the Punjab to the Indian Union. Lahore, the capital of Punjab, was given to Pakistan. It was the worst migration that took place under the threat of murder and massacre. Actually more than six per cent of the Sikh population inhabiting West Punjab lost their lives before they could escape to East Punjab. In addition, their most sacred shrines, Nankana Sahib and seven hundred others, were left in Pakistan which became a foreign land. It is against this background that the position of the Sikhs on the eve of India's independence has to be viewed. While the Muslims had become the sovereign rulers of Pakistan and the Hindus had got Hindustan, the Sikhs were, once again, on the cross-roads of history. The community was left entirely at the mercy of the Hindu majority, represented by the Congress. The Sikhs who had thrown their lot with India in the wake of solemn assurances of the Congress leadership, expected a fair deal in free India.

1. *Ibid.*; Dhillon, G.S.; *op. cit.*; PP. 12-14.
2. Jahnson, Campbell A.; *op. cit.*, P. 109.

## POST-PARTITION SCENARIO: MONUMENTAL BETRAYAL OF THE SIKHS

*"Countrymen, the minorities have placed their trust in you and you should not commit the folly of betraying your trustees, otherwise, the consequences shall be extremely terrible since the minorities are an explosive power which, if it explodes, shall blow away the entire structure of the whole nation. The history of Europe presents ample and horrifying testimony of this. "*

*Dr. Bhim Rao Ambedkar*  
*(Speech in the Constituent Assembly on November 25, 1947).*

After Independence, a reassessment of the Sikh problem was essential. Discussing the 'Future political status of the uprooted Sikhs', the 'Statesman', Calcutta, in one of its perceptive editorials, on June 4, 1948,,made a strong plea that 'the Indian Dominion should consider the Sikhs a special case, requiring special practical aid... . It would be both intrinsically right and tactically expedient if the Indian Leaders give the needs and aspirations of this now-a-days sorrow-laden but virile and gifted people, their most sympathetic consideration. Statesmanship should be able to devise means of creating for the Sikhs a special position in the Indian remnant of their homeland, the Punjab, without any unfairness to others. The Hindu community and the Congress party, on whom they now mainly depend for understanding and aid, are numerically immense and dominant throughout the rest of the Indian Union. If a just and true solution of the Sikh Problem is not found, the larger new Dominion may experience difficulties and even perils in a corner of its territory where these would be particularly upsetting.' The learned editor rightly stressed the need of a statesman- like and sympathetic handling of the Sikh problem and, in the case of mishandling, warned about the prospect of an ominous future. Unfortunately, in free India foresight and statesmanship have been conspicuous by their absence and the results have been disastrous.

*Post-Partition Scenario: Monumental Betrayal of the Sikhs*

### Denial of constitutional safeguards:

The question of safeguards for the Sikhs as a minority had come up for discussion in the pre-partition days. The first basic resolution known as 'objectives resolution' mooted by Jawahar Lal Nehru, on 13.12.1946, in the Constituent Assembly, gave full assurance that a good measure of autonomy would be provided to the states in the constitution. The exact words of Jawahar Lal Nehru while moving the resolution, which was looked upon as a milestone in the independence of India, are reproduced as under:

"The Resolution that I am placing before you is in the nature of a pledge. It has been drafted after mature deliberation and efforts have been made to avoid controversy. I do not think this Resolution contains anything which was outside the limitations laid down by the British Cabinet or anything which may be disagreeable to any Indian. I beg to move:

1. "This Constituent Assembly declares its firm and solemn resolve to proclaim India as an Independent Sovereign Republic and to draw up for her future governance, a constitution.

2. Wherein the said territories, whether with their present boundaries or with such others as may be determined by the Constituent Assembly and thereafter according to the law of the constitution, shall possess and retain the status of autonomous units together with residuary powers and exercise all powers and functions of Government and administration except such powers and functions as are vested in or assigned to the union or as are implied in the union or resulting therefore.

Nehru further said, "It is a resolution and yet it is something more than a resolution. It is a declaration. It is a firm resolve. It is a pledge, and an undertaking and it is for all of us, I hope, a dedication. And I wish this House, if I may say so, respectfully, should consider this resolution not in a spirit of narrow legal wording, but rather to look at the spirit behind the Resolution. This Resolution let it not be done in the formal way by raising of hands, but much more solemnly by all of us standing up and thus taking this pledge anew."

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This was said by Nehru with regard to the states in his 'objectives Resolution', published by the Constituent Assembly. This oath was sworn by all the members of the Constituent-Assembly and the Resolution was passed.'

Another resolution of a similar nature was moved by Govind Vallab Pant to win the confidence of the minorities: 'A satisfactory solution of the question pertaining to the minorities will ensure the health, vitality and strength of the state of India. Unless the minorities are fully satisfied, we cannot make any progress. We cannot even maintain peace in an undisturbed manner.'<sup>2</sup> The Congress party again gave an assurance to the Sikhs through a proposal, on February 8, 1947: 'The working committee will keep in close touch with the representatives of the Sikhs and other groups concerned with a view to co-operate with them in the steps that may have to be taken in safeguarding their interests.'<sup>3</sup>

With an apparent view to implement these assurances, the Advisory Committee of the Constituent Assembly constituted a 'Minorities Sub-Committee', on February 27, 1947. It consisted of 26 members. Two Sikh members of this committee, Ujjal Singh and Harnam Singh presented a detailed memorandum on behalf of the Sikhs, proposing the safeguards for their community. But the proposals could not be discussed as the Minorities Sub-Committee deferred the case on the plea of fluid political situation in Punjab. Another meeting of the committee was held in April, 1947. A decision, by an overwhelming majority of votes, was taken in favour of statutory provisions for the reservation of seats in legislatures and services for the minorities, including the Sikhs. It was also decided to set up a competent and impartial machinery to ensure protection of the rights of the minorities. The 'Minorities Sub-Committee' submitted its report to the Advisory Committee on July 17, 1947, which accepted these recommendations, by and large, with minor

1. *Second volume of the Constituent Assembly (Debates)*, P.23.
2. *Ibid.*, P. 24.
3. *The Tribune*, Lahore, February 9, 1947;  
*The Statesman*, Calcutta, February 10, 1947.

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alterations. Sardar Patel described the Report as 'the result of general consensus of majority.' However, surprisingly, the question of providing safeguards to the Sikh community was again forestalled by the Advisory Committee on the same plea of a volatile political situation in Punjab. This was a subtle move to deny the Sikhs their promised due.

The Advisory Committee, once again, met on February 24, 1948 to consider the question of providing safeguards to the minorities. With the ostensible aim of an expeditious disposal of the problem, a smaller committee, including Vallabh Bhai Patel, Jawahar Lal Nehru and Rajinder Prasad was formed.<sup>1</sup> Significantly it did not hold any meeting before November 23, 1948, notwithstanding the very important nature of the problem. In this meeting the committee, once for all, rejected the demand for providing safeguards to the minorities, oblivious of all solemn assurances given by the Congress Leaders in this regard over the past so many years. After being divested of all safeguards in this manner, the Sikhs found themselves at the mercy of the majority community.

A big somersault:

After independence, in a profound shift from its historic ideals, the Indian National Congress made a big somersault, giving a perverse twist to its secular and democratic professions. In the new political ethos that was beginning to pervade the country, ground was laid for alienating the Sikhs. It would be pertinent to identify policies and events, revealing the new approach of the Central leaders, which left a deep impact on the sensibilities of the Sikhs and set them on a course of struggle for justice and a fair deal. It was soon realised that the euphoria of a period in which pledges could be made without having to face the challenge of implementation was over. The Sikhs were hoodwinked into believing that they would be allowed to live with dignity as equal partners in the destiny of their country. Truth dawned upon them when a series of steps began to be taken by the government through which the honourable standing

1. The Statesman, Calcutta, November 26, 1948.

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of the Sikh community was sought to be compromised.

Prejudice against the Sikhs at the highest central circles started exhibiting itself even when millions of Sikh masses were still migrating from Pakistan to East Punjab and were either moving from pillar to post or were seeking shelter in refugee camps. The Sikhs got a foretaste of the kind of fate that awaited them in free India when, on 10th October, 1947, Chandu Lal Trivedi, the then Governor of Punjab, issued a circular to all the Deputy Commissioners of Punjab, directing them to exercise vigilance over the activities of the Sikhs, whom he described as a criminal tribe. It was stated that 'the Sikhs, as a community, are a lawless people and are, thus, a menace to the law abiding Hindus in the province. Hence, they should be stringently suppressed.' Kapur Singh, an I. C. S. officer, who was Deputy Commissioner in one of the districts of Punjab, protested and refused to comply with the instructions. Consequently he had to pay a heavy price for his stand. The circular issued by the Governor was not a solitary instance of the prejudice harboured at the highest level against the Sikhs. The approach and attitude of the successive governments in the Centre and the state revealed that it was part of a sinister design to degrade and demoralise the entire Sikh community. It was a calculatedly forged link in the chain of events that were to follow.<sup>2</sup> Diwan Ram Lal, Chief Justice of the Punjab High Court, once publically blurted out (1948) that, 'what a free India needs most urgently is barbers and more barbers to shingle and shave the Sikhs to apostacise them as Hindus'. Dr. Sushila Nayar, the Union Health Minister, at a public meeting in Delhi on November 11, 1963, ridiculed the Sikhs by calling them "just unshaven Hindus distinguished by their unshingled-unshorn appearance, blindly imitating their ancestors who lacked the leisure and facilities for proper shave."<sup>3</sup>

1 Ref. Exhibit No. D-II/7 in Supreme Court records pertaining to Application No. of 1956 Vol. II, pp. 97-119.

2 Gurnam Singh; *A Unilingual Punjabi State and the Sikh Unrest* (Chandigarh, 1960) p. 88.

3 Sangat Singh; *The Sikhs in History* (New York, 1995), P. 515.

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Before independence, the Congress had consistently promised a federal structure with autonomous unilingual states for free India. But the Post-Independence Congress leadership completely backed out from the earlier promises. On July 10, 1947, Jawahar Lal Nehru held a press conference in Bombay where he stated that the Congress would enter the Constituent Assembly 'completely unfettered by agreements and free to meet all situations as they arise.' The radical change in the thinking of Congress leaders was crystallised in the draft proposals of the Constituent Assembly, recommending a unitary form of constitution instead of a federal one. The draft was formally circulated to the State Assemblies for eliciting their reaction and views. All the Sikh representatives and all those whose support alone was decisive in pushing the Indian border to Wagah were thoroughly disillusioned. They unanimously reiterated their stand for a federal constitution saying that "the declared policy of the Congress from the outset was that India is to be Union of autonomous states, and each unit is to develop in its own way, linguistically, culturally and socially. Of course, Defence, Communications and Foreign Affairs must and should remain the Central subjects. To change the basic policy now is to run counter to the repeated creed of the Congress. In the considered opinion of the Akali Dal, residuary powers should be vested with the States."<sup>2</sup>

In 1950, the Congress completely backed out from its promises to the Sikhs and its own declared objective of having a purely federal Constitution. Instead, Constitution leaning heavily towards a unitary form of Government was formed. Thus the Akali members vehemently and unmistakably declared in the Constituent Assembly that, "the Sikhs do not accept the Constitution; the Sikhs reject this Constitution Act."<sup>3</sup> Thus the Sikh representatives, as a token of this clear and irrevocable rejection, declined to append their signatures to the Constitution Act. Strictly, therefore, the Sikhs are not a party to the Indian Constitution. Hukam Singh, a Sikh representative in

1. *The Statesman*, Calcutta, July 12, 1947.
2. *Ibid.*, June 4, 1948.
3. Partap Singh; *Biography of s. Hukam Singh* (Chandigarh, 1989), P. 45.

the Constituent Assembly, observed :

"Today India is almost free of foreign domination and we pride ourselves on the freedom of our country. But the real content of our freedom can only be felt if the minorities are given due protection and provided safeguards for the development of their culture, language and religion."<sup>1</sup>

The Sikhs believed that the leadership of the Indian National Congress had a firm, irrevocable and sincere commitment to the creation of a state wherein justice, social and political, and complete equality before law, shall be pursued with deep and abiding commitment. This was a fundamental premise that motivated Sikhs to cast their lot with India. But instead of promoting the aim of a multi-cultural and plural society, the Congress started identifying itself with the Hindu cultural ideals which was the urge of the majority community in the country. In the pre-independence days, the Congress in order to win the confidence of all the communities, had consistently declared that Hindustani would be the lingua-franca in free India. However, after independence a tragic decision was Jawahar Lal Nehru's giving up the idea of Hindustani and accepting Hindi as the national language of the country. It proved distasteful not only for the country but also for the overall credibility and character of the Congress party. Hindi was not a national language in the accepted sense of the term. It was more a subtle weapon forged by Hindu politicians who dreamt of establishing a single cultural pattern in the entire country.

**Hindustani-Hindi decision and its effects :**

The first tragic and communal impact of the decision to own Hindi in place of Hindustani in the Punjab appeared in the 1951 census. The secular pretence kept up by the Congress in Punjab was thrown aside when Lala Jagat Narain, General Secretary of the Punjab Pradesh Congress, along with a few Hindu Ministers, sponsored a campaign to get Punjab's Hindus to declare Hindi as

1. *Ibid.*

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their mother tongue, on the eve of the census operation (1951) in Punjab. Jagat Narain, a staunch Arya Samajist, was patronised by the Punjab Congress Committee, who recognised his potential as a political foil to the Sikh appeal in the Majha and Doab areas of Punjab. It was ridiculous that the people in Punjab declared their mother tongue purely on communal lines. In the towns and cities, where Hindus were a preponderant majority, the returns showed Hindi as the language of the people, with surrounding rural areas, where Sikhs were in majority, declaring Punjabi as their mother tongue. It was evident to everyone that the returns had been communalised and Prime Minister Nehru strongly deprecated its evident falsity. In 1962, he made a statement in Parliament that the Punjab Census was distorted because the majority of the Hindus had given wrongly their language as Hindi instead of Punjabi. But little did Nehru realise that it was the logical consequence of the policy decision he had made of accepting Hindi in place of Hindustani as a national language. And the further tragedy was that in stead of trying to learn from the blunder and rectify the position, he accentuated the tragedy by stubbornly refusing to form a Punjabi-speaking state, thereby increaing the divide between the two communities.

Here it will not be out of place to explain the circumstances in which Hindi attained the status of a national language. Dr. Ambedkar noted : "There was no article which proved more controversial than Article 115 which deals with the Hindi question. No Article produced more opposition. No Article generated more heat. After a prolonged discussion when this question was put, the vote was 78 against 78. The tie could not be resolved. After a long time when the question was put to the party meeting the result was 77 against 78 for Hindi. Hindi won its place as a national language by one vote.' The day was won for Hindi not by the casting vote of Dr. Rajinder Prasad but by securing the vote of a Sikh representative (Giani Gurmukh Singh Musaffir) in the Constituent Assembly.

1. Sarhadi, Ajit Singh; *Nationalism in India : The Problem* (Delhi, 1975), P. 79.

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The Indian National Congress had committed itself over and over again to the principle of linguistic provinces. The idea of reorganising the provinces (which is how the states were referred to under British rule) along linguistic lines first took shape in 1920, when the Congress Party in its new constitution reorganised its country-wide Pradesh Congress Committees on the basis of language. Later, in 1929, the Nehru Report committed the Congress to the restructuring of India on linguistic lines. Again, just two years prior to Independence, in 1945, Dr. Pattabhi Sitaramayya, President-elect of the All India Congress Committee, in his inaugural address reiterated his party's resolve to redraw the state boundaries of India on the basis of language. But after Independence, the Congress attitude to the subject changed in as much as it concerned the Sikhs and the Punjab.

In 1948, the Central Government declared Punjab a bilingual state with both Punjabi and Hindi as its languages. This was resented by the Akali Dal. They argued that the spoken language of the Punjab, barring that of Haryana, was Punjabi. Therefore, Haryana, that was joined with Punjab at the end of the Mutiny of 1857, should be separated and attached to its Hindi-speaking eastern neighbours and Punjabi in Gurmukhi script should be the only language of the province.

What was it that made Punjab's Hindus deny Punjabi as their mother tongue? Surely, it was an outcome of the seeds of communal chauvinism sown by the Arya Samaj. The Samaj's antipathy to the founder of the Sikh faith, Guru Nanak Dev, and its refusal to acknowledge Gurmukhi as a script for Punjabi language eventually led to the rejection of the language itself. In February, 1949, the Municipal Committee of Jullundhar - a stronghold of the Arya Samaj passed a resolution to the effect that Hindi, in Devnagri script, should be introduced in all its schools. In June 1949, the Senate of Punjab University, virtually a bastion of the Arya Samaj refused to accept Punjabi as the medium of instruction in schools. It is such segments of Punjab's Hindu society, who by disowning their mother tongue, sought to separate themselves from the Sikhs on the grounds of

religion i.e. Hindi for the Hindus. This sinister falsehood was perpetuated by the Hindus to thwart the formation of the Punjabi speaking state. The continuing need of the Congress to win the support of the majority community in order to stay in power changed the entire complexion of the Indian polity. It was a brand of politics which, while decrying religion in politics, unabashedly depended on the political support of the Hindu community. It was deceitful politics, with a dangerous potential for mischief in India's multi-religious society.

The only and obvious reason for not creating a linguistic state in Punjab was that the Sikhs would be in a majority in the Punjabi speaking state. This communal angle was thoroughly exposed when the Constituent Assembly appointed a commission under Justice Dar to report on the feasibility of redrawing state boundaries on linguistic lines but excluded the Punjab from its terms of reference. The Commission pronounced against any change and despite the limitation prescribed opined as follows: "The formation of linguistic provinces is sure to give rise to a demand for the separation of linguistic groups elsewhere. Claims have already been made by the Sikhs, Jats and others and these demands will in course of time be intensified and become live issues if once the formation of linguistic provinces is decided upon:"<sup>1</sup>

On October 2, 1949, Bhim Sen Sacher, the Chief Minister of Punjab announced a formula, known as the Sacher Formula which provided for a division of Punjab into two zones, a Punjabi zone and a Hindi zone. Punjabi in the Gurmukhi script was to be the medium of instruction in the Punjabi zone and Hindi in the Devnagri script was to be the medium of instruction in the Hindi zone. In order to retain the bilingual character of the State, the formula provided for a compulsory learning of both languages in each zone. with Punjabi as the second compulsory language in the Hindi zone and Hindi as the second compulsory language in the Punjabi zone. The government was determined to provide bilingual character to Punjab at any cost.

1. *Dar Commission Report*, Para 120.

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The Sikhs, along with other linguistic groups in the country, continued to press for a unilingual Punjabi state in Punjab. In December, 1953, the Centre appointed a States Reorganisation Commission to divide the country on a linguistic basis.<sup>1</sup> Several Hindu bodies, political as well as religious (Jana Sangha, Arya Samaj etc.) wanted the creation of Maha Punjab (a multi-lingual Hindu majority area), including the territories of PEPSU, Himachal Pradesh and Punjab. As Already noted, the Hindus, in order to thwart the logic of the unilingual Punjab state, falsified the census returns of 1951 and 1961 by declaring Hindi instead of Punjabi as their mother-tongue. It is both relevant and significant to state that the move to frustrate the creation of a linguistic state was not a measure of defence mechanism on the part of the Punjabi speaking Hindus, but it was a part of an overall attempt to create Hindu cultural dominance which had earlier made the Congress shed its consistent policy of accepting Hindustani as the lingua franca of India and own Hindi in its place. Hindu organisations whipped up Hindu chauvinism by raising the slogan of 'Hindi<sup>1</sup> Hindu, Hindustan', with the full support of the Congress.

The recommendations of the States Reorganisation Commission were conceived in a spirit of communalism. The Commission in its report (1955) rejected the demand for a Punjabi speaking state on the ground that a 'minimum measure of agreement necessary for making a change' in the existing set-up did not exist.<sup>2</sup> Master Tara Singh denounced the report as 'the decree of Sikh annihilation.'<sup>3</sup> Instead the Commission recommended the merger of the existing states of Punjab, PEPSU and Himachal Pradesh.<sup>4</sup> The Commission said that its guiding principle was the preservation of the unity and secularism of India. The aim was the integration of all elements in the country in a free united and democratic India.<sup>5</sup> But it

1. *The Tribune*, December 23, 1953.

1. *States Reorganisation Report*.

3. Khushwant Singh; *History of the Sikhs*, Vol. II (Princeton, 1966). P.297.

4. Nayar, Kuldip; *The Judgement* (New Delhi, 1977), P. 64.

5. Quoted in Mahajan, V.D.; *Fifty year of Modern India* (Delhi; 1970), P. 342.

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seems that the negation of the rights of minorities and tribal people was seen as the way to preserve this unity.

The Sikhs were sorely disillusioned with the recommendations of the Commission, whereafter other linguistic states were created but Punjab was left out even though, Punjabi was one of the fourteen accepted languages of the country in the Constitution. Evidently, discriminatory and incongruous as it was, the Commission instead of suggesting the formation of a Punjabi speaking linguistic state recommended that it should not be created in the North-West of India. Apart from not creating a linguistic state, the discriminatory policy against the Sikhs went to the extent of reducing the Sikh majority state of PEPSU to a Sikh minority area by merging it, in 1955, in the Hindu majority areas of East Punjab. The Sikhs who formed a marginal balance of 49.5% in PEPSU were reduced to 32.4% in the new State, without gaining anything anywhere.<sup>1</sup>

The recommendations of the Commission reveal that there was a clear desire in the mind of the Commission and the Centre to keep the Sikhs in perpetual minority, so that they would be unable to enjoy autonomy in their own home of Punjab and would always be ruled by the Hindu majority by keeping the Hindi speaking areas unnaturally attached to it and creating a bi-lingual state. With this obvious objective, they pressed into service all sorts of arguments to reject the Sikh demand and to create Maha Punjab (bigger Punjab). While their communal angle was exposed, they could convince no one, much less the Sikhs, when they wrote in Para 575 of the report of the States Reorganisation Commission, "From the point of view of the Sikhs themselves, the solution which we have proposed offers the advantage that the precarious or uncertain political majority which they seek will be exchanged for the real and substantial rights which a sizeable and vigorous minority with a population ratio of nearly one third, is bound to have in the united Punjab in the whole of which they have a real stake." This rationale was repugnant to the concept of linguistic reorganisation of the states in the country. It betrayed a mentality of prepossession and mistrust. This was an

1. For details see Mohan Lal (Pt); *Disintegration of Punjab* (Chandigarh, 1984).

echo of the voice of Hindu communalists.

The Punjab that was mercilessly torn into pieces at the time of partition, received no healing touch from the Congress high-ups, who lacked vision, foresight and statesmanship and were amenable to communal Hindu pressures. Sikhs were deeply perturbed at the manner in which all solemn promises and undertakings were flouted, leaving Punjab to perpetual communal divide, chaos, confusion and untold miseries. Gen. Mohan Singh of the I.N.A., who played a leading role in the Indian struggle for freedom, was deeply disenchanted with the misconceived policies of the government. He noted that 'Under the cover of their sublime professions and fiery slogans, they (the Congress leadership) sabotaged the defined objectives, partitioned the country, betrayed the people and became the rulers of the dissected and bleeding motherland.'<sup>1</sup> Stout opposition of Nehru to the demand of a Punjabi-speaking state was viewed by the Sikhs as an attempt to reduce them to a state of complete political sub-servience. Hukam Singh questioned the secular credentials of Nehru and accused him of spearheading Hindu chauvinism, in the name of nationalism. He voiced the misgivings of the Sikh community in these words :

"The Sikhs are told, when they remind the Congress leaders of their pledges in 1929, 1946 and again in 1947, that circumstances have now changed. The Sikhs were recognised as one of the three communities in the Cabinet Mission Plan of which the Constituent Assembly is the creation. The only changed circumstance is that the Muslims have got Pakistan. Does it stand to reason that because the Muslims have got Pakistan, therefore, the Sikhs have ceased to be a minority. I would be failing in my duty if I do not point out as to what our feelings are. Pakistan resorted to a crude positive violence to eliminate their minorities, we are using subtle and indirect way to finish them."<sup>2</sup> By now it had become clear to the Sikh leadership that the Congress had nothing to offer but blood, toil, tears and sweat to the Sikh community. It was a sad and tragic breach of faith.

1. Mohan Singh (General); *Soldier's Contribution for Independence* (New Delhi, 1950), P. 91.
2. Partap Singh; *op. cit.*

## STRUGGLE FOR PUNJABI SPEAKING STATE

*"That the Sikhs will happen to be in majority if Punjabi language is given identical treatment and is recognised in certain areas should not be the reason to deny equal treatment to Punjabi"*

. C. Rajagopalachari

While the map of the rest of the country was redrawn on the basis of language, Indian Government remained resolutely opposed to the demand of a unilingual Punjabi state due to communal bias against the Sikhs. In spite of its secular and democratic professions, religion and religious prejudices remained the most dominating and dictating elements in the creed of the Congress. The demand for a unilingual Punjabi speaking state, both in its substance and spirit, was a perfectly just and fair demand, based on the principle of equity. It was turned down only on communal grounds. The Sikhs naturally felt aggrieved at this blatant anti-Sikh stance of the Government. Master Tara Singh rightly said that if there had been no Sikhs, Punjabi would have been given a state of its own, like the other major languages recognised by the Indian Constitution. Giani Kartar Singh lamented that out of the 14 languages duly recognised in the Constitution of India, Punjabi alone was left without a state formed on its basis.

When Master Tara Singh broached the subject of a linguistic Punjabi state with Sardar Patel, the then Home Minister of India, his reaction was very curt and astonishing. He said, "I am ready to concede it. But you will have only that much land as falls to your share on the grounds of population. So Punjab area would be halved. And you will have to take back all the Sikhs from the rest of India. Now you form 17% of the army. They will have to be dismissed. Are you prepared for it?"<sup>1</sup> Master Tara Singh was flabbergasted. The

1. *The Illustrated Weekly of India*, Bombay, June 10-16, 1984.

authenticity of the above statement has been vouched for by no less a person than the late Prime Minister Chaudhary Charan Singh.<sup>1</sup>

It clearly shows the new approach of the Central leaders towards the Sikhs and how they had gone back on their words and solemn promises immediately after Independence and as soon as their purpose had been served. This meant that while the commitment of the Congress for the linguistic states was valid for other parts of the country, it was heretical for the Sikhs to demand it for Punjab. Because, according to Sardar Patel, justice and fairness demanded that after the creation of a truncated Punjab every Sikh in India including every serving Sikh, had to be driven or dismissed to find his place or sustenance in the puny Punjab, which he proposed. It gives an insight into the minds of those with whom the Sikhs had to deal with for the last five decades and the dismal designs that form the basis of all central thinking and policies.

The Sikh leaders hopelessly outmanoeuvred and let down by the Congress leadership were left with no choice but to start a struggle for a unilingual Punjabi speaking state. The impression gained ground amongst the Sikhs that discriminating policies of the government were aimed at reducing them to a sub-political status. At a big conference held at Amritsar in December 1955, Master Tara Singh declared, "We demand a Punjabi-speaking state as the only permanent solution of the Punjab problem." A large turnout of the Sikhs at the Conference was a demonstration of the intensity of the Sikh feelings on the issue. As a sequel, the government devised a formula, known as the Regional Formula, for the creation of a region for the Punjabi language in the state of East Punjab.

Announcement of the Regional Formula in 1956 evoked a very sharp reaction from a certain section of the Hindi imperialists who launched the Hindi Raksha Movement under the leadership of Swami Atma Nand. The most prominent demands of the Samiti were that Hindi should replace English at all levels of the administration and that all government notifications at the district level and below should

1. *Ibid.*

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be bilingual even in the Punjabi region. The movement not only created bad blood between the Sikhs and the Hindus but also placed hurdles in the implementation of the Formula. No regional committees were constituted till November 1957. No sooner were they constituted, they were bereft of all powers. The language settlement was made the subject of review by a 'Two-man goodwill committee.' The Regional Formula was virtually scuttled through such ingenious manoeuvres.

Non-implementation of the Regional Formula, once again, led the Sikh leaders to reiterate their demand for Punjabi Suba. The first Punjabi Suba Conference was held on Oct. 12, 1958, under the presidentship of Sant Fateh Singh, but it failed to evoke any response from the government. The rising discontent among the Sikh masses arising out of the failure of the government to implement the Regional Formula and the aggressive campaign of the Hindi Raksha Movement impelled the Akali leadership to announce that a procession would be taken out in Delhi on March 15, 1959. To prevent this move, Master Tara Singh and many other Akali leaders were arrested. The peaceful procession, estimated at about three lakhs was, however, taken out as scheduled in support of the Punjabi linguistic state.

Elections to the Shiromani Gurdwara Parbandhak Committee were held in Jan., 1960 on the issue of the Punjabi speaking state. Master Tara Singh bagged 132 out of 139 seats, thereby claiming unanimous support of the Sikhs on the Punjabi Suba issue. The vehemence with which the Punjabi Hindus opposed the Punjabi Suba demand, led to an equally vehement support of the Sikh masses in favour of it. On May 22, 1960, Amritsar, once again, was the venue of a convention of the representatives of the Sikhs, along with some prominent sympathisers from the Hindus and the Muslims. This time again the strategy was to take out a procession in Delhi in order to demonstrate to the rulers how deeply the Sikhs felt over the issue. Master Tara Singh was, once again, arrested. In the wake of this began the second Punjabi Suba Movement which was a mass peaceful movement. In this more than 57,000 Sikhs courted arrest and scores of others lost their lives in police atrocities.

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The government remained unmoved. Sant Fateh Singh who was supervising the Sikh affairs, in the absence of Master Tara Singh who was in jail, wrote a very pathetic letter to Prime Minister Nehru on December 18, 1960 saying : "In view of the happenings and because of the great lawlessness committed by the government in opposing the constitutional and peaceful Punjabi Suba Movement, I feel that the time has come for making sacrifices when my country has failed in the democratic and constitutional way. It should be shaken and dictatorial methods of governing the country should be stemmed by self-immolation<sup>1</sup>. On December 18, 1960, Fateh Singh started his fast unto death. As a sequel, Master Tara Singh was released. A meeting between him and Prime Minister Nehru was arranged at Bhav Nagar on January 7, 1961. Master Tara Singh sent a telegraphic message to Sant Fateh Singh to break his fast, as he had got an assurance from the Prime Minister, who had stated, (1) that it was not on account of any discrimination against or distrust of Punjab or the Sikhs that the linguistic principle was not being applied to Punjab, but for other reasons which can be discussed and considered by mutual discussion; and (2) that any other matter arising out of the Punjabi Suba would be discussed between the government and the Akali Dal."

Negotiations began between the Government and the Sikh leadership but without any tangible results. As a protest, Master Tara Singh resorted to another fast on Aug. 15, 1961. The fast which lasted for 43 days was given up on the assurance that the Government would appoint a high-powered commission to 'enquire into the general question of discrimination and examine any charge of discriminatory treatment or grievances of the Sikhs'. The high-powered commission headed by S.R. Das was, however, boycotted by the Akali Dal due to breach of faith by the Government in the picking of personnel for the Commission. The Akali Dal expressed lack of confidence in the personnel of the Commission and its terms of reference. The Sikhs displayed remarkable unanimity in dissociating themselves from the proceedings of the Das Commission. Only a few representations were made to the Commission, including

1. *Sarhadi, Ajit Singh; Nationalisms in India-The Problem* (Delhi, 1975), p.93.

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one by Virendra who argued that Punjabi was a dialect of Hindi and Gurmukhi merely a religious script. Balraj Madhok, a protagonist of the Jan Sangh, told the Commission that the real source of trouble was the Regional Formula and that the Regional Committees should be scrapped. The Commission's findings that the charges of discrimination against the Sikhs were baseless, and *ex-parte*. The contention that the denial of a Punjabi speaking state amounted to discrimination against the Sikhs was not accepted by the Commission. The Government accepted the report promptly. The veteran freedom fighter Master Tara Singh suffered a grievous blow to his political career by reposing his trust in the government and breaking his fast.

Before the Akali Dal could think of another strategy to achieve their aim of a Punjabi speaking state, the Chinese invaded the Indian borders (1962). The party decided to suspend the Punjabi Suba agitation and the Sikhs were urged to join in the defence of the country. It is noteworthy that the Punjabi contribution in men and material (*tan, man, dhan*) equalled that of the rest of the states of India put together.; The only non-Punjabi district to exceed the Punjab districts' contribution in gold was Ganganagar in Rajasthan but this too is largely inhabited by Sikh farmers. Punjab contributed more than 20 million rupees to the national defence fund, besides gold weighing double the weight of Jawahar Lal Nehru. Sant Fateh Singh presented Rs. 50,000 to Nehru on behalf of the S.G.P.C. and called upon the Sikhs to spare no effort to drive out the Chinese.

Ironically, Nehru, on account of his communal bias, remained adamantly opposed to the creation of Punjabi Suba till his death in May 1964. His successor, Lal Bahadur Shastri toed the same line. When Sant Fateh Singh met the new Prime Minister in Delhi to press upon him the necessity of a Punjabi speaking state, he carried the impression that the Sikhs were not trusted. On Aug. 16, 1965, the Sant declared that he would go on fast on September 10 to arouse the conscience of the authorities in favour of Punjabi Suba. He said that if he survived the fast for fifteen days, he would immolate himself on the sixteenth day. However, in view of the Indo-Pakistan War, he decided on Sept. 9, to postpone his fast. This gesture was appreciated

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by the then President of India, Dr. S. Radhakrishnan

During the Indo-Pak war, the high unalloyed patriotism of the Sikhs was amply demonstrated by the soldiers and civilians alike. Governor of Punjab was highly impressed by the gallant role of the Sikh troops and mainly of the Sikh rural population of the border areas of Punjab who displayed great patriotic fervour by serving the army jawans till the cease-fire was declared on 26th September, 1965. Addressing the Punjab Assembly after the cease-fire, the Governor said :

"Whereas our armed forces personnel enhanced their prestige by their many deeds of daring, courage and sacrifice, our people in the Punjab - cultivators, traders, workmen and even women everywhere-exhibited rare qualities of resourcefulness, forbearance and fortitude and gave valuable assistance to the army and the police in many ways and the public services of all categories played their role magnificently. The zeal, enthusiasm and the daring spirit displayed by the truck drivers, conductors and cleaners in driving their vehicles against all odds to carry supplies to the army, our police and home guards in fighting the enemy and apprehending the paratroopers, were truly commendable."<sup>1</sup>

The outstanding contribution of the Sikhs to the success of the War was so impressive that the public opinion in the country felt unable to resist anymore the demand for a Punjabi speaking state. Besides, Kamaraj, the President of the Congress, being from Tamil Nadu, was obviously not among the Hindi chauvinists and, for that matter, found nothing repulsive or anti-national in the demand for a linguistic state in Punjab. Accordingly, the decision to reorganise Punjab on a linguistic basis was taken at a meeting of the Congress Working Committee, which passed the following resolution :

"Out of the existing State of Punjab, a State with Punjabi as the State language be formed. The Government is requested to take necessary steps for this purpose."<sup>2</sup>

1. Tully, Mark and Jacob, Satish; *Amritsar; Mrs. Gandhi's Last Battle* (New Delhi, 1985), p. 42.
2. *The Statesman*, Calcutta, March 10, 1966.

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Obviously, the Congress Working Committee had not perceived the creation of a rival state of Haryana. It would have been in the fitness of things if territorial adjustments could be made with the neighbouring state of U.P. The move to create Haryana was in fact a move to erode the proper creation of a Punjabi Suba. It was an act of political subversion by which the seeds of discord between the two rival states were sown. Following a Congress Working Committee Resolution, Prime Minister Lal Bahadur Shastri appointed a parliamentary Committee to consider the question of creating a Punjabi linguistic state in North India.

It is evident that as soon as the Parliamentary Committee for the creation of the Punjabi speaking state was constituted, the opponents of the proposal, including the leaders of Punjabi Hindus, started working against it. The following extract from Indira Gandhi's writings quoted by Hukam Singh, former Speaker of Lok Sabha, fully supports the above observations about the very unfortunate and biased thinking and activities of this influential and dominant group in the Congress, which later came into power after the demise of the Prime Minister. The appointment of Hukam Singh as Chairman of the Parliamentary Committee was not liked by Indira Gandhi, who was the Minister for Information and Broadcasting at that time, as she was afraid of his proposed verdict in favour of Punjabi Suba.<sup>1</sup> This is also fully borne out by her statement in her autobiography,<sup>1</sup> *My truth*<sup>1</sup>, which reads as under :

"My father had been strongly opposed to the idea (Punjabi Suba), but, by 1966, the demand had grown so strong that the Centre • was in no position to resist it... Unfortunately, Mr. Shastri had made Sardar Hukam Singh, the Speaker of the Lower House, Chairman of the Parliamentary Committee on Punjabi Suba, although he was biased in favour of Punjabi Suba... I went to Mr. Chavan and said that Sardar Hukam Singh was going to give a report in favour of

1 Partap Singh, *Biography of S. Hukam Singh* (New Delhi) 1989, Appendix C, p. 147.

2. Gandhi Indira; *My Truth* (New Delhi, 1981), pp. 117-118.

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Punjabi Suba and that he should be stopped."<sup>2</sup>

Indira Gandhi and Chavan met Shastri in this connection. Shastri said that they need not bother as he was fully in touch with the situation. 'But I (Indira Gandhi) was very bothered and I went round seeing everybody. Of course, once, the report came, it was too late to change it. This startling reversal of the Congress policy was totally unexpected. While a Sikh agitation, had been averted, Hindu minority in the projected Punjabi Suba felt let down."<sup>1</sup> Prompted by Indira Gandhi, Shastri contacted Home Minister Nanda and conveyed to him the concern about the feared report. Nanda admitted that he had suggested Hukam Singh's name for the Chairmanship of the Committee under the mistaken impression that he (Hukam Singh) was opposed to the Punjabi Suba demand. But it was too late to mend matters. Hukam Singh later wrote, "The intention of the government then was to use me against my community, secure an adverse report and then reject the demand."<sup>2</sup>

Why the Government had been so strongly against the Parliamentary Committee making a report in favour of Punjabi Suba and why Indira Gandhi had felt bothered and ran about seeking everybody to stop Hukam Singh has been explained by Mrs. Gandhi herself. She wrote, "The Congress found itself in a dilemma; to concede the Akali demand would mean abandoning a position to which it was firmly committed and letting down its Hindu supporters in the Punjabi Suba."<sup>3</sup>

But on December 22, 1965, the Parliamentary Committee, with twenty two members, chaired by Hukam Singh, the Lok Sabha Speaker, submitted its report to the Parliament with a copy to the Government.<sup>1</sup> This was being opposed by the Union Home Minister, Nanda, who wanted to dictate his own terms regarding the scope and functions of the Committee. Nanda insisted that it was a

1. *ibid.*
2. **Partap Singh**; *op.cit.*; *Indian Express*; April 4, 1983.
3. **Gandhi, Indira** ; *op. cit.*
4. *The Tribune* *decemberr* 23, 1965.

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Consultative Committee of the Government and not a Committee of the Parliament and, therefore, it had to submit its report to the Cabinet Committee, which would examine it along with other factors and make its report to the Central Government for further consideration by the Parliament. The evident object was that the Ministry would be in a position to undo, mould, tone down or twist the recommendations of the Parliamentary Committee before presentation to the Parliament for its final acceptance. But Hukam Singh had no doubt about the status of the Committee and he straight away submitted the Report to the Parliament, recommending the creation of a Punjabi Suba, on the basis of Sachar and Regional Formulae. It proposed that the Punjabi Region specified in the first schedule to the Punjab Regional Committee Order 1957, should form a unilingual Punjabi State, that the hill areas be merged with Himachal Pradesh and Hindi region be merged with the neighbouring U.P. In retrospect, it can be seen that the appointment of a Cabinet sub-Committee by the government was with a view to subverting the recommendations of the Parliamentary Committee and to bringing into being the rival state of Haryana. Consequently, the Punjabi Suba as we shall see later, was reduced to a truncated sub-state. This move to circumvent the proceedings of the Parliamentary Committee, was fraught with grave portents for the future.

So far as the demarcation of the linguistic state was concerned, there was no ambiguity, whatsoever, in this regard either in the recommendation of the Parliamentary Committee or the accepted demarcation under the Sachar and the Regional Formulae. In 1949, under the Sachar Formula to the point of every village, the boundaries of Punjabi speaking areas and Hindi speaking areas were defined. This demarcation had been unanimously accepted by the people, legislators and the ministers from the two areas as also the State and Central Governments. This demarcation also stood virtually accepted by an Act of Parliament. This was known as the Regional Formula which constituted a Punjabi Speaking Regional Committee and a Hindi Speaking Regional Committee, in which members drawn from the two different regions or linguistic areas sat and worked. Hence, for over seventeen years from 1949 to 1966, there was no

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question of any ambiguity or any objection from any one about the demarcation of the two linguistic areas. Further, it is clear that the Congress Working Committee had clearly recommended the creation of a Punjabi speaking state. Second, that even the Parliamentary Committee had explicitly recommended and required that the linguistic demarcation should be on the basis of the Regional Formula.

It is in this background that the scuttling of a full-fledged Punjabi speaking linguistic state by its opponents has to be seen and understood. A clear mandate of the Congress Working Committee and the Parliamentary Committee was defied and linguistic boundaries, unambiguously demarcated and for long accepted by all concerned, were upset by a manoeuvre which was apparently motivated against the autonomy of the proposed State, in which the Sikhs were likely to be in a majority.

In order to frustrate recommendation of the Parliamentary committee, Nanda took three steps. First, he appointed a Boundary Commission for which, as we have stated, there was no necessity at all. Second, he made the 1961 census, which was officially known to be communally oriented and frivolous, to be the basis for demarcation. This, in fact, was a direction that the demarcation had to be not on the linguistic basis but on the communal basis. Third in the framing of the Punjab Reorganisation Act (1966) he introduced provisions (78-80), which made Punjabi Suba to be a permanently ineffective sub-state.

These Sections of the Punjab Reorganisation Act of 1966 were considered highly detrimental to the economic and political interests and future of the state and its people. Under these Sections, the powers of control, administration, maintenance, distribution and development of the waters and hydel power of Punjab rivers were vested in the Central Government. This Act was patently violative of the Indian Constitution because (a) it made a legislation about the river waters and hydel power of Punjab rivers though these subjects were in the exclusive jurisdiction of the State and (b) it was discriminatory since, on the one hand, it applied the riparian principle

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to Yamuna waters by letting it remain as a subject for the exclusive jurisdiction of the Haryana Government and legislature, and, on the other hand, it provided Central control for the maintenance, distribution and development of the waters and hydel power of Punjab rivers running exclusively in the State. It was a case of patent violation of the Indian Constitution, which embodies the universally accepted riparian principle, based on the equitable rule that those who for centuries had suffered losses in life and property from the ravages and floods of a river are the only people entitled to the benefits of its waters and hydel power. It was this principle that had been observed at the time of division of Madras State into Tamil Nadu and Andhra Pradesh, and again, at the time of decision about Nrmada waters when it was clearly laid down that Rajasthan had no *locus standi* nor any rights to its waters, it being non-riparian regarding that river.

Thus the State in its power and status was reduced to a crippled sub-state under the virtual control of the Centre. These powers kept by the Centre had a far reaching effect, as we shall explain later on, in ruining the economic well-being and future of the people of the area. In fact, it is this permanent reduction of Punjab to a virtual Central colony that became the basis of the Akali struggle during the subsequent years.

The text of these Sections is given below, though the story about their abuse, the Sikh attempt to have these *Ultra-Vires* Sections eliminated and the Government going out of the way to frustrate such attempts and maintain them to the detriment of Punjab will be given in the subsequent chapters.

### **BHAKRA-NANGAL AND BEAS PROJECTS**

78 (I) Notwithstanding anything contained in this Act but subject to the provisions of sections 79 and 80, all rights and liabilities of the existing State of Punjab in relation to Bhakra-Nangal Project and Beas Project shall, on the appointed day, be the rights and liabilities of the successor States in such proportion as may be fixed and subject to such adjustments as may be made, by agreement

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entered into by the said States after consultation with Central Government or, if no such agreement is entered into within two years of the appointed day, as the Central Government may by order determine having regard to the purposes of the Projects :

Provided that the order so made by the Central Government may be varied by any subsequent agreement entered into by the successor States after consultation with the Central Government.

(2) An agreement or order referred to in sub-section (1) shall, if there has been an extension or further development of either of the projects referred to in that sub-section after the appointed day, provide also for the rights and liabilities of the successor States in relation to such extension or further development.

(3) The rights and liabilities referred to in sub-sections (1) and (2) shall include-

(a) The rights to receive and to utilise the water available for distribution as a result of the projects, and

(b) the rights to receive and to utilise the power generated as a result of the projects,

but shall not include the rights and liabilities under any contract entered into before the appointed day by the Government of the existing State of Punjab with any person or authority other than Government.

(4) In this section and in sections 79 and 80,

(A) "Beas Project" means the works which are either under construction or are to be constructed as components of the Beas-Sutlej Link Project (Unit I) and Pong Dam Project on the Beas river (Unit II) including -

(i) Beas-Sutlej Link Project (Unit I) comprising -

(a) Pandoh Dam and works appurtenant thereto.

(b) Pandoh-Baggi Tunnel,

(c) sundernagar Hydel Channel,

(d) Sundemagar - Sutlej Tunnel,

(e) By-pass Tunnel,

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(f) Four generating units each of 165 M.W. capacity at Debar Power House on the right side of Sutlej river,

(g) fifth generating unit of 120 M.W. capacity at Bhakra Right Bank Power House,

(h) transmission lines,

(i) Balancing Reservoir;

(ii) Pong Dam Project (Unit II) comprising

(a) Pong Dam and works appurtenant thereto,

(b) Outlet works,

(c) Penstock Tunnels,

(d) Power plant with four generating units of 60 M.W. each, (iii) such other works as are ancillary to the works aforesaid and are of common interest to more than one State;

(B) "Bhakra-Nangal Project" means -(i) Bhakra Dam, Reservoir and works appurtenant thereto, (ii) Nangal Dam and Nangal-Hydel Channel<sup>4</sup> (iii) Bhakra Main Line and canal system;

(iv) Bhakra Left Bank Power House, Ganguwal Power House and Kotla Power House, switchyards, sub-stations and transmission lines;

(v) Bhakra Right Bank Power House with four units of 120 M.W. each.

### **Bhakra Management Board**

(1) The Central Government shall constitute a Board to be called the Bhakra Management Board for the administration, maintenance and operation of the following works namely :-

(a) Bhakra Dam and Reservoir and works appurtenant thereto;

(b) Nangal Dam and Nangal-Hydel Channel up to Kotla Power House;

(c) the irrigation headworks at Ropar, Harike and Ferozepur;

(d) Bhakra Power Houses :

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Provided that the administration, maintenance and operation by the said Board of the generating units of the Right Bank Power House as have not been commissioned shall commence as and when any such unit has been commissioned;

(e) Ganguwal and Kotla Power Houses;

(f) Sub-stations at Ganguwal, Ambala, Panipat, Delhi, Ludhiana, Sangrur and Hissar and the main 220 KV transmission lines connecting the said sub-stations with the power stations specified in clauses (d) and (e); and

(g) Such other works as the Central Government may, by notification in Official Gazette, specify.

(2) The Bhakra Management Board shall consist of

(a) a whole-time Chairman and two whole-time members to be appointed by the Central Government;

(b) a representative each of the Governments of the States of Punjab, Haryana and Rajasthan and the Union territory of Himachal Pradesh to be nominated by the respective Governments or Administrator, as the case may be;

(c) two representatives of the Central Government to be nominated by that Government.

(3) The functions of the Bhakra Management Board shall include-

(a) the regulation of the supply of water from the Bhakra-Nangal Project to the States of Haryana, Punjab and Rajasthan having regard to-

(i) any agreement entered into or arrangement made between the Governments of the existing State of Punjab and the State of Rajasthan, and

(ii) the agreement or the order referred to in sub-section (1) of section 78;

(b) the regulation of the supply of power generated at the power houses referred to in sub-section (1) to any Electricity Board or other authority in charge of the distribution of power having regard to-

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(i) any agreement entered into or arrangement made between the Governments of the existing State of Punjab and the\* State of Rajasthan,

(ii) the agreement or the order referred to in sub-section (1) of section 78, and

(iii) any agreement entered into or arrangement made by the existing State of Punjab or the Punjab Electricity Board or the State of Rajasthan or the Rajasthan Electricity Board with another Electricity Board or authority in charge of distribution of power before the appointed day in relation to the supply of power generated at the power houses specified in sub-section (1);

(c) the construction of such of the remaining works connected with the Right Bank Power House as the Central Government may specify;

(d) such other functions as the Central Government may, after consultation with the Governments of the States of Haryana, Punjab and Rajasthan, entrust to it.

(4) The Bhakra Management Board may employ such staff as it may consider necessary for the efficient discharge of its functions under this Act:

Provided that every person who immediately before the constitution of the said Board was engaged in the construction, maintenance or operation of the works in sub-section (1) shall continue to be so employed under the Board in connection with the said works on the same terms and conditions of service as were applicable to him before such constitution until the Central Government by order directs otherwise :

Provided further that the said Board may at any time in consultation with State Government or the Electricity Board concerned and with the previous approval of the Central Government return any such person for service under that Government or Board,

(5) The Governments of the successor States and of Rajasthan shall at all times provide the necessary funds to the Bhakra Management Board to meet all expenses (including the salaries and allowances of the staff) required for the discharge of its functions and such amounts shall be apportioned among the successor States,

the State of Rajasthan and Electricity Boards of the said States in such proportion as the Central Government may, having regard to the benefits to each of the said States or Boards, specify.

(6) The Bhakra Management Board shall be under the control of the Central Government and shall comply with such directions, as may from time to time, be given to it by that Government.

(7) The Bhakra Management Board may with the approval of the Central Government delegate such of its powers, functions and duties as it may deem fit to the Chairman of the said Board or to any officer subordinate to the Board.

(8) The Central Government may, for the purpose of enabling the Bhakra Management Board to function effectively, issue such directions to the State Governments of Haryana, Punjab and Rajasthan and the Administrator of the Union territory' of Himachal Pradesh or any other authority, and the State Governments, Administrator or authority shall comply with such direction.

(9) The Bhakra Management Board may, with the previous approval, of the Central Government and by notification in the Official Gazette, make regulations consistent with this Act and the rules made thereunder, to provide for-

(a) regulating the time and place of meetings of the Board and the procedure to be followed for the transaction of business at such meeting;

(b) delegation of powers and duties to the Chairman or any officer of the Board;

(c) the appointment, and the regulation of the conditions of service, of the officers and other staff of the Board;

(d) any other matter for which regulations are considered necessary by the Board.

### **Construction of Beas Project:**

80. (i) Notwithstanding anything contained in this Act or in any other law, the construction (including the completion of any work already commenced) of the Beas Project shall, on and from the appointed day, be undertaken by the Central Government on

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behalf of the successor States and the State of Rajasthan :

Provided that the Governments of the successor States and. , State of Rajasthan shall at all times provide the necessary funds to the Central Government for the expenditure on the project [including the expenses of the Board referred to in sub-section (2)] and such amounts shall be apportioned among the successor states and the State of Rajasthan in such proportion as may be fixed by the Central Government after consultation with the Governments of the said States.

(2) For the discharge of its functions under sub-section (1), the Central Government may-

(a) by notification in the Official Gazette and in consultation with the governments of the successor states and the state of Rajasthan, constitute a Board to be called the Beas Construction Board with such members as it may deem fit and assign to the Board such functions as, it may consider necessary; and

(b) issue such directions to the State Governments of Haryana, Punjab and Rajasthan and the Administrator of the Union territory of Himachal Pradesh or any other authority, and the State Governments, Administrator or other authority shall comply with such directions.

(3) The notification constituting a Board under clause (a) of sub-section (2) may empower the Board to appoint such staff as may be necessary for the efficient discharge of its functions :

Provided that every person who immediately before the constitution of the Board was engaged in the construction or any work relating to the Beas Project shall continue to be so employed by the Board in connection with the said works on the same terms and conditions of service as were applicable to him before such constitution until the Central Government by order directs otherwise: Provided further that the Board may at any time in consultation with the State Government or the Electricity Board concerned and with the previous approval of the Central Government return any such person for service under that Government or Board.

(4) Nothing contained in this section shall be construed as

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enabling the Central Government to reduce or enlarge the scope of the Beas Project as agreed to between the Governments of the State of Rajasthan and the existing State of Punjab except after consultation with the Governments of the States of Haryana, Punjab and Rajasthan.

(5) Any component of the Beas Project in relation to which the construction has been completed after the appointed day may be transferred by the Central Government to the Board constituted under section 79 whereupon the provisions of that section shall apply as if it were a work included in sub-section (1) of that section.

(6) the Bhakra Management Board constituted under section 79 shall be renamed as the Bhakra Beas Management Board when any of the components of the Beas Project has been transferred under sub-section (5), and the Beas Construction Board shall cease to exist when all the components of the Beas Project have been so transferred."<sup>1</sup>

It is evident that persons like G.L. Nanda, then Home Minister and Mrs. Indira Gandhi, who was now the Prime Minister, and who appeared to inherit the anti-Sikh bias and thinking of Pandit Jawahar Lal Nehru, tried to thwart in even' possible manner the creation of a Punjabi speaking state. They clearly showed their bias in favour of the Punjab Hindus and against the creation of Punjabi Suba.

The three member Boundary Commission, presided over by Justice Shah, which demarcated the boundaries of the Punjabi speaking State, decided to award Chandigarh and many important Punjabi speaking areas to Haryana. This was done on the basis of the communal census of 1961. In 1961, Chandigarh was inhabited mostly by Government employees, majority of whom were Hindus, who though they were actually Punjabi speaking had got their mother tongue registered as Hindi, on account of communal considerations. However, the Commission's recommendation to transfer Chandigarh to Haryana was not implemented and the town was kept as a Union Territory, as the capital of both the States and the seat of the common High Court.

1. *Punjab Reorganisation AC!* 1966, pp.35-41

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Thus the intentions of the Government became suspect, and the people of Punjab lost faith in the Government decision and the Commission. In the circumstances, this distrust was inevitable because the recommendations of such an adhoc and non - statutory commission are always partial towards the prejudices and interests of the Government that appoints it. This is evident from the fact that the late Prime Minister Indira Gandhi, who appointed Justice Shah to head the Punjab Boundary commission herself later defied and rejected the proceedings of a Commission headed by the same Justice Shah, who had been appointed by the Janta Government to inquire into the "excesses" of the Emergency during her regime, Indira Gandhi had lodged a written protest against the Commission and had reminded that more than hundred members of the Parliament had sought the impeachment of Justice Shah, as he was not a fair minded or an honest Judge.

Thus Chandigarh was made another bone of contention between two neighbouring States with the Centre gaining the position of an arbitrator. The Congress Working Committee only wanted the creation of a Punjabi Suba. But the Central policies produced a number of running sores and artificially created issues between neighbouring States so that they remained warring all the time and perforce had to seek the arbitration of the Centre.

We have already stated that the issue of demarcation stood settled and accepted by all concerned but it was made a bone of contention between Punjab on one hand and Haryana and Himachal Pradesh on the other hand. The issue remains still unresolved.

In pursuance of the Reorganisation Act of 1966, Punjab was dissected and cut into four pieces. The major portion of its territory was ceded to Haryana and Himachal Pradesh. A sizeable chunk of its territory, about 23% was transferred to Himachal Pradesh. While the State of Haryana secured 35.8% of the territory (4386959 sq. kilometers) of the pre-organised Punjab. Chandigarh too was lost to Punjab. This city was built by Punjab Government but now it stayed there as a tenant., While elsewhere in the country, the state capitals were retained by the parent States, e.g Bombay in Maharashtra and Madras in Tamil Nadu, Chandigarh was not given to Punjab. The extreme unfairness of the Boundary Commission is indicated

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by the fact that whereas Simla, the Capital of Punjab from 1947 to 1954 was allotted to Himachal Pradesh, Chandigarh, the new capital of Punjab from 1954 to 1966 was transferred to Haryana. Even the Gobind Sagar lake and the uninhabited area around, though adjacent to Nangal Town and a part of the Bhakra Nangal Project always administered by Punjab, were not transferred to Punjabi Suba.

But the biggest violation of the constitution was the assumption of the control and distribution of the waters of all the three Punjab rivers and hydel power in Central hands. These rivers ran entirely in Punjab territory but over seventy five per cent of their waters was allotted to the non-riparian neighbouring States of Haryana, Rajasthan and Delhi. Hence, these neighbouring States were given ill gotten gains and were made, the adversaries of Punjab. And with all powers of arbitration and decision in Central hands, the Government was always pretending reluctance to have to perform the thankless task of the arbitrator. And yet, as we have said, all the three disputes were Centrally created in order virtually to arrest all economic and poplitical development in the Punjab.

The above narration gives us a clue both to the minds of the Prime Minister and the Home Minister and the basic reasons as well as policies for creating a mutilated sub-state of Punjab, as also for the future events leading to the *Dharam Yudh Morcha* during the Prime Ministership of Indira Gandhi.

Both the recommendations of the Congress Working Committee and the Parliamentary Committee gave a very clear direction that a Punjabi Suba had to be created as a linguistic state, equal in status and powers with other states like Maharashtra, Gujrat, Tamil Nadu and Andhra. In fact, the Parliamentary Committee gave categorical directions that the territorial demarcations should follow the settled demarcations under the Regional Formula. But the views of Indira Gandhi, and the then Home Minister Nanda were entirely different. In fact, they had a communal angle, because they were concerned only with the interests of the Hindus in Punjab and had felt very much disturbed at the anticipated creation of the Punjabi speaking state. After the demise of Prime Minister Shastri, what followed has to be seen in this light. A clear bias sought to undo the Resolution

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of Congress Working Committee and the Parliamentary Committee.

**Conclusion :**

Before Independence, the Sikhs had the clear assurance that they would have an area, where they could enjoy a life of freedom and autonomy. The foregoing narration makes it clear, that after 1947, the wheel of the central policies started moving exactly in the opposite direction; first by creating a unitary constitution instead of a federal one, second by declining to form a linguistic state in the Punjab and third by creating a truncated and economically crippled sub-state virtually under the current control and administration of the Centre. The disillusionment of the Sikhs and their consequent loss of faith in the Centre became increasingly clear from the policies, steps and measures adopted by the Central Government. In short, nationalism suffered a blow and communal interests gained strength, so often under the cloak of national interests.

The preceding two decades were for the Sikhs a period of extreme disillusionment and frustration. It was indeed heart-rending for them to realise that they were considered virtually aliens in the country for the freedom of which they had fought in the last five hundred years and that the struggle between the Centre and Punjab had been given a purely communal shape. While every area in the country was fighting for its linguistic demarcation and autonomy, the Sikhs alone had to fight for the Punjabi speaking areas and their welfare. The Punjabi speaking Hindus had openly started working against their autonomy and interests. While a maharashtrian fought for the interests of Maharashtra, a Bengali for the interest of Bengal and a Gujrat

for the interests of Gujrat, it was an irony that the Sikhs alone were left to struggle for the interests of Punjab. And they were dubbed as separatists but those who out of communal consideration betrayed the interests of Punjabi claimed to\* be nationalists. To the Sikhs, it became clear that the Centre had taken a clearly communal line.

Virtually the entire community of Puniabi speaking Hindus in Punjab had made a false statement about their mother tongue. The statement had been deprecated as false by even Pandit Nehru. All this was known to the Central political and official circles. The

making of this communally oriented statement by the Home Ministry as the basis of the demarcation of Punjabi speaking linguistic state exposed all national pretensions of the Centre. This made it clear to every one as to what was the nature of the Central policy towards the Sikhs and Punjab. The important fact for the historian to understand is a clear and logical link among the Hindi-Hindustani decision, the Punjabi Hindus' declaration of their mother tongue as Hindi, the Home Ministry's accepting and making that census (1961) as the basis of the demarcation, the assumption of Central control over Punjab under the newly framed Punjab Reorganisation Act of 1966 and the entire future policies of the Centre towards the Sikhs and Punjabi Suba.

As the talk between Sardar Patel and Master Tara Singh reveals, after Independence, the Sikhs were governed clearly *by* a Machiavellian policy considered suitable for areas acquired where a freedom loving people had lived under their own laws and customs. The three steps of the Punjab policy mentioned above made it plain that the Sikhs were not to be allowed to come into power even at the provincial level. Instead they were to be kept in a perpetual minority in the area. And when a state was formed, its constitution was framed in a manner that it remained a sub-state under the control of the Centre and became, as we shall see, increasingly weak economically and politically.

The unjust vivisection of Punjabi speaking areas and the creation of four rival entities of Punjab, Haryana, Himachal Pradesh and Chandigarh, with the Centre as the ultimate political arbitrator was bound to lead to a chain of conflicts. These conflicts were fully exploited by the Centre. In fact, the future struggle took an entirely different colour. It became ugly in shape and turned into a fight between the majority and a minority with the former opposing the latter's assertion of a distinct regional or political identity. It was a long and tough battle, with victory for none.

## 6

## **LOOT OF PUNJAB WATERS : PUNJABI SUBA SABOTAGED**

*"Next century's wars will be over water rather than oil. Without immediate rationing measures, these wars will focus on that clear liquid which so many still take for granted. "*

*A World Bank Report*

*The Tribune, August 23, 1995*

The World Bank report revealed that the big problem in the future for poor nations will not be a shortage of arable land, but rather a lack of water. The data released by the World Bank, together with figures from the United Nations Food and Drug Administration indicate that water consumption doubles every 21 years and provide an idea of the international tensions that the struggle for control of water resources could unleash. It is not a coincidence that conflict over the control of these resources is, even today, one of the biggest obstacles to peace treaties between Israel and its Arab neighbours.

The water and hydel power issue is the most important, revealing and dismal chapter of the Punjab problem. We shall state its story under different heads.

### **Introduction of Sections 78 to 80 :**

We have given the text of these provisions and shall first indicate how its introduction is illegal and why it has been introduced. We have already indicated that water being an inseparable part of the land on which it flows, and territory being an integral component of a state irrigation and hydel power are state subjects under Item-17 of the State list. Further, under Article 162 and 246 (3), our Constitution gives full and exclusive legislative and executive powers to the states over water and hydel power. Agriculture and industry being entirely dependent on irrigation and hydel power, these have been kept purely state subjects in our Constitution and in other countries as well. There is hardly any state, except Punjab, which does not enjoy final and exclusive power in relation to irrigation and

*hydel power of its own state rivers. Hence, the introduction of Sections 78 to 80 of the Punjab Reorganisation Act 1966, which gave all powers to the Centre is ultra vires of the Constitution, being beyond the legislative power of the Parliament and being violative of the Articles of the Constitution referred above. In addition, these Sections are violative of the equality article 14 of the Constitution because these are discriminatory for the reason that while the Act gives exclusive rights of the waters of Jamuna to Haryana, it makes the waters of three exclusively Punjab rivers not only distributable by the Centre but also vests their control with the Central government. Hence, Punjab's stand since 1966 has been that this patently unconstitutional Act either should be revised and the control of Punjab rivers given to Punjab or the issue should be referred to the Constitutional Bench of the Supreme Court to determine the constitutionality of these provisions of Punjab Reorganisation Act, 1966.*

*Evidently, the introduction of Sections 78 to 80 is unconstitutional and for that matter a high-handed act involving serious encroachment on the constitutional rights of the Punjab State. The seeming excuse of this discrimination and usurpation is that before the Reorganisation of Punjab, there was a project called the Beas Project, under which about 0.9 M.A.F. waters were supposed to be used in the Haryana area of the erstwhile Punjab, whereas the remaining waters of the Punjab rivers were to be utilised in Punjabi Suba and for which channels etc. had also been dug. But since the reorganisation took place in 1966, and Haryana had become non-riparian vis-a-vis Satluj, Beas and Ravi, just as Punjab had become non-riparian vis-a-vis Jamuna, the question of giving even this 0.9 M.A.F. to Haryana could not arise, nor could that be made an excuse for introducing the unconstitutional and discriminatory Sections 78 to 80 in the Punjab Reorganisation Act, 1966. We shall further see how by the introduction of these Sections Punjab Government has almost completely been excluded from the administration and development of the three Punjab rivers and their hydel power. Sections 78 to 80 of the Punjab Reorganisation Act are unconstitutional, discriminatory and uncalled for, because no part of the three Punjab rivers runs through any part of Haryana territory.*

## Loot of Punjab Waters : Punjabi Suba Sabotaged

*The definition of basin accepted every where in the world is as under: "A drainage basin is an area within the territories of two or more states in which all the streams of flowing surface water, both natural and artificial drain a common water-shed terminating in a common outlet or common outlets either to the sea or to a lake or to some inland place from which there is no apparent outlet to a sea."*

*It is well known that geographically neither any rivulet, drain, river or channel from Haryana falls in the Punjab rivers nor ends in the Arabian sea, where Punjab rivers fall. In short and in fact, the Haryana basin is entirely different from the basin of the Punjab rivers.*

### ***Abuse of Sections 78 to 80 Starts :***

*(i) Control of Punjab rivers Assumed : Before 1966, Punjab was in complete control of its rivers and the utilisation of their waters and hydel power. The multi-purpose projects in Punjab were controlled by a board. Its Chairman, Secretary, the General Manager and three members were from the Punjab Administration. There were only two members from Rajasthan and one from Himachal Pradesh. This Board and its administration worked under the Punjab Government<sup>2</sup>. The entire budget and the administration of the Punjab projects were controlled and approved by the Punjab Government and its legislature. But after 1966, the Centre under Sections 78 to 80 constituted a statutory Board which works under the Central Government. The Chairman, two Working Members and two other members are appointed by the Centre and one member each is taken from Haryana, Punjab, Himachal Pradesh and Rajasthan*

*The important fact is that whereas earlier every employee in the multi-purpose projects was an employee of the Punjab Government, hence forward every one has become an employee of the Central Government. In short, the entire control, administration,*

1. *Council of Sikh Affairs, Chandigarh; The Punjab Rivers-Waters Dispute (Chandigarh, n.d.), p.5.*
2. *Punjab Reorganisation Act, 1966, pp. 38-39.*
3. *Ibid.*

functioning and development of the Punjab rivers and their hydel power have been taken over completely by the Centre from the Punjab Government.

(ii) S.Y.L. and Indira Gandhi Canals: We have indicated above how the Beas project in which at a later date only 0.9 M. A.F. was to be given to Haryana area, was made an excuse for the introduction of Sections 78 to 80, giving unlimited powers of control, development and distribution of waters to the Centre. Till 1947, the cost of water to the Ganganagar area, part of erstwhile Bikaner state of Rajasthan, was being paid by the Bikaner state to Punjab which was the sole owner of the water. But, in 1966, having once gained unconstitutional powers under Sections 78 to 80, the Centre abused those powers, on the one hand, to curb and deprive Punjab of its legitimate rights, and, on the other hand, to let non-riparian states make use of Punjab waters and hydel power

In the Beas Project, or before 1966, there was not the least indication that Haryana would have a project for the use of 4 to 5 M.A.F. of waters of the Punjab rivers. Yet without reference to Punjab which is, the riparian owner of the rivers, Haryana made a scheme for the use of 4 to 5 M.A.F. of Punjab waters. The proposed channel is to be linked with a canal from Yamuna waters and by lift irrigation, water is to be used in the table lands and other areas in the Yamuna basin of Haryana. On the basis of this Scheme, called the Satluj-Yamuna Link Canal, which Haryana had got approved from Delhi, it put a claim with the Centre for allocation to it of Punjab waters. Naturally, Punjab seriously objected to it, the Scheme being beyond the scope of the Beas Project and for that matter beyond the purview of Section 78, which related only to the two multipurpose projects of Punjab i.e. Bhakra and Beas Projects. In this background Haryana naturally created a dispute and wanted the Centre to arbitrate under Section 78 of the Punjab Reorganisation Act.

In 1976, Prime Minister Indira Gandhi gave the Award that out of the available 15.2 M.A.F. of the waters of Satluj, Ravi and Beas, Punjab and Haryana would get 3.5 M.A.F. each and Delhi

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0.2 M.A.F. The remaining 8 M.A.F. were unilaterally earmarked by the Centre for Rajasthan, another non-riparian State, unconcerned with the Punjab Reorganisation Act of 1966.<sup>1</sup> These 8 M.A.F. were considered to have been allotted by the Centre under an executive order of Shri G.L. Nanda as Central Minister of Irrigation. In 1955, he had without any concurrence of the Punjab Government, allocated them to Rajasthan.

Punjab had framed a Scheme called the Thein Dam Scheme on the river Ravi for the use of its water and hydel power in the state. This purely Punjab Scheme was framed in 1964 and was originally to cost only Rupees seventy crores. But in contrast the Centre never approved this Scheme for decades on end, even though its cost had risen over eight hundred crores. This is a clear instance of how unfairly and discriminately the Centre has been using its unconstitutional powers of control over Punjab waters.

Another instance of discrimination is that of a canal Scheme, presently known as Indira Gandhi Canal, of 8.6 M.A.F. in non-riparian Rajasthan. "The Centre approached the World Bank for a loan to construct this Canal. They sent a team of experts to assess its feasibility and productivity. The team was headed by David E. Lilienthal, erstwhile Chairman of the Tennessee Valley Authority and Chairman of U.S. Atomic Energy Commission. In this connection A.A. Michel, author of 'Indus Rivers', writes :

"Viewed realistically the Rajasthan Project in its ultimate form is a dubious one... The ideal of extending the Rajasthan Canal parallel to the Indo-Pakistan border in the northern portion of the Thar Desert down to a point about opposite the Sukkur Barrage was a seductive one; 7.9 million acres could be brought under command and 6.7 million of these are potentially cultivable although the project in its present form is limited to supplying water to only 4.5 million acres of which only 3.5 million would be cultivated in a given year. Even then, these lands will receive only 1 cusec (F. N. II) of water for each 250 to 300 acres, an intensity lower than what has prevailed in the Punjab since the British times (I cusecs for 200 acres) and

1. **Government of Punjab; Ravi-Bias Agreement 1981, white Paper (Chandigarh, 1982), Annexure II.**

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less than one third of what prevails in the US... Assured by her geographical position and later by the treaty of the full use of the Eastern Rivers, India naturally sought an area to irrigate, an area in which to demonstrate that free India could do as much as the British in bringing new lands under cultivation. Forgotten or overlooked were the fundamental differences between the Punjab, with its convergent perennial streams, tapering doabs and silty soil, and the Thar desert, hundreds of miles from the Sutlej with its sand and sand dunes. The cumulative irrigation experience in India, Egypt, the U.S., and the Soviet Union indicates that more food and fibre can be obtained by increasing the water allowance to existing cultivated lands than by spreading thin water over new tracts... But to introduce it into the Thar Desert is economically unjustifiable. The 8.8 M.A.F. of Beas-Sutlej-Ravi waters that are to be diverted from Harike for the Rajasthan canal could be put to much better use in the East Punjab, north and the south of the Sutlej, and in the eastern margins of Rajasthan served by the Bikaner Canal and Sirhind Feeder. Combined with concentrated application of the limited fertilizers at India's disposal, yields in the established areas could be doubled or trebled at a saving in cost and pain in Rajasthan. The very experience with the Bhakra project itself, which increased water supplies to 3.3 million acres south of Sutlej demonstrates this. Yet even here, out of every 182 run into a canal, 112 are lost by seepage, evaporation and non-beneficial transpiration of plants. On the Rajasthan canal, although the lining will reduce seepage in the main canal to a minimum, evaporation alone might reduce supplies by 50 percent. And the seepage losses in the unlined branch canals, distributaries, minors, sub-minors, water courses, and on the bunded fields themselves will further reduce the share of water that can be used beneficially by plants of economic value.....'"

The U.S. Bureau of Reclamation severely criticized India for wanting to undertake an irrigation scheme in desert lands. They warned that the consequences of persisting with the project from the technical and economic point of view would be plain frustration.

1. Michel, Arthur Aloys; *Indus Rivers* (New York. 1967) pp. 330-32.

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And yet we find that out of 15.2 M.A.F. Punjab river waters. X M.A.F. remained ear-marked for non-riparian Rajasthan, and later actually 8.6 M.A.F. were allotted to it. The net result is that out of 15.2 M.A.F. only 3.5 M.A.F were given to riparian Punjab and the rest were managed to be diverted to non-riparian States. It is significant to note that the same Rajasthan applied to the Narmada tribunal for water of that river. Its request was rejected outright because Rajasthan was non-riparian in regard to river Narmada. But knowing all this the same government almost gave half of the available waters to non-riparian Rajasthan and only 25% to riparian Punjab.

(iii) Judicial Process Thwarted :

(a) **Case Withdrawn from the Supreme Court:** Since, the Award of 1976, as indicated above, was highly detrimental to Punjab, in 1978, when an Akali Ministry was in power in the State and the Janta Ministry was at the Centre, the Akali Dal filed a case before the Supreme Court, seeking a verdict on the constitutionality of Sections 78 to 80 of the Punjab Reorganisation Act. It was obvious that these Sections were *ultra-vires* of the legislative powers of the Parliament and apprehensions of a judicial verdict against Haryana and Rajasthan became evident. In 1980, Indira Gandhi returned to power. It became clear that the apple cart of allotment made by her to non-riparian states might be up set by the judicial verdict of the Supreme Court. At that time there were Congress Ministries in Punjab, Haryana and Rajasthan. She called the Chief Ministers of the three States and virtually got the allotment under her Award endorsed through an Agreement (1981) among the three states. The allocations made under this Award were as under :

Haryana (non-riparian)	= 3.50 M.A.F
Rajasthan (non-riparian)	= 8.60 M.A.F
Delhi (non-riparian)	= 0.20 M.A.F
Punjab (riparian)	= 4.22 M.A.F
Jammu and Kashmir (riparian)	= 0.65 M.A.F. <sup>1</sup>

1. Government of Punjab; *Ravi-Beas Agreement, op. cit.* Appendix II.

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There is a public report that the Punjab Chief Minister Darbar Singh was made to sign the above Agreement virtually under the threat of a "gun". It was a report confirmed and reiterated by the correspondent of the Tribune.<sup>1</sup>

Throughout the period of dispute the demand of Punjab has been that the issue being purely a constitutional matter, the only right solution could be, and to which no party could have any objection, a judicial verdict of the Supreme Court on the constitutionality of Sections 78 to 80 of the Punjab Reorganisation Act. Because the question was not of the distribution of Punjab waters; the real issue was whether a non-riparian state had any right to any portion of the waters of Punjab rivers. Here it is pertinent to point out how Rajasthan pleaded its case before the Narmada Tribunal. Rajasthan, a non-riparian State, sought waters of Narmada river on the ground, that though a non-riparian state vis-a-vis Punjab rivers, it had got waters from these rivers. The clear verdict in the case was that Rajasthan was non-riparian vis-a-vis Punjab rivers and Narmada, and, as such, it could not get any waters from those rivers as of right.<sup>2</sup>

(b) Chief Justice Transferred: There is another incident which clearly suggests that the Centre had a conviction that its diversion of waters and hydel power to non-riparian States of Rajasthan, Haryana and Delhi was un-constitutional and untenable. For this reason it was very particular that the issue about the *vires* of Sections 78 to 80 of the Punjab Reorganisation Act was not allowed to be adjudicated upon by the Supreme Court. In 1984, a farmer's organisation from Punjab filed a writ in the Punjab and Haryana High Court on the ground of the unconstitutionality of Sections 78 to 80 of the Punjab Reorganisation Act, 1966, and the diversion of Punjab waters, which were badly needed in the State, to non-riparian States. After some preliminary argument, Chief Justice S.S. Sandhawalia constituted a full Bench with himself as a Presiding

1. *The Tribune*, January 1-5, 1982.

2. The Council of Sikh Affairs; op. cit; p.7.

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Judge. He announced the order on the last working day of the week and fixed the case for hearing on the following Monday (25.11.1983). But before the hearing of the case could start, in the intervening holidays, two things happened. Chief Justice Sandhwalia was transferred from Punjab and Haryana High Court, Chandigarh, to Patna High Court.<sup>1</sup> Secondly, the Attorney General made an oral application to the Supreme Court that the case was of importance and should be transferred from the file of the Punjab and Haryana High Court to that of the Supreme Court. The request was granted and the case transferred to the file of the Supreme Court,<sup>2</sup> where it continued pending without any decision. This shows how reluctant the Central Government is to follow the constitutional course which otherwise is the only right solution of the issue about the water and the hydel power dispute.

Here we may record a judicial opinion expressed regarding the water rights of Punjab in relation to the waters of the three Punjab rivers. It has been stated that since under the Indus-Water Dispute, the Indian Government made a small contribution for the construction of replacement works, which were to be completed in Pakistan to enable it to feed the irrigation channels from Chenab and other rivers, instead of, as earlier, from the three East Punjab rivers, the water so released by Pakistan was purchased by the Indian Government. This is a fallacy because this minor payment was for the replacement works and not for the water. In fact, the World Bank and other international institutions had furnished a much larger amount for • that purpose. The opinion of S.M. Sikri, formerly the Chief Justice of the Supreme Court is note-worthy : "The fact that the Central Government paid to Pakistan a sum of Rupees 62 millions in order to obtain unrestricted use of all waters of Eastern rivers, the Sutlej, Ravi and Beas, is irrelevant to the question, namely, what if any, are the rights of Haryana in the Ravi and Beas. It is irrelevant because the effect of the Indus Treaty, 1960, was that the sovereign right of erstwhile State of Punjab to control or regulate the use of waters of

1. *The Tribune*, November 30, December 1-2, 1983.

2. *Indian Express*, November 26-27, 1983.

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*Ravi and Beas which was a limited right in 1966 in view of the existence of International Servitude (Page 51 of law or Succession by Counsel) ceased to be limited in 1970. It was the re-organised State of Punjab which had either retained the sovereign right under the Act or acquired it under the Act."*

*The point of constitutional importance is that land and water being an integral component of a State, territorial jurisdiction over them can neither be transferred nor sold, because the transfer of water rights means the transfer of the land and the territorial rights thereof. Such a contradiction about the transfer or sale of water is thus a constitutional impossibility.*

*(c) Channel 'to the Thermal Plant : Under its power of distribution, the Centre has been allotting the hydel power of rivers to the non-riparian states even though it is the State and not the Centre that has exclusive jurisdiction in the matter. This cheapest source of electricity having been diverted to non-riparian Haryana, Rajasthan and Delhi, Punjab has been obliged to put up thermal plants which produce very expensive energy. Apart from the hazards of bringing coal from distant coal mines, interruption in the daily carriage of coal can always cause serious dislocation in the production of electricity. In 1984, Punjab had completed a thermal plant at Ropar, at a cost of over four hundred crores of rupees.<sup>2</sup> In order to enable it to function, a cooling channel of water had to be drawn from the main canal. After from cooling the thermal plant, this water had again to be thrown back into the main channel. This short channel was to be created within the Ropar district of Punjab. But the non-riparian Rajasthan objected to the same and an obliging Central Management Board declined to allow the channel to be dug.<sup>3</sup> This dispute was, thus, made a lever to pressurise Punjab to come to an extra-judicial Agreement involving a virtual arbitration by the Centre through its appointed nominees. This Agreement is considered to have an important implication. The Agreement of 1981*

1. *Gulati, N.D.*; Development of Inter-State River (*New Delhi, 1972*) p. 213.
2. *Council of Sikh Affairs*; Impact of the Electricity Agreement 1984 (*Chandigarh, 1984*) PP 3-4
3. *Ibid.*

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*among the three Chief Ministers only related to waters. The result of it was that whereas the case in the Supreme Court about water had been withdrawn, the issue about the unconstitutionality of Sections 78 to 80 in relation to hydel power could still be raised in the Supreme Court. It is in order to bar that door for obtaining the verdict of the Supreme Court that this Hydel Power Agreement among the three States was made. And the impropriety of the Agreement is that since there was President's rule in Punjab, the Governor was the representative of the Centre and it was he, not the duly elected Government in the State, who entered into an Agreement with the other States.<sup>1</sup>*

*(d) Trap of Tribunal Adopted : Another point is that whereas insistent Sikh demand has been for the judicial verdict of the Supreme Court, the Centre has persistently declined to follow that simple course in order to solve the Punjab problem. On the other hand, as we have seen, when the matter was pending with the Supreme Court, an arrangement was made to have it withdrawn from its file and the judicial verdict avoided. Instead, the suggestion of the Centre has been that the issue be placed before the Government appointed tribunal under the Inter-State Water Disputes Act. The evident object of this suggestion was two fold, first, the tribunal cannot give a verdict on the constitutionality of the Sections 78 to 80 of the Punjab Reorganisation Act, and, second, that once the tribunal gives the verdict, the issue cannot, thereafter be placed before the Supreme Court for its judicial verdict. Thus, the Government suggestion for a tribunal, was just a method to avoid permanently the constitutional verdict of the Supreme Court. All we seek to emphasize is that whereas the simplest and the only solution of the water problem was a verdict of the Supreme Court, this has, in the preceeding about quarter of a century, been carefully avoided. One of the Chief objections to a reference to the tribunal was that Punjab rivers were not inter-state rivers and under the Inter-State River Water P' sputes Act only a dispute concerning an inter-state river could be entertained by a tribunal. Hence, a reference to the tribunal was legally uncalled for. Rather it was considered a trap. And, in 1985, under an*

1. Ibid.

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Agreement (Accord), instead of following the constitutional course, a reference to the Tribunal was made. The Centre has succeeded in its plan in having the verdict of a Government appointed Tribunal, even though it knew that Rajasthan, on its own admission, was non-riparian vis-a-vis Punjab rivers and the dispute did not relate to the waters of any inter-state river. The Tribunal has virtually endorsed Indira Gandhi's Award and made the following allotments :

Rajasthan (non-riparian)	= 8.60 M.A.F
Haryana (non-riparian)	= 3.83 M.A.F
Delhi (non-riparian)	= 0.20 M.A.F.
Punjab (riparian)	= 5.00 M.A.F
Jammu and Kashmir (riparian)	= 0.65 M.A.F.
Total	- = 18.28 M.A.F. <sup>1</sup>

Actually the waters for distribution remain, as earlier assessed, only at 15.2 M.A.F. The present assessment of 18.28 M.A.F. is the result of technical and mathematical jugglaries, that have no relation to realities on the ground.

Thus the Government appointed Tribunal has allocated to the non-riparian states about seventy five per cent of the waters of the Punjab rivers that stood un-utilized in the Indian Punjab in 1947, and are essentially required in the State.

The above four instances of avoiding the Judicial verdict, make it plain that the Centre has the conviction that sections 78 to 80 of the Punjab Reorganisation Act are unconstitutional and cannot stand the judicial scrutiny of the Supreme Court. It has therefore, studiously been avoiding the simplest method of resolving the tangled problem of the water and hydel power issue through a verdict of the Supreme Court. Instead, whenever an attempt was made to get a judicial verdict, the Central Government went out of the way to frustrate that recourse to the judicial process. Instead, when after the tragedies

1. *The Tribune*, June 26, 1987.

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of June 1984, and November 1984, the Akali leadership stood totally at their wit's end, it entered into an Agreement (Accord 1985) with a demoralised Sant Harchand Singh Longowal and succeeded in referring the water issue of purely State rivers to a Tribunal, under the Inter State Water Disputes Act, 1956.<sup>1</sup> In fact, there was a clear legal opinion that the amendment made by the Centre to enable this issue to be referred to the Tribunal had no validity or meaning. Nor could the amendment, it was considered, give any jurisdiction to the Tribunal to entertain the issue of State rivers till the definition of 'Water dispute' under Section 2 of the I.S.W.D. Act 1956 was amended. But this amendment could not take place because of the constitutional hurdle. For the Act was about disputes concerning inter-State rivers, and not about State rivers regarding which Parliament was not competent to legislate.

### **Water Requirement of Punjab :**

We have already indicated as to what was the terrible loss both of land and the irrigated area of the Punjab, following partition of India at the time of Independence. The irony of the matter is that it is the Punjab and Punjabis, who had to sacrifice property, land and blood for the sake of Indian independence. But they were not allowed any compensation for their losses by allotment of Government land or irrigated area outside the Indian Punjab, to which they were kept confined. They were given meager compensation only to the extent of the land and property left by the Muslim migrants to Pakistan. And the still greater irony or injustice is that of the seventy five per cent of the available waters of the Punjabis and the displaced persons, instead of being utilised locally, have been transferred to other States, including distant Rajasthan deserts in order to benefit non-displaced persons there.

The Punjabi Suba has an area of 105 lac acres. According to the experts of the University (P.A.U., Ludhiana) and official estimates, about 5 to 6 acre feet of water are required annually to mature an acre plot for &e normal paddy-wheat rotation. As such, the minimum annual requirement of the total cultivable area come'

1. Government of India; *Punjab Settlement* (New Delhi 1985), Clause 9.

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to 52.5 M.A.F. The Punjab rivers have a total annual water flow of 32.5 M.A.F. of which about 10 M.A.F. were used in Punjabi Suba (then part of Eastern Punjab) at the time of partition. Now of the remaining about 22 M.A.F. hardly about 5 M.A.F. or so, have been allotted to Punjab under the Central powers of distribution. The rest of the water has, without reference to the Supreme Court of the Constitutional issue, been allotted to non-riparian Haryana, Rajasthan and Delhi to be used in Yamuna basin and the Rajasthan desert outside the basin of Ravi, Beas and Sutlej.

Here, apart from the Narmada case in which the request of Rajasthan was rejected out right because of its being a non-riparian State, we would like to state a decision by a Court in California about the water rights of the people of a state. The riparian law is based on the principle of equity that those who suffer, for centuries on end, loss of men, property and land from the floods of a river, are alone entitled to the benefits of water and other rights in the stream concerned. For, over a century the inhabitants of Southern California (U.S.A.) were using exclusively the waters of a stream for their lands, but the Government land and property situated in this State were not allowed any water from that stream. The Federal Government filed a case for use of waters for its lands. The Court allowed the request in a limited manner and subject to the water rights of the private users of water for their lands. But the private owners felt deeply aggrieved and upset by the decision and were preparing to go in for appeal against that decision on the ground that persons suffering perpetual losses are alone entitled to the benefits of a river.<sup>1</sup> And since Government never suffered any loss of life, cattle or property, it was not entitled to any benefits<sup>2</sup>.

Here it is necessary to record that in a single year of 1988, Punjab suffered scores of deaths and over a billion dollar worth of flood loss in property, land and housing.<sup>3</sup> But Haryana and Rajasthan did not suffer even a penny worth of loss from the floods of Punjab

1. *The Los Angeles Times*, Los Angeles, February 19, 1988.

2. *Ibid.*

3. *The Tribune*, August 3, 1990.

rivers in that year or earlier. And yet, they have been made, under the Central dispensation, the chief beneficiaries of the water and hydel power of the Punjab rivers. The inequity and injustice of the allotment is too apparent and glaring to need any further comments.

We have already stated that whereas Punjab needs every drop of 32.5 M.A.F. of its waters, it has been deprived of most of its available waters by diversion to the non-riparian States. The present situation is that out of about 105 lac acres of cultivable area, only about 37 lac acres are irrigated by canals. Of the remaining area, 55 lac acres are irrigated by private tubewells. Apart from the capital cost of over Rupees 1100 crores, at two thousand per acre for private tubewell irrigation, its running cost is 3 to 4 times more than the cost of canal irrigation. Diesel tubewell irrigation is 10 to 12 times more expensive than the cost of canal irrigation.

### **Dismal Failure of Tubewell Irrigation :**

As indicated above, the present well-being of Punjab agriculture is largely dependent on expensive tubewell irrigation. We have seen how the Centre by its powers has given a very serious blow to the Punjab economy by transferring a very major percentage of Punjab waters and hydel power to non-riparian States. And, whereas Punjab agriculture is dependent very largely on expensive tubewell irrigation, cheap canal water and electricity have been diverted to non-riparian States to benefit their people and agriculture.

But the most significant and real danger to Punjab agriculture is the feared fate of tubewell irrigation. At present, each year over eight lac tubewells are over drawing sub-soil water, with the result that the subsoil water table has gone down by 3 to 10 feet in different parts of the State.<sup>1</sup> This is making tubewell irrigation not only increasingly expensive, but also difficult or even impossible because of the need of lowering the pipes and the pumping on account of the falling water table.<sup>2</sup> There are difficult estimates of the annual recharge of the sub-soil water in Punjab, varying from 3 M.A.F. to

1. *The Tribune*, March 15, 1990; January 31, 1991 and February 14, 1991.

2. *Ibid.*

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10.6 M.A.F.<sup>1</sup> Considering the annual draw of water to irrigate fifty lac acres of land, the over-draw per annum is between 12 to 24 M.A.F. This involves a continuous fall of water table of about one foot each year. The result is that 96 of the 118 community blocks in the State have been declared unsuitable for further irrigation. The fear is that by the end of the Century most of the eight lac shallow tubewells will become non-functional because of the fall in water table. Experts have already given the warning that it will not take long to make most of our tubewell irrigated land *barani*. A Professor of the Punjab Agriculture University (P.A.U.) Ludhiana writes : "How long shall this state of affairs last? We must take steps to correct the situation, lest our grand children inherit a land returned to semi-desert."<sup>2</sup>

And the irony is that all this has been happening under the powers of irrigation and hydel unconstitutionally assumed by the Centre over the Punjab rivers. Further, this diversion of water as stated above, while it is, from the point of the country, going to be less productive in distant Rajasthan, it would have been far more productive by its use in the Punjab.

Loss of Punjab :

(a) Economic Implications of Reorganisation Act : The production loss to Punjab agriculture by the diversion of canal water and the corresponding gain of production in Haryana and Rajasthan areas is estimated between Rs. 2200 to 2500 crores per annum.' The loss in the field of industry and employment is far greater each year. In addition, the Punjab farmer is losing Rupees 100 to 150 crores each year by having to resort to expensive diesel tubewell irrigation. But the greatest calamity that is feared is that within about a decade forty lac acres under tubewell irrigation will become *barani* or un-irrigated involving, in addition, a waste of most of the private capital investment of Rs. 1100 crores.<sup>4</sup>

1. *Ibid.*

2. *The Tribune*, March 15, 1990.

3. Council of Sikh Affairs, *Punjab Rivers-Water Dispute* (Chandigarh, n.d), P. 44.

4. *Ibid.*

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Critics have stated that the facts are too clear and the approaching disasters so realistic that it is not possible to avoid the inference that the impending calamities seem to appear to follow the dictum of Machiaveli, who suggested that the best way to rule an area which is used to a tradition of liberty and independence is to despoil it.

(b) Political Implications of the Reorganisation Act: We have seen how Punjab has become, under the existing political dispensation, completely helpless in avoiding the economic ruination of its lands and people, much less has it the political capacity and power to improve the socio-economic fate or the future of the State. The reason for it is that under the provisions of the Punjab Reorganisation Act, not only has the economic fate of its people been sealed but a virtual ceiling has been put on the political growth or autonomy of the State. Punjab, unlike other states, is politically incapable of developing its agriculture and industry since the entire administration, development and distribution of the waters and hydel power of its rivers are completely controlled and worked by the Centre. This being the insurmountable hurdle in relation to water and hydel power, and consequently in regard to agriculture and industry, the question of any political growth or autonomy in the State does not arise. Gaining advantage of trading facilities apart, Sikhs have felt that hardly has a colonial power ever diverted the natural wealth of a state in the manner done under the P. R. Act.

Three aspects of the water and hydel power dispute are important. First, that the facts indicate that there has been a calculated plan to denude Punjab and its people of its natural wealth and thereby seriously to jeopardise the economic, industrial and agricultural destiny of the State. The facts show that apart from the arrest of its socio-economic growth, the State seriously faces calamities affecting the irrigation and production of its lands and, consequently, the economic well-being of its people. The second aspect is that the political fate and status of the State stands arrested or sealed. It can hardly have any hope of growth unless the provisions of the Punjab Reorganisation Act and decisions made there under are undone and the political fetters broken. In the present state its fate is worse than

that of a colony which is normally allowed periodical doses of liberation. The third dismal aspect of the Punjab problem is that when facts are seen in their nakedness and the realities understood, it becomes clear enough that after every Government decision or agreement, the Centre made its strangulating control over the politico-economic structures of Punjab increasingly tight and firm. There is nothing in the events of the last two decades that should give hope of any solution of the Punjab problem. Because, a fair and constitutional solution of the water and hydel power dispute is necessary for resolving the Punjab issues and bringing about amity in the State. But so far, as we have seen, every step taken in this regard aimed towards a contrary direction.

### **Conclusion:**

The water and hydel power issue forms, in every respect, the core of Punjab problem. It has three fundamental aspects which portray the conflicting approaches of the Sikhs on the one hand and the Centre on the other hand. The important fact we seek to emphasize is that unless the realities underlying the clash of interests are understood and resolved, there can be no solution of the Punjab problem. For that matter, there has to be a perceptive change of policies and trends before peace, understanding and amity can be brought about in the State.

The first aspect of the water dispute is its ruinous economic impact and implications on the future of Punjab and its people. Following the Partition, the Sikhs were huddled together and confined to a few districts of Punjab. They became deprived of their lands which is the strength of a bold peasantry. The second blow is that about three fourth of the 22.5 M.A.F. waters available in the Punjab have been diverted to the non-riparian States. Apart from the recurring loss of industrial production and employment, the annual loss of agricultural production to Punjab and gain to Haryana and Rajasthan is about a billion dollars each year. In addition, in a single year the riparian Punjab suffered a loss of one billion dollars due to the floods. This denuding of the Punjab's natural wealth and consequent annual production have been sought to be made

permanent. Punjab has been contributing over 60% of the annual grain reserves of India. But that is not because of its canal-irrigation. It is because of the initiative and investment of the peasants in sinking over eight lac private tube-wells. Consequent to the over draw of the sub-soil water, the continuously falling water table has given a clear warning that by the end of the century, about three-fourth of the tubewell irrigated area would become *barani* and unproductive. The irony is that most of these trends are man made. The first stage was the catastrophic formation, the biggest forced migration in human history, that deprived Punjabis of their hearths, homes and sources of sustenance. The second step in this direction was to ask the refugees to be content with what the Muslim migrants had left. The third blow came with the large scale transfer of the water and hydel power to non-riparian States and to let the riparian Punjab suffer its natural fate of floods. The writing on the wall is too clear and bold to be ignored or misunderstood. It is difficult to deny that existing policy aims at virtual despoilation of the agricultural and industrial base of the State. The economic results are going to be catastrophic unless the existing trends are reversed.

The second aspect of the issue is political. The Sikhs have a spirit of freedom and self-confidence, as also the capacity to struggle for socio-political values and independence. Today the key subjects of irrigation and hydel power which form the base both of agricultural and industrial development are in the Central hands. Unless the existing position is undone and the ceiling placed on political growth of the State is removed, the question of gaining any further political autonomy or status does not arise. The State would, thus, continue to be politically a dwarf sub-state. Therefore, in Punjab, the benefits, the welfare and healthy socio-political development that are the result of self rule and political autonomy have become out of question. Instead, there have been frustration, malformations and conflicts. Everyone acquainted with the Sikh history, and ethos could easily apprehend that these struggles and clash would be inevitable.

The third aspect which a study of this problem reveals is that whatever has happened, whatever decisions have been made and whatever results have ensued, have not been fortuitous but have

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was the damage the diversion would cause to Punjab and not the production that would accrue to Rajasthan. The second point is that by transferring water and hydel power to Rajasthan, Haryana and Delhi and giving them unconstitutional gains, the Centre has made those states and their people the hostile -rivals of Punjab and its people, because any return of those unwarranted benefits to Punjab would be seriously resisted and resented by the people of those States. Thus artificially a regular schism has been created between the people of different States of the country. Further, we find that the judicial channel through which that drain and exploitation could be stopped, has studiously been closed. As it is, the channels and lines to carry the wealth of Punjab to non-riparian States are rapidly sought to be made *a fait accompli*. The third point we emphasise is that whatever has happened has followed a planned process of studied decisions. Therefore, unless there is a clear and well recognised policy to undo the existing direction and trends, there can neither be a solution of the problem nor any hope in that direction.

## DHARAM YUDH MORCHA: CAUSES

*"There are three ways of holding the dominions who, prior to their being occupied, were accustomed to live at liberty under their own laws. The first is to despoil them; the second is to go and live there in person; the third is to allow them to live under their own laws, taking tribute of them and creating within the country a government composed of a few who will keep it friendly to you. Because this government being created by the prince, knows that it cannot exist without his friendship and protection and will do all it can to keep them. What is more, a city used to liberty can be more easily held by means of its citizens than in any other way, if you wish to preserve it....But in republics where there is greater life, greater hatred and more desire for vengeance; they do not and cannot cast aside the memory of their ancient liberty, so the surest way is either to lay them waste or reside in them. "*

*Niccolo Machiavelli from 'The Prince'*

An analyst of the events in Punjab has to keep the two contrasting approaches in view, the one announced before 1947, envisaging a plural society of sister communities living under the principle of unity in diversity, while maintaining their individual, religious, cultural and linguistic identities and the second of the rulers and the ruled as suggested by Machiavelli. One has to notice how the implications and import of the decisions and the events synchronise with one approach or the other.

#### Economic Despoliation :

We have already stated how the control of Punjab waters and hydel power by the Centre and the diversion of that wealth to non-riparian States is a disastrous blow to agriculture and industry of the Punjab and the economic future of its people. "The alarming rate of 1.5 to 6.0 metres per year"<sup>1</sup> of the sinking water table in the State threatens "the entire area forming the food basket of the country"<sup>2</sup>

1. *The Tribune*, September 5, 1991.
2. *Ibid.*

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been the result of calculated and well-planned policies that have followed both with purpose and precision. We have seen that between 1947 and 1966 all steps, direct and indirect, were taken to see that the Punjabi Suba was not formed and the Sikhs did not have a homeland or an area where they could be in a slight majority. Second, when Punjabi Suba became inevitable, in apparent violation of the Constitution, Sections 78 to 80 were introduced, on the flimsy excuse of the Beas project, in order to be used later as a ruthless lever, on the one hand, to drain out the economic wealth of Punjab and, on the other hand, to stop its political growth permanently.

We have seen that, whereas the simple, unobjectionable and only solution of the water and hydel power dispute was a reference to the Supreme Court, how every door of access to it was studiously barred so as to ensure that the judicial verdict was avoided. It is also evident how promptly the Centre acted whenever there was some possibility of a judicial consideration or decision. Ultimately, by a process of camouflage, the verdict of the tribunal has been obtained with the evident desire permanently to exclude any approach to the Supreme Court. Of course, in making that reference, it could not amend the definition of an inter-state dispute because Punjab rivers could not be defined as inter-state waters. That chink in the Central armour still exists. What we mean to say is how the Sections which to the outsider appeared innocuous and necessary for the purpose of the Beas Project were employed increasingly to drain Punjab of its wealth and make the State politically ineffective. And while all these years these Sections were calculatedly employed to the detriment of the economic and political well being of Punjab, the entire destructive process was kept camouflaged by raising the bogies of communalism, law and order, separatism, secessionism and terrorism.

Here we seek to stress three points. The first that by allegedly transferring water of Punjab rivers to Rajasthan, the Central Government has not at all served national interests, because use of the water in Punjab could have been far more productive to the nation. This would seem to suggest that first priority in the matter

to "turn into a desert"<sup>1</sup>, rendering thereby about forty lacks of acres of cultivable area un-irrigated. The paucity of power is going to be another major limiting factor.

Apart from the above, Central policies have circumscribed the economic growth of the State. Financial grip of the Centre over the entire functioning of the States is complete. For, the distribution of taxes realised by the Centre is made on the basis of the recommendations of its periodically appointed Finance Commission. In addition, the Centre makes discretionary grants. Previously, the Commission laid the principles of distribution regarding most of the funds realised by the Centre.<sup>2</sup> Through the method of allocating discretionary grants and Centrally-sponsored schemes, the Centre virtually bypasses the recommendations of the Finance Commission. To-day, only 30 percent of the revenues are disbursed to the states on the recommendations of the Finance Commission. The remaining 70 per cent have been made discretionary and subject to the decisions of the Central Government.<sup>3</sup>

The Centre has found another devious method to frustrate the recommendations of the Finance Commission. The Seventh Finance Commission recommended that forty per cent of the Central Excise Duty should go to the states. The Centre has been unwilling to raise the rate of excise duty but, instead, has increased the administered price of items like petroleum, iron, steel, coal, etc. In this way, it has gained an income of Rupees 6500 crore but the same being not excise duty, no part of it is transferred to the states which are by this device deprived of a revenue of Rs. 2600 crore.<sup>4</sup>

The major part of the development expenditure is of a capital nature. The States have virtually little or no independent powers of contracting loans. Since the Centre has an exclusive power to obtain foreign aid or local loans or draw on deposits with the nationalised banking and financial institutions, the States remain completely at

1. Ibid,
2. Grewal, B.S.; *Centre-State Financial Relations in India* (Patiala, 1975), pp. 154-157.
3. Government of India; *Commission on Centre-State Relations, part II* (Nasik, 1987), PP. 101-103.
4. Council of Sikh Affairs, Chandigarh; *Memorandum-to the Cabinet Sub-committee* (Chandigarh, 1985) pp. 20.

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the mercy of the Centre in the allocation of funds. Obviously, the existing devolution of taxes and methods of distributions of revenues are too inadequate to enable the States to discharge their responsibilities within their own sphere.

In this context, we give below the plan assistance given to Punjab as reported by Economic Survey of India 1980-81; "For every Rupee spent on Plan Programmes in Punjab, the Central Government contributes only 15 paise. Compared to this meagre amount, Kerala receives 43 paise, Bihar 42 paise, Andhra Pradesh 20 paise, Tamil Nadu 30 paise, Uttar Pradesh 31 paise and West Bengal 20 paise."<sup>1</sup>

Public sector investments too have been the lowest in the Punjab resulting in industrial stagnation. The Industry Minister, Ajit Singh, stated in the Lok Sabha; "Maharashtra had the highest Central public sector investment and Punjab the lowest in the past ten years. While investments in Maharashtra were to the tune of Rupees 15,150 crore, in the Punjab they were Rupees 457 crore. The total investment in the public sector projects, numbering 70, was Rupees 80,912 crore, in the past ten years."<sup>2</sup> Thus, the share of the total investment in the public sector projects in Punjab comes to less than 0.6 per cent as against 18.72 per cent in Maharashtra. The discrimination against Punjab on the economic front was brought out by I.K. Gujral, former Foreign and Planning Minister : "The Punjab has been a victim of two myths; One, as Indira Gandhi put it, "it is an advanced and prosperous State... and two, that the people of Punjab are well above the poverty line since its per capita income is the highest in the country. Undoubtedly production of rice and wheat has gone up impressively but so has that of sugarcane and cotton. Unfortunately, the recycling industries have not been sanctioned leading to, what may be described, as lopsided growth. Apart from economic imbalances, it has also generated a belief that the Central planners deliberately want to sustain the economy's colonial pattern... The Planning Commission's concept of 'diversification' is on the whole a narrow one and, all said and done, confined to the cereals."<sup>3</sup>

1. *Economic Survey 1980-81*, pp. 9-10.
2. *The Tribune*, April 11, 1990.
3. Gujral, I.K.; "The Economic Dimension"; in Amrik Singh (ed.); *Punjab in Indian Politics; Issues and Trends* (Delhi; 1985), p. 44.

*Dharam Yudh Morcha : Causes*

Gujaral further asserted that Punjab has had an unfair deal in the setting up of industries: "During my brief tenure as a Minister in Planning Ministry in 1976, five additional mills (sugar) had been sanctioned for Punjab. Subsequently after my departure for Moscow^ these were re-allocated to some adjoining states. In sum, only one mill was sanctioned in the decade 1970-80 when the sugarcane production was annually increasing at the rate of 2.54 per cent compound."<sup>1</sup>

A major measure of economic exploitation of Punjab is the credit-deposit ratio which is the lowest. The resources mobilised by the commercial banks from Punjab are not utilised in the State. These banks receive huge remittances from over one million Sikhs, who are either permanently settled abroad or go temporarily for the purpose of earning. Bank deposits in Punjab are quite high but ironically 70 per cent of the deposits are diverted for development to areas outside the State. In other words, the State has capital but is not allowed to use it for its own people. For example, in 1966, against the deposits of Rupees 145 crore, only 45 crores were used in the State. In 1967 of the deposits of Rupees 167 crore, only 45 crores were advanced in Punjab, i.e. a credit deposit ratio of 27.17 per cent. In 1968, Rupees 54 crore were advanced out of the deposits of Rupees 193 crore.<sup>2</sup> In Punjab over 70% of the deposits in banks are from rural and semi-urban areas.

Besides, Punjab is the most heavily taxed State in the country. The per capita incidence of tax is Rupees 251 as against Rupees 153 in the highly industrialised states like West Bengal, Rupees 170 in Tamil Nadu, Rupees 226 in Maharashtra and Rupees 192 in Gujarat. The percentage of tax revenue to the total revenue in Punjab is 74.39, whereas it is 72.13 and 67.58 in Maharashtra and Gujarat respectively<sup>3</sup>

Punjab is made to suffer yet another disability in industrial licensing. Punjab's share of licenses has almost been negligible. In

1. . *Ibid.*
2. *Ibid.*
3. Pritam Singh; *Emerging Pattern of Punjab Economy* (New Delhi, 1983), P. 141.

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fact, there was a back-slide in the industrial position of Punjab between 1965-66 and 1977-78. In 1965-66, Punjab ranked eighth with 4.1 per cent of the share of value added; in 1977-78, it had come down to the tenth position accounting for only 2.8 per cent of the share of all India value added. The position has worsened further since 1977-78.' I.K. Gujral points out : "The Punjabi protest is against being treated as producers of raw materials while value added benefits go to others."<sup>2</sup> It is note-worthy that the neighbouring state of Haryana, already much ahead of Punjab in the industrial field, has been allocated an oil refinery, a petro-chemical complex and fertiliser plant. There is a proposal to link the State with petroleum and a gas pipelines which will terminate at Karnal.<sup>3</sup> One fails to understand why similar treatment has not been extended to Punjab.

The central Government is keen to reduce its expenditure and subsidy, in the distribution of food to urban areas in other states. It has thus a vested interest in keeping the procurement prices low, thereby causing a major loss to the farmers of Punjab, who contribute each year over 60 per cent of wheat and rice to the Central pool. The entire market mechanism is heavily loaded against the farmers. Thus, the plenty that Punjab farmer has helped to create has been neutralised. The much trumpeted fertiliser subsidy to the farmer is in reality no assistance to him, it being just a concealed method of helping the urban consumer. The Tribune editorial of September 5, 1991, clearly states : "The so-called subsidy on fertiliser and food was meant to keep the cost of living of the urbanite low, even when it did not in any way directly benefit the producer." The major drain of cheap canal water to non-riparian States has made the tubewell irrigation so expensive that "the former has been caught in a situation of high production-high investment-lower returns. There is no assured market and at the time of harvesting the rate of farm products, especially paddy, fall below the assured prices and the farmers have to make distress sales. The outstanding credit of commercial banks, according to sanction and utilisation in Punjab, has been more than the combined due from the states of Haryana, Himachal and Jammu

1. *The Tribune*, July 29, 1991.
2. *Statistical Abstract of Finance, Punjab, 1980-8!*, p.57.
3. Gujral; *op. cit.*, p. 49

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and Kashmir together. The outstanding credit of banks, of Rupees, 44,352.42 lakh for agriculture alone in Punjab, exceeded one-third of the total outstanding credit in the State. This clearly shows that agriculture in Punjab is highly credit loaded and the farmers cannot pay back their loans. The outstanding credit in the State has further increased from 1982 to 1983 and the per capita outstanding credit in Punjab comes to Rupees 950 during 1983". ' The procurement agencies exploit the helplessness of the Punjab farmers, the producers of wheat and paddy, who have made India self-sufficient in food, besides saving colossal amounts of foreign exchange each year. Instead of a reward or bonus as in other countries, he is punished for his work and production.

Similarly, the cotton growers feel cheated, when the price falls by 30 per cent in a single season or when there is just no customer for their cotton. Punjab grows 22 per cent of the total cotton produced in the country. But, only 3.3 per cent is being processed. In order to process just 50 per cent of the total production in the State, there is need to have atleast twenty seven mills, each with a 25000 spindle capacity.<sup>2</sup> The Punjab sugarcane growers are able to sell only 13 per cent of their produce to the mills. The all India average is 33 per cent. It is 90 per cent in Gujarat, 82 per cent in Maharashtra. 50 percent in Bihar, etc.<sup>3</sup> There is enough justification, for the setting up of new sugar mills in the State, in view of higher sugarcane productivity per unit area, higher sugar recovery and further potential for higher yields.

As a result of the Central policy, "Punjab is slowly and surely slipping backwards; both visibly and invisibly. The much-publicised fact of the highest per capita income is being overplayed only to cover up this unpleasant fact. The Central grant to Punjab has been cut from Rs. 308 crore to Rs. 246 crore in 1990-91 as against an average increase of all states of more than Rs . 1 00 crore. The average deficit of the State has increased from Rs. 288 crore in 1989-1990

- 1 - *The Tribune*, September 5, 1991.
2. Pritam Singh; *op. cit.*, pp. 121-22 & 160.
3. *Ibid*, p. 161.

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to Rs. 468 crore in 1990-91. The contribution of industry to the State income is roughly 13.5% against the national average of 16% at the current prices. Punjab's small scale industrial sector suffers on account of marketing. A major purchaser of their goods is the central Government. The small-scale sector, as a whole, has a share of hardly 11% in the total purchases of over Rs. 3000 crore. Punjab units have a bare minimum share in that."

It is indeed unfortunate that while economic demands raised by the Akali Dal were for the betterment of the State and its people as a whole, whether Sikh or Hindu, urban or rural, the Punjab Hindus instead of endorsing these demands, have always fallen in line with the Central leadership even though that involved serious damage to the interests of the State and its people. The politically conscious Hindus lend support to all India parties like the Congress or the Bhartiya Janta Party, which out of their communal bias favour Haryana and Rajasthan and are never willing to raise their voice against any unfair deal to Punjab. This approach of the Centre and the Punjab Hindus reflects purely a communal bias and the Sikhs alone are left to espouse the struggle for the rights and interests of the State.

To make matters still worse, Punjab has continued to suffer from serious disorientation and a form of colonial exploitation. Punjab's lop sided development has made it a pre-dominantly mono-cultural agrarian State, where the State or its people lack all control over market conditions. At the present level, Punjab is primarily a peasant and an agrarian State. The above facts make it clear how in a studied manner rural Punjab, which is the backbone of the State, is sought to be impoverished and drained of its resources. In the history of colonialism, no imperial power has ever drained its colony of its water resources. In fact, British Imperialism always tended to develop the riparian resources of states for the benefit of the local population but in relation to Punjab, the Indian Government has pursued the triple policy of exploitation. It is heavily draining out its water and hydel power to erode the base of all agricultural and industrial development. Second, its financial resources are being

1. *The Tribune*, July 29, 1991.

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largely diverted to other states. Third, it is seen that processing industries for the raw materials produced in the State and for which it has a natural advantage, are not developed in the State, which like any colony continues to supply only raw materials to the far away industries of the country. The economy of Punjab has been shattered. The loan burden on the State has increased to Rupees 5640 crore during the 1980s from Rupees 703 crore, a rise of 801 per cent. Punjab is now (1991) the fourth highest indebted state in the country, while it was 14th in the early 1980s. The growth of expenditure on development became negative at 9.6 and 1.6 per cent during 1986-87 and 1988-89. Punjab recorded a growth of only 5.6 per cent against 13 per cent for all states in 1989-90. The per capita net state domestic product in Punjab, grew by 10.82 percent ;in 1988-89, while the growth in the country was 16.7 percent.<sup>1</sup> In addition, the exports from Ludhiana and other major districts have sharply declined.<sup>2</sup> Everything seems to be done in a calculated manner, clearly leading to the Machiavellian despoilation of the State and its people.

Sikh Struggle :

We have indicated earlier how in structuring the Punjab and framing the Punjab Reorganisation Act of 1966, the Central Government not only frustrated the territorial integrity of the Punjabi Suba by excluding accepted Punjabi speaking areas from the linguistic State, but also laid a firm foundation of keeping a permanent constitutional and administrative grip over this dwarfed State. While the Centre continued its policy of despoiling the State, it kept the people, as we shall see, embroiled in petty or peripheral issues, in order to make such disputes a camouflage to hide its damaging designs.

As the division of Punjab was unjust in relation to territory and state powers, the Central policy, and decisions were unprecedented and discriminatory, the Working Committee of Akali Dal considered the subject, and in order to have the injustice undone,

1. *Ibid; Indian Express*, August 22, 1991.
2. *Ibid.*

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decided in its meeting on November 16, 1966, to launch a struggle, giving full powers to their President, Sant Fateh Singh, to choose the course to be adopted in pursuing the objective.<sup>1</sup> At a largely attended Sikh Diwan', held at Manji Sahib on December 5, 1966, Fateh Singh announced his decision to undertake a fast unto death at the Akal Takhat from December 17, 1966 and that in case he survived the fast till December 27, 1966, to commit self immolation on that date.<sup>2</sup> Addressing the gathering, the Sant complained that it was on account of the lack of trust in the Sikhs that the Government had deprived Punjab of important Punjabi speaking areas and taken away its rights and powers, over its waters and hydel resources. He explained that the efforts to secure justice through negotiations had failed and, therefore, the only alternative left to him was to fast unto death and immolate himself in order to prick the conscience of the rulers.<sup>3</sup>

Master Tara Singh, too, issued a statement to the press, supporting Fateh Singh's stand, and saying, "I am in agreement with the Sant's demand for the abolition of common links, the inclusion of Punjabi speaking areas and Chandigarh and the control of Punjab waters.<sup>4</sup> Home Minister Y.B. Chavan, issued an appeal to Sant Fateh Singh on December 8, 1966, to reconsider his decision and expressed Central Government's willingness to appoint a separate Governor and a separate High Court but stated that Government was not, "able to consider any claim for the readjustment of the boundaries of the two States unless the parties concerned could evolve a mutually agreed solution.<sup>5</sup> A message was also sent to the Sant inviting him to a meeting. The Sant declined the invitation, in view of the rigid stand taken by the government.

Sant Fateh Singh terminated his fast and gave up his resolve for immolation on the assurance that Prime Minister Indira Gandhi would settle the issue.<sup>6</sup> Sant Fateh Singh faced a lot of criticism

1. *The Tribune*, November 17, 1966.
2. *The Tribune*, December 6 and 8, 1966.
3. *Ibid.*, December 7, 1966.
4. *Ibid.*,
5. *The Tribune*, December 9, 1966.
6. *Ibid.*, December 28 and 29, 1966 and June 15, 1967.

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from the Sikh masses for breaking his vow without achieving his goal. Indira Gandhi had let him down. Next, it was the turn of a veteran freedom fighter Darshan Singh Pheruman to undertake a fast unto death on August 15, 1969.<sup>1</sup> He demanded an immediate decision on Chandigarh, the left-out Punjabi speaking areas and the control of river waters. Pheruman went through his self-inflicted ordeal for seventy four days and breathed his last on October 27, 1969<sup>2</sup> upholding the great tradition of martyrdom in Sikhism. Pheruman's sacrifice did not produce the desired effect. It failed to shake the conscience of rulers in Delhi. But it created a feeling in the Sikh masses against the Central Government for its apathy and callousness in dealing with the Sikhs.

However, Pheruman's sacrifice was bound to cast aspersions on the Central Government, whose members swore by Gandhism. Sant Fateh Singh announced his second fast on January 26, 1970, in a fresh bid to bring the issues to the forefront.<sup>3</sup> But this time, he terminated his fast, after the announcement of Prime Minister's long awaited Award, on January 29, 1970.<sup>4</sup> According to this Award, Chandigarh Capital Project area was to be transferred to Punjab within five years (by January, 1975). The villages in the Union Territory were to be divided between Punjab and Haryana as per Regional Formula. Cotton rich Fazilka Tehsil (including Abohar) of Ferozepur district of Punjab was to be transferred to Haryana as a compensation. As regards other claims and counter-claims for the re-adjustment of inter-State boundaries, a Commission in consultation with the Governments of Punjab, Haryana and Himachal Pradesh, was to be appointed. To provide contiguity between these Hindu majority areas of Fazilka and Abohar and the rest of Haryana, a furlong wide 'strip of territory' or a corridor along the Punjab-Rajasthan border was also to be transferred to Haryana.<sup>5</sup>

1. *The Statesman*, September 25, 1969.
2. *Ibid*; October 28, 1969.
3. *The Tribune*, January 28, 1970.
4. *Ibid.*, January 30, 1970.
5. *The Tribune*, January 31 and February 1, 1970.

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There were wide-spread demonstrations over the proposed transfer of known and adjudged Punjabi speaking areas of Punjab to Haryana.' It was considered that the transfer of 114 villages was done with the dual objective of breaking Punjab's contiguity with the Sikh majority villages in Rajasthan and also of trying to make Haryana a riparian state, thereby seeking to give it a ground for claiming the Punjab river waters and hydel power. The allotment of these villages to Haryana was both inexplicable and communal in character. It was inexplicable because at no time of the division of a state, the allotment of a capital to one state had involved compensation to the other state. Though the villages under the 1971 census (and later even under 1981 census) were clearly Punjabi speaking, they were proposed to be transferred and corridor created, simply for the reason that the population in parts of the area was by and large Hindu. Another injustice was that to connect Haryana with the Hindu Punjabi speaking areas, the corridor was to be carved out of the Sikh villages, which were also to be transferred to Haryana. This indicates the clear discriminatory, unjust and communal character of the line of thought that directed the Central policy. What a perversity of justice! Haryana was to get compensation for 'losing' Chandigarh which didn't belong to it. From this time onwards Haryana was made party to most of the issues that were to be raised by Punjab.

The principle of compensation and corridor had not been applied in any other part of the country. Moreover, Chandigarh had been built after uprooting the Sikh farmers who were Punjabi speaking. It was, therefore, highly unjust that first a Punjabi speaking Sikh area should have been uprooted and the capital built thereon. Simply because the population of the town comprised mostly Government servants and commercial classes, who were largely Hindus, it was unfair that the town should be transferred to the Hindi areas because the Hindus, though Punjabi speaking, had under communal influence, declared their mother tongue as Hindi. Infact, the position of Chandigarh, so far its linguistic character is concerned, is no different from the other towns in Punjab. It is well known that

1. *Ibid.*

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the towns of Amritsar, Jullundhar, Ludhiana and Patiala as other towns in the State and the rural areas around them are completely Punjabi speaking. And yet, because in towns Hindus are in majority, the census reports indicate that these towns are Hindi speaking. The communal and false character of the census indicating the linguistic position of those towns is no different from the position and the linguistic character of Chandigarh. The actual reality and the reasons for Chandigarh being characterised as Hindi speaking are the same.

The Akali Dal expected that the Centre would, as recommended by the Parliamentry Committee, make a fair deal, by applying the accepted Sachar or Regional Formula for the demarcation of Punjabi speaking State. The appointment of a new Government Commission to settle the claims and counter-claims of Punjab and neighbouring States and making the known false census of 1961 was unwarranted. It is evident that Prime Minister Indira Gandhi and Home Minister G. L. Nanda, with their communal bias, were responsible for creating the territorial problem where none existed. In fact, as explained earlier, the problem was never there, because the linguistic demarcation stood clearly settled and accepted under the Sachar and the Regional Formulae. Obviously, proposals of Centrally appointed Commission were made only to create a dispute, keep it alive and confuse the real issues and mislead the people so that the central Government could always wear the mask of a disinterested arbitrator between two unreasonable disputants. In short, the entire exercise was to hide the reality that it was the Centre that unsettled a settled matter so as to side-track public attention from the illegal drain of Punjab's wealth to non-riparian States and make Haryana and Rajasthan, the recipients of ill-gotten gains, look genuine disputants.

On January 30, 1970, the Shiromani Akali Dal adopted a formal resolution condemning the decision to give Punjabi speaking areas of Fazilka and Abohar to Haryana and called it an "arbitrary,

1. Tewari, V.N.; *The Language of Chandigarh* (Chandigarh, 1967). PP. 16, 23. 59-60
2. *The Tribune*, January 31, February 1 and 2. 1970.

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unprincipled, unjust and a politically motivated decision"<sup>2</sup> A meeting of the All Parties Action Committee, under the Chairmanship of Baldev Prakash, the Jana Sangha President, was held on 30th January, 1970. It passed the following resolution :

"The Committee is of the view that a grave injustice is being done to Punjab by arbitrarily transferring the Punjabi speaking areas of Fazilka Tehsil to Haryana and to do this unprecedented step for creating a corridor is being taken. This is highly unjust, discriminatory and deserves condemnation. It is also a complete violation of the legitimate principle of secularism. It is bound to encourage communalism and can become a bad precedent. This decision is also illegal and improper, in view of the fact that a Commission is proposed to be appointed." ' The statement showed that no one could conceal the blatantly unjust and communal aspect of Indira Gandhi's Award relating to Fazilka and Abohar.

Thus, after getting the so-called Punjabi speaking State, the prospects that the Sikhs and the Punjabis had to face were that they got a State economically denuded of its natural resources and politically crippled, since the Centre controlled its river waters and hydel power, the only two resources of Punjab on which depended the economic future of the State and its people.

Democratic Process Throttled :

Another aspect of Central policy is a consistent attempt to reduce leadership in the State to a position of political ineffectiveness. There is one political feature in Punjab which is entirely different from conditions in other states. Rural masses in Punjab are far more politically conscious of their rights than masses in the neighbouring states like Rajasthan, U.P., etc. This consciousness is due to the fact that an unprecedented social revolution had taken place in the Punjab under Banda Singh Bahadur. This had never happened in the world before. In this revolution, the structure of the ruling class had been radically changed with the result that the lowest strata in the Indian society viz. Jats, Kalals, carpenters, Lohars (Ramagarias), Mazahabis and Shudras, became the ruling classes. In this revolution, though Jats, Kalals, carpenters and Mazhbis became the new militant

1. *Ibid.*

*Dharam Yudh Morcha : Causes*

(or Kashtrias) class, land some how was not generally distributed among the Mazhabis. Hence, in Punjab the status of these classes became equal to those of Brahmins, Kashtrias, Rajputs and Vaishyas. This is something which had hardly ever happened in any revolution in the world and may be, for that reason, our arm-chair academicians are hardly aware of this most important factor which governs the socio-political life of Punjab. What we mean to stress is that the Indian society in Punjab underwent a radical change, in 1712-15 A.D., far more potent in its implications, than envisaged under the recommendations of the Mandal Commission, which relate only to a segment of the political domain without change in property relations. And the noteworthy contrast is that these minor changes are also resisted by the Indian elite even in 1990's. It is because of this that the Punjab peasant, whatever his caste, never considers himself lower in social status than a Brahmin, Rajput or Kashtria or Vaish. Thus, the Sikh revolution permanently raised the social status of the Sikh peasantry *en masse* to such an extent that, "In the Sikh tract, the political position of the Jat (who constitute majority of the Sikh population) was so high that he had no wish to be called Rajput; under the hills the status of the Rajput is so superior that the (non-Sikh) jat has no hope of being called Rajput."<sup>1</sup> It is important to understand that the Sikh Revolution has been more radical than the French Revolution under which the leadership remained only with the middle and upper middle urban classes and the peasants were no-where near gaining any political power or status.

Thus, in Punjab the dominant leadership is from the peasantry and the cleavage between the rural and the urban interests is quite sharp and well-known. Unfortunately, the demographic position is such that division of interests represents at its base communal interests as well. Accordingly, on one pretext or the other, policies of the Centre have generally and calculatedly sought to serve the interests of the urban section which constitutes the Hindu majority. That is the reason why the Centre has gone out of the way in suppressing, harming and discriminating against the rightful interests of the majority in the State, while framing the Punjab Reorganisation Act of 1966 and making various constitutional and administrative

1. Ibbetson, Denzil; *Punjab Castes* (Reprint, Patiala, 1970) Section 437, P. 124.

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arrangements.

In the history of free India, Prime Minister Jawahar Lal Nehru by dismissing the duly elected Akali Ministry in PEPSU, for the first time imposed the President's rule in 1953. This narrow approach 'towards the Sikh majority state in PEPSU or Punjab has continued since then. In fact, as we have already indicated, the Sikh majority problem in PEPSU was solved by merging it in Punjab and making it a Sikh minority area. After the formation of Punjabi Suba (1st November, 1966), the Akalis won four elections and formed their Ministries in Punjab, but every time within a year or two the democratic will of the people of the State was subverted by the central Government. The total span of time, the Akalis were allowed to rule in Punjab after winning four elections, was only seven years, six months and twenty one days. On the other hand, the Congress won only two elections and formed their ministries twice in Punjab and ruled over the State for eight years, seven months and two days. In addition to it, the Congress supported a minority Government and ruled the State by proxy for nine months. For the remaining period of seven years, seven months and sixteen days, Punjab had been kept under President's rule in different spells of time. Here it is pertinent to point out that thrice the Akali Ministry was a coalition Government with the Jana Sangha, now called the Bhartiya Janta Party. As such, these were the periods of communal harmony and amity in the State but every time the Ministry was not allowed to function beyond a short span.

The noteworthy contrast in other states is that the representatives in the legislatures there are mostly urban oriented even while they are supposed to represent rural constituencies and interests. The rural masses there are too suppressed and non-articulate to send representation with roots in the villages. As such, the elite in Indian leadership, under the garb of modernity, is urban oriented, virtually disassociated in its thinking and approach from the Indian masses. There is a well-known phrase of there being in India two nations, of the rich and the poor. The position, as explained, is quite different in Punjab. The result is that the Indian leadership

has, for the reason indicated above, always aligned itself completely with the urban interests in Punjab, which demographically happen to be Hindu minority interests.

The legislative history of Punjab has been that, with urban legislators virtually always with the Congress Party, it has been able to secure a majority in the Legislative Assembly, even while majority of the rural legislators remained outside its fold.<sup>1</sup> And whenever those rural interests somehow were able to form a Government in the State, the Congress, with the urban legislators already in its fold, was able to undo the Ministry by securing defections or by the method of horse trading. This is obvious from the fact that the Akali ministries which were always backed preponderantly by rural interests and representatives were never allowed to work for more than a year or two. For example, in 1969, out of the one hundred and four seats, the Akalis had won forty three and the Congress thirty eight. Among the Congress about half the members represented the urban seats. The Akalis had practically double the number of rural seats than those of the Congress.<sup>2</sup> But the Ministry was not allowed to last even for a year. The Congress was able to secure the defection of fifteen persons; practically everyone of them was given a ministerial berth and a minority Government was put into power with the support of the Congress legislators who remained outside the Ministry.<sup>3</sup> In this connection the remarks of I.K. Gujral, a senior Congress leader from Punjab are note-worthy : "The Congressmen found it hard to stay out in the cold for too long. They encouraged Lachman Singh Gill to defect and form a government with their support. "<sup>4</sup> After about nine months, the Congress support was withdrawn and President's rule was imposed. Practically the same has been the case every time the Akalis representing the peasant interests came into power to form a ministry.

It is evident that since Independence, there has been consistency

- 1) Deol, Harmandar Singh; *Ecology of Elite Recruitment* (Jalandhar. 1987). PP. 46-48.
- 2) *Ibid.*, PP. 45-48 and 105.
- 3) *Ibid.*, PP. 104-106.
- 4) Gujrat, I.K.; "The Sequence' in Patwant Singh and Harji Malik (ed.); *Punjab: The Fatal Miscalculation* (New Delhi, 1985), P. 116.

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of objectives and policy, as stated by Chaudhary Charan Singh about the approach of Sardar Patel. This approach expressed his clearly going back on the Congress commitments to the Sikhs and hostility towards and discrimination against their rights in every field. This explains the reluctance of the Centre in creating a linguistic State in Punjab, its forming of a mutilated sub-state and its subsequent subversion of the democratic process whenever rural interests or Sikhs came into power in the State. The policies pursued and the political steps taken by the Central leadership, openly in congruous with their earlier commitments and their policies in other States, have never remained secret to the politically conscious rural peasantry of Punjab, who always interpreted them to be prompted basically by the spirit of narrow communalism. The result was a disillusionment and a growing but clear distrust of the professions of Central leadership whose credibility became gradually but surely minimal. In fact, Indira Gandhi has openly admitted her concern for the Hindu urban minority in Punjab, when she felt disturbed and approached the Prime Minister Lal Bahadur Shastri and other leaders, in order to frustrate the creation of Punjabi Suba.

The Central leadership always conducted itself in a manner that would enable it to win Hindu support and reap electoral harvests. The Congress in Punjab has never produced a representative leader of even a provincial status. Punjab Congress leadership has always been nominated by the Centre and has been naturally obliged to toe the line of the Government at the Centre. When Jawahar Lal Nehru repeatedly declared that he would never form a Punjabi Suba, Partap Singh Kairon, the Chief Minister of Punjab, in order to outdo him and show him his loyalty stated that Punjabi Suba would be formed only on his death bed. It was during his Chief Ministership that following the Indus-Water Agreement, Punjab had agreed to contribute waters to the phoney Scheme of Rajasthan Canal, regarding which there was a clear advice from the World Bank experts that the waters of Punjab rivers could much more fruitfully be utilised in Punjab itself rather than in the deserts of Rajasthan. If a Congress Chief Minister had championed the cause of a Punjabi speaking State as Y.B. Chavan had done of a Marathi speaking State, the issue would never have turned into a Hindu-Sikh conflict

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and thereby acquired communal overtones. Nor would it have turned into an unnecessary conflict between the Centre and the State. But representative leadership could not be found in the State Congress, it being purely constituted of the nominees of the Centre. While the Congress Chief Ministers in other states pleaded the cause of their respective states, their counter-parts in Punjab, without any exception, worked as were instruments of a dictatorial and arbitrary regime at the Centre, showing little concern with the politico-economic welfare of the State. As already pointed out, Giani Zail Singh, the Congress Chief Minister of Punjab did not have the courage either to protest against the unconstitutional and ruinous Award (1976) of Prime Minister Indira Gandhi on the issue of Punjab river waters or to file a suit in the Supreme Court against it. Later, Congress Chief Minister, Barbara Singh, too was coerced into signing an Agreement (1981) on the same issue with the non-riparian States, thereby withdrawing the case filed by the Akali Ministry in the Supreme Court, sealing the socio-economic fate of Punjab. Thus, the Congress in Punjab not only failed to acquire a representative character but also failed to stop the socio-economic ruin of the State. In fact, this failure was due to its not having its roots in the rural Punjab nor being perceptive of the interests of the State, its leaders being just the nominees of the Prime Minister, whose favours they sought and on whose discretion depended their leadership. It is a known fact that the leaders of the Punjab Congress in the state legislature and outside were always nominated by the Prime Minister and their election in the legislature or the Party was just a subsequent formality. Hence, the question of Punjab Congress leadership trying to serve and safeguard the politico-economic interests of the State and its people could not arise. This is evident from the complete erosion of the economic interests of the State that has been detailed by us earlier. For, no worthwhile democratic Government of the people could ever have allowed things and events to happen as they did; much less would it have agreed to those economically suicidal steps.

Here it is relevant to quote the reply of Prime Minister Indira Gandhi, when Prem Bhatia, editor of 'The Tribune', Chandigarh, suggested that she should find a political solution to the Punjab problem, "Do you think I can hand Punjab over to a community

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which shares common borders with Pakistan?"<sup>1</sup> This cryptic reply of the Prime Minister reveals the cat out of the bag and is symptomatic of the fundamental policies of the Central leaders in the preceding four and a half decades. The remarks are completely in line with the approach of Sardar Patel, discussed earlier and the role of Indira Gandhi and Gulzari Lal Nanda, regarding the formation of the sub-state of Punjabi Suba. These observations reveal both an excuse and a reality, an excuse because the Sikhs who had before and after independence fought valiantly for the freedom of the country, as also in the War of 1965, could hardly ever think of selling their State to Pakistan from which country about 40% of their population was forcibly evicted. It was a good excuse because it would be a very satisfying argument to a Punjabi Hindu journalist or, for that matter, to any Hindu in the rest of the country. Yet it clearly discloses the reality of Central thinking and the trend of its policy towards Punjab. Because, if the Centre had allowed a fully representative Government in the State, it could not have succeeded in denuding and despoiling the State of its wealth in the manner it had been doing under its stooge Governments in the State.

Thus, in dealing with the Akali Dal or Punjab, the Central leadership could never ignore the partisan interests of the Punjab Hindus or the Hindus in other states. Likewise the Bhartiya Janta Party, in order to safeguard its communal interests and votes in the Hindu majority states of Haryana and Rajasthan, had never been willing to be fair to Punjab, when it was a dispute with those States. Because of party or communal interests and discipline, the Punjab Hindus always fell in line with the Central leadership, however, unreasonable or detrimental its stand might have been to the interests of the Punjab. The position was no different with the Punjab Communist Party, which has remained equally blind to the interests of the State. Harkishan Singh Surjeet, a prominent Communist leader, has been doing some tight rope dancing, but the Communists betrayal became clear when they first joined the Morcha at Kapuri against the SYL Canal and later backed out from the demand of obtaining judicial verdict. As such, the Sikhs alone were left to espouse and

1. Basu, Kajal; 'Who is To Blame' in *India To-day*, August 15, 1991, P. 85.

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fight for the legitimate rights and interests of the Punjab and it is this gap between the Sikhs and the Hindus that the Centre tried to exploit by giving the Punjab demands the bad name of secessionism, . extremism and terrorism, thereby further communalising the Punjab problem.

Thus, every Punjab Congress leader knows of his dependence on Hindu votes in the State and the predilections and prejudices of Central leadership with the result that he can never do anything which is in the overall interests of the Punjab, as against the interests of the Hindus in the State or the Hindu States, the Centre wants to serve. The fact is that 'Delhi Prince' being an outsider, always, as a matter of policy, props up a leadership in the State which remains unrepresentative of the people and looks up only to the Centre for its existence, thus, in the words of Machiavelli, " creating within the country a government composed of a few who will keep it friendly to you (Prince). Because this government being created by the Prince, knows that it can not exist without his friendship and protection, and will do all it can to keep them."<sup>1</sup> Thus, in the case of a representative government of the people, there could always be the risk of defiance as has happened in relation to the Kaveri dispute. For, on the one hand, the Congress Government of Karnatka has unanimously issued an Ordinance contrary to the verdict of the Tribunal appointed at the instance of the Supreme Court and on the other hand, K. Ramamurthy, the Congress President of Tamil Nadu and Minister at the Centre, has resigned and questioned as to why . the Centre is not implementing the decision of the Tribunal set up under the Inter-State Water Disputes Act 1 956. The contrast between stooge appointees and representatives of the people is also evident from the fact that while, over the years, the unconstitutional drain of the Punjab's wealth has been going on, not once did the Congress Ministers like Swaran Singh, Gurdial Singh Dhillon, I.K. Gujral and Buta Singh protest against it in or outside the Parliament, not to

- 1.. Machiavelli, Niccolo; *The Prince* (Bombay, 1957), P. 28.
2. *India To-day*, August 15, 1991, PP. 52-53; *Indian Express*. July 20 and August 8, 9 and 13, 1991.

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speak of their resignations. For, the Punjab Congress leadership has always looked for its sustenance and support not to the masses of the State or to the majority of their representatives but to the Central leadership on whom depends their political survival. Hence, the faithful application of the second dictum of Machiavelli.

Sikhs and the Emergency :

The imposition of a state of Emergency in 1975 was a crude attempt by Prime Minister Indira Gandhi to overcome a personal crisis created by an adverse court verdict, which found her 'guilty of corrupt practices', in Rae Bareilly election and debarred her from all elective offices for six years. She decided to continue as Prime Minister, notwithstanding the High Court Judgement.<sup>2</sup> This was in violation of all standards of constitutional propriety, democratic conventions and political ethics. Instead of resigning, in sheer self-interest, she declared Emergency in the country.<sup>3</sup>

The Emergency clause in the Constitution contemplated its use when a grave danger to the integrity of the country was there because of external aggression or of very large scale internal disturbances. No such grave danger existed to warrant this drastic step. Since all human rights including the right to life and a civil trial had been eliminated, there could neither be the rule of law nor the possibility of obtaining justice from the courts whose jurisdiction stood practically eliminated. This involved an unbridled Police Raj without its being, in any manner, accountable to any authority. All this generated an un-precedented fear complex among all the people in the country. One instance alone is symptomatic of the atmosphere created, the mind of the authorities and the manner of its working. Bhim Sen Sachar, a former Chief Minister of Punjab, an ex-Governor and a respected and old Congress leader of the State, was just given the mid-night knock and unceremoniously put behind the bars.<sup>4</sup> His

1. *The Hindustan Times*,  
June 13,
2. 1975. 1. *Ibid.*, June  
15, 1975.
3. *Ibid.* June 16, 17 and 18. 1975; *The Tribune*, June 17, 18  
and 19, 1975.
4. Nayar, Kuldeep; *The Judgement - Inside Story of the  
Emergency in India* (New Delhi. 1977), P. 64.

offence was that he had, as a veteran and a senior Congressman, written a letter to the Prime Minister indicating the impropriety of imposing the Emergency. Thus, there was a studied attempt to create an atmosphere of terror so that people may not raise their voice.<sup>1</sup>

In the process, the press was gagged, all civil liberties were suspended and fundamental rights abrogated. During the nineteenth months of Emergency, nearly one lac and twenty thousand people, including the entire opposition and some Congress leaders, were thrown into prisons.<sup>2</sup> Over twenty thousand public servants were compulsorily retired for their non-cooperation with the Emergency regime.<sup>3</sup> At least one lac people were forcibly sterilized.<sup>4</sup> The Prime Minister assumed dictatorial powers through a series of extra-constitutional measures. The Emergency provided the Government with an excuse for censorship and detention without trial. Repressive measures like MISA (Maintenance of Internal Security Act) and DIR (Defence of India Regulations) crushed the civil liberties and human rights of the people.<sup>5</sup> The entire nation was stunned into submission- The framers of the Indian constitution had granted considerable discretionary powers to the Government, with the hope that the latter needed them to transform the social order. Excesses' committed during the Emergency rudely shook the people to the reality that the State power meant for the welfare of the people could be arbitrarily and arrogantly abused for the benefit of a few and the destruction of the fragile structure of the infant democracy in the country. Emergency raised crucial issues of constitutional propriety, political morality and Centre-state relations. It exposed the littleness and pettiness of the people in power.

The ignoble nineteen months of Emergency were times of trial for the entire country. Most of the people were frightened into submission and talked against the excesses of Emergency only in

1. *Ibid.*
2. *The Tribune*, June 26, 1988.
3. *Ibid.*
4. *Ibid.*
5. *Ibid* June 26 and 28, 1988.

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hushed voices. Even the enlightened segments of the society betrayed signs of collective cowardice and sycophancy.

In keeping with their tradition of fighting against social and political injustice or oppression, the Sikhs alone came forward to oppose, in an organised manner, the Emergency tooth and nail. It is well known that the most sustained opposition to the Emergency in the country was put up by the Akali Dal in the form of 'Save Democracy Morcha', launched from the premises of Darbar Sahib. They condemned the Emergency as a fascist step, a 'reign of terror', a 'rape of democracy', and a clear step towards dictatorship.<sup>1</sup> While most of the other sections of society bore the nineteen month long nightmare with placid calmness, the Akali Dal continued their crusade till the end. They remained united and steadfast in their protest. Effort to 'buy' their support for the Emergency could not succeed. The Akalis have had a bad press; that is why their heroic role during the Emergency has not been highlighted. But there is no denying the fact that the most sustained and organised agitation against the Emergency, operated from the Gurdwaras. was put up by the Akalis.<sup>2</sup>

Unlike the R.S.S., the Akalis remained steadfast in their opposition to the Emergency till the very end. M.J. Akbar has analysed the reasons why the R.S.S. sought a compromise with the Government, during the Emergency. He points out that it was mainly due to the nature of its support base among the urban middle class, mostly 'Banias'<sup>1</sup> or traders. These traders got frightened of Government repression and particularly of the tax raids.' The R.S.S. Chief P.J. Deoras began pleading for a compromise, when he was still in jail. The letters sent by him to the Government during the Emergency were exposed later on. There was an offer to put one lac R.S.S. volunteers at the command of Indira Gandhi, "so that the

- 1- *Dhillon G.S.; Researches in Sikh Religion and History* {Chandigarh. 1989)PP 101-102
2. *The Spokesman Weekly*, August 8. 1977.
3. Akbar. M.J.; *India : The Siege Within* (London. 1985), PP. 182, 307-8

nation could prosper<sup>1</sup> R.S.S. periodicals began to praise Indira Gandhi and her son Sanjay Gandhi. Amusingly, later when the Emergency was lifted, the R.S.S. pretended to have played a brave role during the crucial period.<sup>2</sup>

It is now well known that in the early days of Emergency, Indira Gandhi, apprehending opposition from the Sikhs, approached the Akalis through Amarinder Singh and Bhai Ashok Singh Bagrian that they should remain quiet and not raise any opposition to it. In turn, she offered to meet the Sikh demands.<sup>3</sup> But knowing full well the mass reaction to the acceptance of this offer, the Sikhs in line with their tradition, refused to compromise with her since such a step would have sullied their entire tradition of confronting and resisting injustice and oppression, whatever be the sphere of its operation. In the tradition of the Gurdwara Reform Movement and all subsequent movements, the entire campaign against the Emergency was non-violent in character and spirit.

The Akali Dal emerged as the most courageous and principled opposition Party in the country. While addressing a big public gathering at Chandigarh Mrs. Vijay Lakshmi Pandit paid a handsome tribute to the Akalis for their brave resistance to the Emergency. She said, "Punjab which had always been in the forefront of resistance to oppression, kept its colours flying, during the Emergency also. It was in Punjab and Punjab alone that a large scale resistance was organised against it. The worst thing that happened during the Emergency was that a brave nation was frightened into submission and nobody spoke except in hushed tones. In Dehradun, where I was, I hung my head in shame and wondered if this was the Bharat for which we, the freedom fighters, had suffered. Even those, not actually in prison, were no less than in jail. Only in Punjab, the Akalis organised a Morcha against this. Punjab's lead in such matters should continue."<sup>4</sup>

1. *Ibid.*
2. *Ibid.*
3. Tully, Mark and Jacob, Satish; *Amritsar: Mrs.. Gandhi's Last Battle* (New Delhi, 1985), P. 75.
4. *The Tribune*, March 13, 1977.

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The Akali Morcha against the Emergency continued till it was withdrawn. "Roughly 45, 000 Sikhs courted arrest." and the top Akali leadership including eighteen legislators were detained under MISA, DIR and other Emergency provisions,<sup>2</sup> Pro-Akali newspapers were either closed or penalised. This Akali protest, "which operated from the Gurdwaras was the most sustained opposition to the Emergency offered anywhere in India."<sup>3</sup>

On her part, Indira Gandhi, in line with her character, never forgot the Sikhs' opposition during the Emergency and their rejection of her offer. And, it was during the period of the Emergency that, in 1976, she had her revenge by announcing the ruinous, arbitrary and unconstitutional Award (1976) against Punjab. The Award rendered a severe blow to the life of the Sikh peasants, who had boldly opposed and agitated against the Emergency. During her next tenure of Prime Ministership, she seemed to have come back with a vengeance to settle personal scores with the Akalis for their stiff confrontation against her.<sup>4</sup>

The Sikh Morcha during the Emergency is a very significant event. On the one hand, it shows the high priority the Sikh tradition gives to maintaining and fighting for the interests of justice, liberty and fraternity, even at the cost of its societal interests. On the other hand, it shows how Prime Minister Indira Gandhi, who was basically swayed by communal prejudices as evidenced by her own admission and role in trying to stall and scuttle the creation of Punjabi Suba, was later willing to play manipulative and opportune politics in trying to compromise with the Sikhs so as to pursue her personal, narrow and short-sighted interests.

Discrimination against the Sikhs in recruitment to the Defence Forces :

It is a well known fact that the Sikh representation in the Defence Services was about twenty five percent before Independence.

Nayar, Kuldip; *op. cit.*, P. 64.

Dhillon; *op. at.* P. 103.

Jaffery Robin; *What's Happening to India* (London, 1986), P. 116.

Dhillon; *op. cit.*, P. 105.

[n rural Punjab, soldiering has been a natural and hereditary profession. As such, it has been the chief means of livelihood and Sustenance with lacs of ruralities in Punjab. The policy of recruitment in the army has been changed from merit to provincial quota on the basis of the population of a state.<sup>1</sup> It may be noted that in all other services or jobs selections are made on the basis of merit. Recruitent to the Defence Services on the basis of quota system is unwarranted, unjustified and unconstitutional. It is violative of the principle of equality of opportunity embodied in Articles 15(1)and 16{2)of our (constitution which lays down that no distinction on the basis of the place of birth of a person shall be made. This unconstitutional policy |as been followed to deprive the Sikhs of the greatest avenue of public employment. Lacks of Sikh families are nursing a feeling of being discriminated against on this issue.

#### The Kirpan Issue:

In recent years, there has been a lot of controversy regarding the wearing of Kirpan and its possession by the Sikhs as provided under Article-25 of the Constitution. The Sikhs are rudely shaken to know that certain institutions in India are framing rules and regulations either to limit the size of the Kirpan or even to ban the entry of Kirpan-wearing Sikhs on their premises. Such restrictions, apart from being unconstitutional, would also be a clear bar against the Sikhs practising their religion. However, the Centre is not supposed to be unaware of the unconstitutional and other implications of its executive orders and the consequent hurt to the Sikh psyche which is caused by such measures. Among the Fundamental Rights in the Constitution, is the right to freedom of Religion under Article-25 of the Constitution. It states :

"25(1). Subject to public order, morality and health and to the other provisions of this part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion.

(2) Explanation 1 - The wearing and carrying of Kirpans shall be deemed to be included in the profession of the Sikhs religion."

1. Gujral in Amrik Singh (ed.), *op. at.*, PP. 52-53

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The right of the Sikhs to wear and carry Kirpan was also incorporated in the Indian Arms Act, 1978. This right was duly acknowledged by Motilal Nehru Committee (1928) as well as the Sapru Committee ( 1945 ) and was then accepted as the Fundamental Rights of the Sikhs in the Constitution. A plain reading of Article 25 shows that the carrying and possession of Kirpans is deemed to be included as a part of the profession of Sikh religion. According to H.M. Seervai; "Any law which prohibited Sikhs from wearing or carrying Kirpans would be void unless such law was justified as necessary to public order. Though not defined in the Constitution, Kirpan being sword and its size or shape being not prescribed by the Sikh religion; it may therefore, be a sword of any size or shape"<sup>1</sup> Thus, the wearing and possession of Kirpans by the Sikhs is a fundamental right. As such, it is inalienable and cannot be taken away by executive instructions, much less by an enactment unless the Fundamental Right is in itself amended or withdrawn. The wearing and carrying of Kirpans is the very basis and foundation of Sikh psyche and ethos and in fact goes much deeper than what appears to the naked eye. at the surface.

Anandpur Sahib Resolution :

We may be pardoned for some recapitulation of the background. We have briefly indicated earlier how for over decades after 1966, the Punjab administration has been run and its resources heavily exploited and its future well-being jeopardised. By one means or the other, over 75% of its available waters are being diverted to other States with the impending prospects of about forty lac acres of its cultivated land becoming barren. The Satluj Yamuna Link (S.Y.L.) and other canals are being dug and water drained out when the State itself needs every drop of their waters. Unfortunately in the matter of floods Punjab suffered, in a single year (1988), a flood loss of over a billion dollars of its property, crops and land whereas the non-riparian beneficiary states have not lost even a penny worth of their property on account of the Punjab rivers to the waters of which Central States had made them fully entitled. The loss of hydel power

1. Seervai, H.M., *Constitutional Law of India*, Vol. I. (Bombay, 1989), P. 916.

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is an equally heavy blow to the industry and irrigation in Punjab. And yet the entire administration of these two subjects has remained in Central hands. This grip is so tight that the State is considered incompetent to dig even a minor water channel in its own land from its own waters to cool the thermal plant at Ropar. As if this was not enough, the Centre has diverted more than 70% of the savings of the people for development in other states. On top of it, the Centre ensures that processing industries regarding the raw materials produced in the State are not allowed to develop in the Punjab and those materials are supplied to industries outside the State.

In addition, we have noted how the unconstitutional and arbitrary method of population formula of recruitment to Defence Service has seriously damaged the economic prospects of rural Punjab in a field where, by all standards, they had a merit, because of their aptitude and health.

In relation to the keeping of the Kirpan, the Centre has created an unnecessary irritant even though the Arms Act and the Indian Constitution gave a clear right to the Sikhs to wear it.

As to the question of local autonomy and representative Government, it has already been explained that whatever be the reasons, the Central Government would not allow any Ministry to function in the State that would fail to fall in line with the exploitative policy of the Centre.

It is in this context that we have to understand the genesis of the Anandpur Sahib Resolution and its being the only inevitable solution for the vexed problems of the State. For, the history of the earlier decades has shown unambiguously that otherwise the unconstitutional, unjustified and destructive exploitation of the State and its people could neither be stopped, much less undone.

Under this caption (Anandpur Sahib Resolution) we shall state, how (i) the going back of the Indian leaders on their promises to create a federal structure with autonomous states, (ii) a studied attempt to prevent the Sikhs from coming into power in PEPSU or Punjab by one political manipulation or the other and, (iii) repeated

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centralisation of the Constitution and its working, made it inevitable for the Sikhs to reiterate their demand for an autonomous Sikh area in the form of what came to be known as the Anandpur Sahib Resolution.

(i) Congress Goes Back on Promises Made : We have already given the details of promises and commitments given by the Congress leaders, from time to time, to the Sikhs and the other minorities that the Indian Constitution would be a federal structure with residuary powers with the autonomous states. But a Constitution heavily leaning towards a unitary structure was framed, even though all the Sikh representatives in the Punjab Legislature reminded the Congress of its promises and formally protested against it. So much so, the Sikh members of the Constituent Assembly refused to sign the Constitution.

The Constitution of India contains provisions which put the State in a subordinate position vis-a-vis the Centre. For example Article 248 gives residuary powers to the Centre; Article 249 provides that the Rajya Sabha, in the national interest, can authorise the Union Parliament to pass laws with respect to state subjects; Article 250 authorises the Parliament to legislate on state subjects during national Emergency. Article 356 envisages Presidential take over of a State administration, in the event of a failure of the Constitutional machinery. Article 360 makes provisions for financial Emergency; and Article 155 gives powers to the Central Government to appoint Governors of its choice. These Articles have brought the Centre and the states to a sharp confrontation, because the Union Government purposely tries to make political interference in the day-to-day functioning of the states.

Legitimate state functioning has been eroded by studied and excessive centralisation and extra-constitutional methods encroaching on the powers of the states. Both in the field of education and law and order, Central powers have been enhanced by including these subjects in the Central or concurrent list. It is a known maxim that central planning is a hidden tool to completely throttle state functioning. This is what has been done by the growing expansion of the Planning Commission and its powers of sanctioning projects

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and making financial allocations. The institutions of Planning Commission, Water and Power Commission, University Grants Commission (U.G.C.), etc. have been created and employed increasingly to curtail the discretion of the States to exercise freely the powers conferred on them by the Constitution. These are non-statutory and extra-constitutional bodies, with not only wide powers to make financial allocations but also with almost unfettered discretion to approve or disapprove development schemes even where such projects are exclusively within the purview and financial competence of the state concerned. A classic instance, as already mentioned, of the Central delay caused by the extra-constitutional bodies of the Water and Power Commission and the Planning Commission is of the Thein Dam Scheme of 1964. with the initial estimate of seventy crore Rupees, designed to utilise the Ravi waters flowing into Pakistan. It was never approved for over two decades though in the mean time its cost multiplied from seventy crore Rupees to more than one thousand and five hundred crore Rupees.<sup>1</sup> Similarly, the Panchayati Raj and Nagarpalika Bill introduced by Rajiv Gandhi Government in Parliament, in 1989, was yet another classic example of Central intentions, trends and designs to penetrate the administrative, social and political life of even the villages and towns in a state.<sup>2</sup>

Rajni Kothari observes : "The thunder and aplomb of the Prime Minister on the Panchayati Raj, after having undermined local and federal institutions, is no more than a propaganda gimmick that verges on being a fraud on the people."<sup>3</sup> At present all irrigation and multi-purpose schemes costing more than Rs. 5 crore are required to be technically cleared by the Central Water and Power Commission and the Planning Commission. This is evidently a glaring method of unconstitutional intrusion in the jurisdiction of the states. This prompted late Prof. D.R. Gadgil, a pioneering economist and once the Deputy Chairman of the Planning Commission to observe : "Such stranglehold of activities by the Centre and its agencies and officials make any real progress impossible."<sup>1</sup>

1. *The Tribune*, January 3, 1991.
2. *The Tribune*, September 11, 1991.
3. , *Indian Express*, June 18, 1989.

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The Planning Commission came into being in March 1950, through a simple resolution adopted by the Union Cabinet with the Prime Minister as its Chairman. The Planning Commission became very powerful as an executive limb of the Central Government exercising total control over the developmental programmes of the state governments. It began to decide what resources were to be transferred to the states. Subsequently, the Finance Commission became very peripheral. When India became independent, the provincial budgets, in most cases, were in surplus and the Central budget was in straits. But now we have large deficits in the Central budgets as well as in the state budgets.

In order to maintain linguistic, cultural or regional identity, it is essential that education should remain a state subject. For, otherwise, with education as, a Central subject, it can be used as an instrument to erode and distort the cultural entity of the states. But it is not without purpose that education has been made a concurrent subject. For example, the existing historical tradition is that the martyrdom of the ninth Sikh Guru Tegh Bahadur was related to the upholding of Dharma and confrontation with the Empire due to its policy of forcible conversion in Kashmir.<sup>2</sup> It is recorded that one Kirpa Ram from Kashmir came to the Ninth Master and made a complaint against forcible conversions of the Hindus in Kashmir. This is one of the important historically accepted causes of the martyrdom of the Ninth Guru; and it was so recorded by the Tenth Master himself that the martyrdom was for the protection of Hindus i.e. their "Tilak and Janju."<sup>3</sup> But after the transfer of education to the concurrent list, the National Council of Educational Research And Training (N.C.E.R.T.) has prescribed a text book of history 'Medieval India' by Professor Satish Chandra, former Chairman, U.G.C. for class XI students, which reads as follows ; 'The Sikhs were the last to come into military conflict with Aurangzeb... However, there was no conflict between the Guru and Aurangzeb till 1675, when Guru Tegh Bahadur was arrested with five of his

1. Commission on Centre-State Relations - Report Part II; *op. cit.* P 695.
2. Mehbub, Harinder Singh, *Sahje Rachioe khalsa* (Jalandhar, 1986), PP. 613-14.
3. *Ibid.*

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followers, brought to Delhi and executed. The causes of this are not clear. According to some Persian accounts, the Guru had joined hands with a Pathan, Hafiz Adam, and created disturbances in the Punjab. According to Sikh tradition, the execution was due to intrigues against the Guru by some members of his family who disputed his succession and who had been joined by others. In Kashmir, the previous Governor Saif Khan, is famous as a builder of bridges. He was a humane and broadminded person who had appointed a Hindu to advise him in administrative matters. Stories of mass persecution by the new Governor appear to be exaggerated because Kashmir had been predominantly Muslim since fifteenth Century. <sup>1</sup>

In fact, the ground of the connection of the martyrdom with compulsory conversions in Kashmir has been completely discounted and eliminated. Consequently, the students are bound to come to the conclusion that the Sikh historical tradition is not a fact but a fable. This has been considered a serious distortion of Sikh history and it is understood that Punjabi University, Patiala, had also addressed the N.C.E.R.T. regarding this evident fault. This is just one instance how the powers of the U.G.C. vis-a-vis the universities and their functioning and the centralisation of education can be used to erode the regional, cultural or linguistic identities. Even the state universities are being discriminated against by the U.G.C. of the total financial assistance of the U.G.C., 80 percent is spent on the Central Universities, while the remaining 20 percent is distributed among 113 State Universities.<sup>2</sup> Here, it is not irrelevant to point out that in a multi-lingual country like India irrespective of the size of the linguistic groups, the imposition of Hindi through these central bodies, does not help the process of emotional integration, rather impedes it.

The above analysis makes it obvious that while there has been an overall centralisation of economic, administrative and political powers with the Centre, in the case of Punjab, there is a calculated attempt to denude it of its natural and economic resources and make

1. Satish Chander; *Medieval India* (Delhi, 1990), P. 237.
2. *Centre-State Relations, Report-Part II*. P .709.

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it a subservient administrative limb of the central Government. Even in other states where financial and administrative erosion of state power has been far less than in the Punjab, there has been a strong demand for state autonomy.

The Government has taken a series of steps to erode the state autonomy. For example, law and order is primarily a state subject, but the ever increasing strength of the para-military forces under the direct control of the Centre, is viewed by the states as an encroachment on their rights. The total strength of the para-military, forces in 1947, was not more than two battalions (about two thousand in number). The Central Reserve Police Force (C.R.P.F.) was created under The Central Reserve Police Force Act 1949 (passed by the Constituent Assembly under the Government of India Act 1935). This Force has continued to grow in its strength and functions. In addition to the C.R.P.F, other para-military forces like the Border Security Forces (B.S.F.), Indo-Tibetian Border Police (I.T.B.P.) Assam Rifles, Central Industrial Security Force (C.I.S.F.) etc. have been raised since 1947. At present their total strength is 492.950 with an annual cost of Rupees 1262crore as per the 1990-91 Budget.<sup>1</sup> This strength is greater than the total strength of the regular army of independent India in 1947. Quite often, the para-military forces have been used in various parts of the country to play the role of the police, much to the chagrin and embarrassment of the state governments. The worst performance of these forces could be seen in Punjab, Kashmir, Mizoram and Nagaland, the states where ethnic minorities are the worst sufferers. Protracted stay of these forces, apart from being a burden on the state economy, is bound to alienate the local population. Unmitigated repression, fake encounters and undue harassment often lead to grave consequences and deterioration of the situation still further, as in Punjab and Kashmir. The purpose and impact is evident from the fact that to-day about 343 Companies of para-military forces are permanently stationed in Punjab." In addition 300 more companies were posted in Punjab during the

1. *India To-day*, August 15, 1991, P.30.
2. *The Ajit*, August 22, 1991.

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proposed elections on June 22, 1991.' Apart from this, the strength of the Punjab police as on 1st March, 1991, was 56,376 with a budget provision of Rs. 202 crore for the year 1990-91<sup>2</sup>

There has been a rapid increase in expenditure on police in the Punjab budget from 1978 onwards. In the 1978-79 Punjab budget the total number of police personnel was 28,283 with an expense of Rs. 18 crore. This number increased to 56,376. with a total burden of Rupees 202 crore in 1990-91. Ever since Indira Gandhi's time, the only method to solve the political problems, has been to send an increasing number of para-military forces and, in case of their failure, to send the army to suppress its own people. Ruinous, as it has proved to be, 'Operation Blue Star' was the logical culmination of this suicidal policy. For. in the eyes of the common man, the army has a heroic image as the saviour of the people from external aggression and enemies. Its use against its civilian brothers and sisters, not only tarnishes its heroic image, converting it into that of an oppressive force but also lowers the role and morale of the army and its sense of pride in its patriotic role. The damage to the image and role of the army in a multi-regional country like India, where the army is drawn from different sections and communities of the state, is far greater both for the internal cohesion of the army and the image which it leaves with the people in the area of its operation where the people come to consider its role to be a role of oppression.

Another point that reduces the power of states as constituent units is the method of representation in the Upper House. As a consequence there is a wide disparity in the representation (e.g. 7 for Punjab as against 34 for Uttar Pradesh). In a truly federal constitution, representation in the Upper House, if at all it has to be retained, should broadly be on the basis of the composing federal units and not on the basis of their population. This would give virtual equality of representation to the states, so as to make the Upper House the mouth piece of different nationalities, minorities and other groups and give them a sense of participation.

1. Ibid
2. Ibid

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The administration of the All India Services, a legacy of the British Raj, is being run by the Centre. Since their conditions of service and the right to punish them are controlled by the Centre. These services often show contempt towards the governments and the people of the states. They are a class by themselves, who are totally alienated from the masses. This has led to the emergence of an increasingly vast chasm between the rulers and the ruled. The grip of the bureaucracy on the administration is being strengthened and democratic processes are being snuffed out. There is total alienation of masses not only from the regime but also from the system and the situation is fraught with grave danger for the survival of the state and democracy.

The role of the Governor another legacy of the British Raj. It has lately sparked a good deal of controversy and this office has become incompatible with the democratic will of the people of the states. Even in the U.S.A., the states have their own Governors and they are the elected chief executives of the states. Whereas these Governors in India, as in the colonial times, are appointed by the President, who act on the advice of the Central Government and hold their offices depending solely on the pleasure of the latter. In actual practice, they are often appointed in recognition of their services to the ruling party at the Centre. It is well-known that the job is such where incompetent, inconvenient, or aged leaders of the ruling party are accommodated. Thus they serve as convenient tools of the Central Party in power so as to manipulate state politics for its benefits. This office is being retained largely because it provides the Centre a necessary stick with which to beat a state back to the path chosen by the former. We shall detail how the powers of the Centrally appointed Governors have been used to subvert democratic rule in a state and utilise it for the state becoming a centrally administered area.

(ii) Akali Governments Not allowed to Function: The consistent misuse of Article 356 of the Indian Constitution makes a very strong case for its deletion, whatever might have been the original idea behind its introduction. This is opposed to the spirit of the

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Constitution, which envisages disinterested governors. Governors are not like party ministers that they should go or resign, when a government falls. But in practice the institution of the Governor has been political and the Governors also know that they have to please the political bosses since their term normally synchronises with the term of the Government at the Centre. This is something that goes outrageously against the spirit of the Constitution or democracy. For it strikes at the very root of objectivity in so far as the Governor is obliged to view the functioning of the State Government from the angle of the political party in power at the Centre and not from any impartial angle. It is because of this undemocratic convention that the political Governors have, with the change of party in power at the Centre, sent reports against the state Governments that were dismissed for the sole reason that they belonged to a party other than the one in power at the Centre. This happened both in 1977 and 1981. A state should not be deprived of the representative government simply because it is not to the liking of the Centre. Nor should the President's rule be imposed on the whims or prejudices of the Central Government.

The use of Article 356 in relation to Akali ministries in PEPSU and Punjab shows both the evident bias of the Centre against the Sikh majority governments and how it can be abused to throttle the democratic will of the people. For example, in 1953, when the Akali Government of Gian Singh Rarewala in PEPSU was dismissed by Prime Minister Jawahar Lal Nehru and the President's rule imposed, for the first time in the country, B.R. Ambedkar, the author of the Indian Constitution, observed in the Rajya Sabha: "The people got a very legitimate ground for suspicion that the Government was manipulating the Articles in the Constitution for the purpose of maintaining their own party in office in all parts of India, This is a rape of the Constitution."<sup>1</sup>

The first Akali Ministry of Gurnam Singh. formed on March

1. Quoted by Ramakrishna Hegde, former Chief Minister of Karnataka. in his article. 'Towards a United States of India-II, in *the Tribune*, April 30, 1990.

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8, 1967 after the creation of the Punjabi Suba, was removed on November 11, 1967. A minority Government under Lachman Singh Gill, with the support of the Congress from outside, was brought into power on November 25, 1967, and was allowed to last upto August 21, 1968. There after President's rule was imposed. Again on February 17, 1969, after the President's rule, an elected Akali Ministry was formed. This Ministry was allowed to function upto March 26, 1970, when another Akali ministry came into power which could last only upto June 13, 1971. Congress attempts to topple this Ministry continued. Ultimately in June 1971, these attempts succeeded and President's rule was imposed. There is yet another instance of the dismissal of the duly elected Akali Ministry in the mid-term, without any rhyme and reason. In 1980, Indira Gandhi returned to power at the Centre. The Akali Government led by Parkash Singh Badal had come into power on June 20, 1977. But after her return Indira Gandhi dismissed it on February 17, 1980. This dismissal was both motivated and unwarranted. The Ministry had the necessary backing in the legislature. But its "sin" in the eyes of Indira Gandhi was that a case had been filed in the Supreme Court regarding the unconstitutionality of her Award of 1976 on the Water issue. Evidently, she could not allow that all her game of despoiling Punjab should be upset. Therefore, she hastened to dismiss the Ministry by introducing the President's rule. The last Akali Ministry of Surjit Singh Barnala had to meet a similar fate, as it was not allowed to function for more than two years (June 26, 1985 to May 11, 1987). No Akali Ministry was allowed to complete its full terms of five years. After a year or so, with one stratagem or the other, the Centre imposed the President's rule in Punjab after the removal of the Akali Ministry.

Ever since the formation of Punjabi Suba in 1966 till 1991. a span of twenty five years, the Akalis won four elections and were allowed to rule for seven years, seven months and sixteen days in all. whereas the Congress won two elections and ruled for eight years, seven months and two days. To cap it all. Punjab has had the longest spell of President's rule in India. To-date the total period of President's rule in this State has been seven years and seven and a

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half months. The Constitution has been amended six times to scuttle the democratic process in Punjab.<sup>1</sup> Directive principles of the state policy laid down in the Constitution have been flouted and all democratic norms thrown to the winds.

The above facts indicate how biased and high-handed has been the Central approach towards the Sikhs in Punjab, following the creation of Punjabi Suba. In no state has the President's rule been imposed and prolonged for a longer time than in Punjab. The history of governments in Punjab reveals two things. First, that the Centre would never allow any representative Government to function in the State and would demolish it by one means or the other and create a stooge Government. The second point is that, when, for one reason or the other, the creation of a stooge government was not possible, a resort to Article 356 was made and the State was governed directly by the Centre. Both these measures strictly follow the dictum of Machiavelli that the 'Prince' should either create an unrepresentative Government in the acquired territory which should only look to the 'Prince'<sup>1</sup> for its assistance or he himself should go and live and administer the acquired territory. The second part of the dictum was observed in the manner of a Central nominee (Governor) being appointed to govern the State according to the dictates of the Centre.

Here, it is necessary to restate that it was during the term of stooge governments that all the agreements relating to the unconstitutional and ruinous drain of Punjab waters and hydel power were made. So much so that when the Akali Government had filed a suit in the Supreme Court, it was dismissed and later a Congress Government was made to sign the Agreement (1981) and withdraw the case from the Supreme Court. It is also very significant to note that the Electricity Agreement of 1984, as mentioned earlier, was signed not by a representative Ministry in the Punjab but by the nominee of the 'Prince' itself, namely, the Governor in 1984. Obviously, no representative Government of the Punjab could ever sign such agreements or take such suicidal steps.

(hi) Anandpur Sahib Resolution : The origin of the Anandpur Sahib Resolution may be traced to the deliberations of the Batala

1. *The Tribune*. September 17, 1991.

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Conference held on September 28-29, 1968. Sant Fateh Singh in his presidential speech wanted to ensure that there was "no excessive interference" by the Union Government in the administration of the states.<sup>1</sup> He called for the amendment of the Constitution to determine the Centre-states relations as the Centre, with its undue interference, wanted to restrict the powers of the state Governments. He wanted, the powers of the Governors appointed by the Centre to be reduced to a considerable extent so that they did not unduly interfere in the state functioning to curtail the autonomy of the states. Baldev Parkash, President of the State unit of Bhartiya Jana Sangha, was also present at this Conference and was a party to the decisions taken over there.<sup>2</sup>

On December 11, 1972, the Working Committee of the Akali Dal formed a sub-Committee which, in the context of the experience of the earlier quarter century, was to 're-draw aims and objectives of the Sikh Panth.'<sup>3</sup> This Committee prepared the draft, which was approved by the Working Committee of the Akali Dal at Anandpur Sahib on October 16, 1973.<sup>4</sup> The Resolution was further unanimously approved and accepted by the General House of the Akali Dal, attended by over a hundred thousand members and workers at its session in Ludhiana, on October 28-29, 1978.<sup>5</sup>

By way of elaboration and concertization of the Anandpur Sahib Resolution, the Akali Dal proposed, inter alia, the following definite measures through different resolutions at the Ludhiana General Body meeting : "The Shiromani Akali Dal realizes that India is a federal and republican geographical entity of different languages, religions and cultures. To safeguard the fundamental rights of the religious and linguistic minorities, to fulfil the demands of the democratic traditions and to pave the way for economic

1. *The Statesman*, October 1, 1968.
2. *The Tribune*, September 29 and 30, 1968.
3. *The Tribune*, December 12, 1972.
4. Ajmer Singh Giani; *The Draft of the Policy Programme of the Shiromani Akali Dal* (Amritsar, 1977), P. 4.
5. *The Tribune*, October 29, 1978; *The Ajit*, October 29 and 30: 1978; *Indian Express*, May 30, 1978.

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progress, it has become imperative that the Indian Constitutional infrastructure should be given a real federal shape by redefining the Central and state relations and rights on the lines of the aforesaid principles and objectives."<sup>1</sup>

"The concept of total revolution given by Java Prakash Narayan is also based upon the progressive decentralization of powers. The climax of the process of centralization of powers of the State through amendments of the Constitution during the Congress regime came before the people in the form of Emergency. when the fundamental rights of the citizens were usurped. It was then that the programme of decentralization of powers ever advocated by Shiromani Akali Dal was openly accepted and adopted by other political parties including Janta Party, C.P.I. (M), A.D.M.K., etc."<sup>2</sup>

"The Preamble to the Constitution should be amended so as to incorporate the expression "federal" to characterize the Republic of India as such. This is essential to underline that the Indian System is basically of a federal nature. There should be re-distribution of subjects. The Centre should have only four subjects of Defence, Communications, Currency and Foreign Affairs. The residual powers should vest with the states. The centre should not have the power or competence to destroy or dilute the ethnic, cultural and linguistic self-identity of a federating unit. The legislature of a state should have exclusive power and competence to legislate over matters given in the re-drawn state list."<sup>3</sup>

"The institution of Governor, his powers, functions and duties should be brought in line with a federal policy so that the Governor does not remain an executive agent of the Centre but becomes a truly constitutional Head of the State. Constitutional provisions which empower the Centre to dissolve a State Government and or its Assembly should have no place in a federal framework. In the event

1. Government of India; *White Paper On the Punjab Agitation* (New Delhi, 1984), PP. 72-73.
2. *Ibid.*
3. Narula, R.S.; *Anandpur Sahib Resolution* in Patwant Singh and Malik, Harjit (ed.) *op. cit.*, PP. 132-35.

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of a Constitutional break down in a state, there should be a provision for immediate holding of elections and installation of a democratic set up."1

The field of All India Services should be demarcated from the field of the state executive machinery. The executive machinery in the state should be under the direct control and discipline of the state government itself.2

The Anandpur Sahib Resolution also took up issues of recruitment in the Defence Services on merit basis instead of state quotas, "removal of restrictions on the carrying of Kirpans by the Sikhs", as per Article 25 of the Constitution. Among the other issues raised in the Resolution were the restoration of right of Punjab river waters and hydel power, as per the Constitution, and the inclusion of the Punjabi speaking areas in accordance with the Sachar and Regional Formulae.3

The most important issue raised by the Anandpur Sahib Resolution related to the Centre-State relations. It was indeed an expression of a long standing grievance of the Sikhs. This demand in view of the experience of the earlier decades after partition had become inevitable. Because the Sikhs found that under the existing Constitution there could be no means or hope of their being able to serve the socio-economic and politico-cultural interests of the Sikhs, the State and its people. Hence, autonomy as envisaged by the Anandpur Sahib Resolution was considered essential for the future well being and the development of the State.

In fact, whereas Punjab had, as explained earlier, very compulsive reasons for making the demand for autonomy, that being the only method to undo the continuous drain and exploitation; the experience of other States like Tamil Nadu and West Bengal was no different. They too had voiced this complaint quite strongly and raised the demand. Tamil Nadu had actually appointed a Committee and its Assembly had passed a unanimous resolution on April 20,

1. Ibid.
2. ibid.
3. Ibid.

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1974, approving the recommendations of the Rajmanner Report.<sup>1</sup> This demand was even more drastic than the one made through the Anandpur Sahib Resolution. According to the Report, the subjects relating to Defence, Foreign policy, Inter-State Communication and Currency alone should remain with the Centre.<sup>2</sup> The State should have all other powers, including those on the concurrent list. It also recommended that an Inter-State Council should be constituted, consisting of all the Chief Ministers or their nominees, with equal representation for all the States, with the Prime Minister as its Chairman. No other Union Minister should be a member of the Council. In respect of any action to be taken in any matter relating to Defence, Foreign Affairs, Inter-State Communications and Currency, in so far as it affects the Centre-State relations or State or States, the Inter-State Council should be consulted.' Similarly, it should have the opportunity to discuss all economic, fiscal, monetary and financial measures undertaken by the Federal Government. The recommendation of the Council should ordinarily be binding on the Centre and the states. If, for any reason, any such recommendation is rejected, the recommendation together with the reasons for its rejection should be laid before the Parliament and the State Legislatures.<sup>5</sup>

Infact, what Jawahar Lal Nehru had himself recommended to the Constituent Assembly in December 1946, was in no way less than the demand in the Anandpur Sahib Resolution. No one ever accused Nehru or the Tamil Nadu Assembly of having committed secessionism or having tried to break up India. This being the reality and the demand put forward in the Anandpur Sahib Resolution, being quite logical, natural and essential, arising out of the actual experience of the previous decades, it is only symptomatic of the approach and mind of the Central parties and the media that while suppressing everything, they started trumpeting that this Resolution

1. *Centre-State Relations-Report II - op- at*, P. 715.
2. *Ibid.*, PP. 718-719.
3. *Ibid.*
4. *Ibid.*
5. *Ibid.*

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was separatist or secessionist<sup>1</sup> Prime Minister Rajiv Gandhi used it as an election rhetoric and said that there was no difference between the Anandpur Sahib Resolution of the Akali Dal and the 1940 Resolution of the Muslim League, which was responsible for India's partition.<sup>2</sup>

Akalis consistently demanded that the Constitution of India should be reviewed and recast on the federal lines so as to grant requisite autonomy to the states. The Anandpur Sahib Resolution, which pleads for autonomous states, with the Centre retaining federal functions in respect of only Defence, Foreign Affairs, Communications and Currency, is in consonance with what Pandit Jawahar Lal Nehru had been urging before 1947. In addition, the Resolution is looked upon as the best way to protect Punjab's socio-economic interests and preserve Sikh culture and heritage.

Every student of Indian politics is aware that the greater there has been the attempt at centralisation, the greater has been the ferment, and discontent among the ethnic and other minorities, ending in local and state level agitations and demands for autonomy. Seen in this background and the lessons of history, it is obvious that increasing centralisation for the purpose of avoiding break up of a large state, quite often, on that very account, has led to crack and disintegration of centralised state. This centralisation was sought to be carried to such ludicrous proportions that, in 1989, the Congress Government under Rajiv Gandhi introduced in the Parliament a Panchayati Raj Bill, "which wanted to keep village councils under the Centre, instead of under the States"<sup>3</sup> The planning in New Delhi hardly takes into consideration local needs; in fact, it kills the initiative at the grassroots. "Like supplicants, the State Chief Ministers come to the Planning Commission, which behaves as if it condescends to accept or reject their demands... Planning from above, as New Delhi has been doing despite the criticism, is palpably wrong. That explains the waste, corruption and political graft Even Rajiv

1. *Indian Express*, April 13, 1989.
2. *Ibid.*
3. Nayar Kuldeep; '*Liberty and Sacrifices*' in *The Tribune*, September 11, 1991.

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Gandhi admitted, though when he was out of power, that only 15 per cent of the funds allocated reached the people in the countryside." The lesson which New Delhi should learn from Moscow is that centralised power makes the states feel like municipalities. "Decentralisation of power-all the way down will give the people a sense of participation in the country's governance."<sup>2</sup> Robin Jeffrey observes, "If the Indian state is to survive, federalism and democracy are essential. In no other way can the State adjust to tensions of steady modernization, in no other way-except in explosions can such tensions be responded to and released."<sup>3</sup> It is our belief, that a satisfactory balance between the centrifugal and centripetal forces is essential for the health of every big organisation, state or society, more so in the modern democratic times. For, neither centralisation, nor the use of force can be the right means either to administer or keep together a large country like India with its numerous divisions of plurality or religions, ethnic groups, languages, cultures, etc. This being the reality, 'force is not the mortar which binds together a nation or a country'.<sup>4</sup> Infact, the lesson of history, more especially recent history in Russia, is clear that any attempt at over centralisation or the maintenance of unity or homogeneity in a plural society can be not only counter-productive but ruinous under democratic conditions.

## Conclusion ;

We have already recorded how immediately after Independence, the Central leadership changed its mind and policies towards the Sikhs. The clue to the policy is given in the statement of Sardar Patel, as communicated by Chaudhary Charan Singh. If that new basis of Central policy towards the Sikhs is kept in view, the entire history of Punjab in the subsequent forty years becomes clear. To an outsider the new policy of the Government would look quite

1. *Ibid.*
2. *Ibid.*
3. Jeffrey, Robin; *op. at.*, P. 204.
4. Nayar, Kuldip in *The Tribune*, September 11, 1991.

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incongruous and unproductive, but seen from the new approach the Central leadership had adopted, those policies howsoever destructive they may have proved to be, looked quite logical. All means were employed, economic, political, social, administrative, constitutional and even unconstitutional, to see that the Sikhs did not gain strength or power even in their homeland. Their very identity has been sought to be defused and their socio-economic base eroded.

The strength of the Sikhs lies in their masses and the religious and moral orientation of their bold peasantry. The first political step was to see that the Sikhs should be perpetually kept as a minority in their homeland. This is evidenced by the repeated reluctance of the Government to form a linguistic state in Punjab. This denial in Punjab was in contradiction to the pre-partition Resolution of the Congress and its policies in the rest of the country. Second, when a truncated Punjabi Suba was created, it was made a politically and administratively an ineffective sub-state virtually under the direct administrative control of the Centre. For, not only the basic subjects of hydel power and irrigation were kept in Central hands but the Central institutions of Planning Commission, Water and Power Commission, U.G.C., etc. were used to see that nothing worthwhile even in their own field of functioning could take place in Punjab without the prior approval of the Central government. Clear political, administrative and constitutional arrangements were made to subdue and dwarf Punjab as a State. Agriculture is the life of the Punjab masses which gives them sustenance, strength and a sense of independence. It is because of its peasantry and agriculture that Punjab has become the food bowl of India and supplies over sixty per cent of the food reserves of the country. The policy to denude Punjab of its hydel power and water by allotting over 75 per cent of its waters to non-riparian states has caused the maximum damage to the State. And, instead of its hydel power, it has to use expensive thermal power with daily dependence on coal from distant States. This is not only a crippling blow to the progress of all agriculture and industry in the State but threatens to despoil lacs of cultivable area. Apart from this, consistent economic measures have been adopted through banks, financial institutions, licensing and pricing

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policies to inhibit the economic and agricultural production and growth in the State. In addition, through the population formula, it has been ensured that soldiering as a profession does not become easily available to the Punjab peasant and the avenue of employment in the Defence forces is reduced drastically. We have already noted that in making these attacks on the political, social and economic life of Punjab, even unconstitutional means have been employed to destroy the strength of the State and its people. It is note-worthy that questions regarding territory, the population formula and the water and hydel power were purely constitutional issues and could be solved and settled which was, in fact, the only course for their solution. But, these questions were kept hanging for decades. Instead ancillary communal law and order issues were promoted and raised so that the real issues may get side-tracked. So much so that the constitutional issue regarding water and hydel power, pending before the Supreme Court, was withdrawn and the matter was prolonged and complicated.

The above narration makes it clear that the Indian Government studiously and clearly followed a Machiavellian policy considered suitable for areas acquired where a freedom loving people had lived under their own laws and customs. The three fold strategy of exploitation, rule through stooge Ministry or through the President's administration bears the unmistakable stamp of Machiavellian thought. No other rationale can explain the diametric change of approach of the Centre towards the Sikhs.

## 8

DHARAM YUDH MORCHA : PRELUDE AND  
AFTERMATH

*"According to our national tradition, the fight for one's just rights is nothing but Dharam Yudh'*

*Spokesman, Shiromni Akali Dal*

Nehr Roko Morcha :

During the Akali Ministry (June 20, 1977 to February 17, 1980) headed by Parkash Singh Badal, an important step for the solution of the water and hydel problem was taken. After consulting the senior most lawyers of the country, the Akali Government filed, in 1978, a case with the Supreme Court to challenge the validity of Sections 78 to 80 of the Punjab Reorganisation Act.

The Central government was fully cognizant of-the fact that the Act was unconstitutional and the Supreme Court would obviously give a decision in favour of the Punjab state. Since on the same constitutional issue they could not give one ruling regarding disputes in other states and a contrary ruling of law in the case of Punjab. To frustrate this attempt for a constitutional solution. Indira Gandhi, as soon as she came into power in 1980, took two steps. For no reason, whatsoever, even though the Ministry had come with a mandate from the people and enjoyed majority in the State Assembly, she dismissed the Punjab Ministry and introduced President's rule. This was to prepare the ground for the return of the Congress Ministry in Punjab. Elections were held during President's rule and Congress Ministry, headed by Darbara Singh, was formed in Punjab. As the issues of water, hydel power, territory, etc. were of basic and continuing importance for the well being of the State and its people. the Akalis resorted to the constitutional path of representing to the Centre for the redressal of the injustices done to the Sikhs, the State and its people.

At least, twenty six rounds of meetings of Akali representatives

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with the Centre and Indira Gandhi were held.<sup>1</sup> Out of these there were ten tripartite meetings in which opposition leaders were also invited.<sup>2</sup> The Akali Dal had finalised a number of demands, which included economic, political and religious issues. Major demands put forward by the Akali Dal were as under :

(a) the most important demand was for the restoration of river waters as per constitutional, national and international norms, based on the riparian principles. This was the major issue discussed at these meetings.

(b) Regarding the demarcation of Punjabi speaking areas, the Akalis wanted the application of the Sachar and Regional Formulae, which had effectively operated in the State with the consent of all concerned till 1966 and had the sanction of the Parliament. This demarcation had the full acceptance and support of the people, the legislators and Ministers from the two areas.

(c) The Akalis demanded the abolition of the unconstitutional quota system, based on the population of a state, introduced in the recruitment to the armed forces. The policy was considered unconstitutional, being violative of Articles 15 and 16 of the Indian Constitution that bar the making of distinction on the basis of the place of birth of a person for entry to any public service.

(d) It was pointed out that the carrying of Kirpan and its possession is a constitutional right of the Sikhs as provided in Article 25 of the Constitution of India and no restriction could be placed on it.

(e) On the issue of the capital city of Chandigarh, the Akalis demanded the same yard stick to be applied to Punjab which had already been applied while handing over Bombay to Maharashtra, Madras to Tamil Nadu and Shimla to Himachal Pradesh. In all these cases the capital cities were to remain with the parent States, but in the case of Punjab alone its capital city was made a Union Territory with the Punjab Government as the Centre's tenant.

### **(f) Another important demand was the implementation of the**

1. Government of India, *White Paper On The Punjab Agitation* (New Delhi, 1984), Annexure IV, PP.91-97.
2. *Ibid.*

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Anadpur Sahib Resolution for political autonomy based on the pre-Independence promises to the Sikhs, who felt it to be the only way to stop the exploitation of Punjab.

Of the most crucial significance was the issue of water and hydel power, which defied a negotiated settlement as the Akalis did not want to compromise Punjab's constitutional and riparian rights over its river waters and hydel power. As mentioned earlier, the Central government was afraid of the anticipated judicial verdict on this issue because of the clear and known provisions of the Constitution which no court could ignore.

The Akalis had argued before the Prime Minister's team that water was the greatest wealth of Punjab as it had no sea-coast, no natural resources,<sup>1</sup> no coal, oil or iron ore. Nor was there any major industry in Punjab. Loss of its water and hydel energy would be the biggest setback to the State and its people. However, Prime Minister Indira Gandhi played a ruse with the negotiators. On the one hand she kept them at bay by prolonging the negotiations, on one ground or the other. On the other hand, she got the case on Punjab river waters withdrawn from the Supreme Court by pressurising Punjab Chief Minister Darbara Singh into having an agreement on the Punjab waters, which was ruinous for its future interests. The enormity of injustice in the Agreement (1981) was that it not only endorsed the unconstitutional act of Indira Gandhi of 1976 by giving almost equal shares to Punjab and Haryana out of 7.2 M.A.F. of Punjab waters, but also allotted 8.60 M.A.F. of Punjab waters to Rajasthan, which was never a party to the issue, either under the Punjab Reorganisation Act of 1966, or under the Award of 1976 and which had no legal, moral or constitutional right whatsoever to Punjab waters. Following the Agreement, the case filed by the Akali Ministry about the sole constitutional rights of Punjab to its waters and hydel power, was withdrawn by the Congress government of Punjab. One wonders, if in the entire history of inter-state disputes especially relating to water and hydel power, such an indefensible step had ever been taken to throttle the constitutional path and course of justice. It is indeed extremely unfortunate that persons, politicians and mediamen who glibly talk of constitutional methods, have just

1. Ibid. P.P 11-14

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turned a blind eye to the enormity of this high-handed step which forms the very cause and base of the entire subsequent struggle and troubled history of Punjab. For, the steps clearly showed that both the constitutional path and the method of negotiations to seek justice had deliberately been barred for the Sikhs. Ruinous damage to Punjab had been done. The deadlock suited Prime Minister Indira Gandhi's designs. Her reluctance to follow the constitutional path and calculatedly to exploit Punjab was clear.

It was at this stage that the Akalis woke up to the realities of the situation and the working of the mind of the Centre. Indira Gandhi had virtually banged the door against the Akali negotiators and further hastened to lay the foundation of S.Y.L. Canal in Haryana on April 8, 1982, at village Kapuri on the border of the two States.<sup>1</sup> It was almost an unethical trick of Indira Gandhi to go on negotiating the water issue with the Akalis, lull them into the belief that she wanted an honest negotiated settlement and on the other hand, suddenly to call on their back a meeting of the three Chief Ministers to conclude the issue in a single sitting. Thus she succeeded in stabbing the Akalis, who were left with no choice except to launch a Morcha against the construction of this Canal. In this *nehr Roko Morcha* (agitation for the stoppage of the digging of the illegal Canal, on 8th April, 1982), the Communists also joined the struggle<sup>2</sup> but only to back out when it suited them.

It was extensively argued at all levels that the digging of the Canal would jeopardise the interests of millions of Sikh farmers of Punjab and would completely shatter the agricultural and industrial economy of the State. It must be noted that the Centre's anxiety to camouflage its unjust and illegal Award under the Inter-States Agreement (1981) and to avoid the impending verdict of the Supreme Court, was so great that it would not wait even for the conclusion of its talks with the Akalis. As was obvious, the talks broke down since the Centre presented *a fait accompli* and the Akalis felt cheated on an issue which meant the ruin of Punjab.

1. *The Tribune*, April 9, 1982.
2. *Ibid*

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In dealing with the Akali Dal, Indira Gandhi could never ignore the communal angle and the partisan interests of the Hindu States and areas. As we have stated already, the pro-Hindu factor had always been present in her calculations. She was particularly keen to maintain her *Durga* image and in her anxiety to help the Hindu States, did not refrain from hitting the Sikhs. However, confrontation with the Sikhs helped to enhance her prestige as a fighter for purely a Hindu cause. This shows what the North Indian masses cherished, by and large, and her thinking, trend and communal policy. Similar to because of communal interests and party discipline, the Punjab Hindus, always fell in line with the Central leadership, however, ruinous or detrimental the step may have been to the interests of Punjab. It is an unfortunate reality that no all India party has been able to rise above partisan communal considerations while trying to judge Punjab issues.

While the State units of the Congress in other parts of the country vehemently took up the cause of their respective states, the Congress in Punjab toed the communal line of the Centre, thus betraying its own people. Here it is note-worthy that not only in Punjab but also in Jammu and Kashmir, the behaviour of the state units of the Congress follows the same pattern. These are the states where the Hindus are not in majority and the interests of the Sikh and Muslim majorities are involved. Here the state units of the Congress, or for that matter any all India party, would shy away from espousing genuine regional interests, that might, even incidently, benefit the communities other than the Hindus. Demands relating to the other communities are, often, dubbed as anti-national and are viewed as a danger to the country's unity and integrity

Here, it would be important to mention the role of the Congress and other regional and national parties in a dispute between the two riparian States of Tamil Nadu and Karnatka over the distribution of Cavery waters. Significantly on this issue, "the ruling party and the opposition in the D.M.K. ruled Tamil Nadu are as strongly united as are the ruling party and the Janta Dal opposition in the Congress

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ruled Karnataka."<sup>1</sup> We would also like to give another extract from the recent newspaper reporting to prove our point of view further : "It seems clear that Mr. Virendra Patil, Chief Minister of Karnataka, is set to take the Cauvery river waters dispute to the streets in the event of an adverse judgement in the review petition filed in the Supreme Court by Karnataka on May 16, 1990."

"As the consensus has emerged among all political parties in the State on this issue, following an all party conference, there is every likelihood of the dispute snowballing into a major state wide agitation. The dispute has dragged on for over 20 years, and neither party, Karnataka or Tamil Nadu-is willing to be seen as a loser."<sup>2</sup>

As noted earlier, it is relevant to state that whereas Karnataka and Tamil Nadu are both co-riparian States and their disputes have to be dealt with by the judicial process of the inter-state Tribunal under Article 262 of the Constitution, yet all political parties of each state are united to back the interests of their own state and no Central party is issuing a fiat to its local branch to follow the constitutional path and not to demonstrate in the streets. The contrast of communal bias is so glaring in the all India parties, that at the time of Indira Gandhi's forcing an unfair Agreement (1981) on Punjab to endorse her unconstitutional Award (1976), and withdrawing the case from the Supreme Court and thereby frustrating the constitutional path and pursuing partisan communal interests, not a single all India party raised any objection or voice against the injustice, nor suggested that the only right and logical course was to, refer the issue to the Supreme Court. Nor has the media or any of its member, during the quarter century after 1966, ever written that the evident solution of a constitutional issue was a reference to the Supreme Court. In fact, even letters written to the editors of the various dailies suggesting a reference to the Supreme Court as the only solution, were never published. This shows the stone wall of communal prejudice, the Sikhs have to face in relation to the injustice done to them. This made it plain that in India, Akali Dal was the

1. *The Tribune*; May 22, 1990.

2. *The Tribune*, May 26, 1990.

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only party who till then had faith in the Supreme Court and in following the constitutional path. And if such facts and approach of the Central parties have consequential impact on the Sikhs, the disinterested historian cannot fail to note why the course of events has come to its present stage.

What we seek to emphasise is that Central policies aim at deliberate despoliation. In Punjab the Centre, which has no authority whatsoever over Punjab waters and hydel power under the Constitution, has diverted more than 75% of available Punjab waters to non-riparian States. Instead of the stooge Congress governments of Punjab representing against this deprivation and filing a case in the Supreme Court against the unconstitutional step of the Centre they willingly became a party to the denuding of Punjab resources. The contrast of this action with that of the Congress Government of Karnatka who have issued Ordinance to stop the flow of water even to riparian Tamil Nadu and that too against the direction of the Inter-State Water Disputes Tribunal set up at the direction of the Supreme Court, is so obvious.<sup>1</sup> It is equally contrasting that whereas the Congress Government withdrew the case that had been filed by the earlier Akali Government to set aside the executive order of the Prime Minister, unconstitutionally transferring Punjab waters to non-riparian States, thereby making the unconstitutional drain to non-riparian States *a fait accompli*, the Congress government of Karnatka has refused to abide by the direction even of the Tribunal mentioned above. For, they feel that the direction is damaging to the riparian interest of Karnatka Equally contrasting is the conduct of the Central government in the two cases. Evidently, the entire Punjab agitation and problems would have been avoided and solved if the Centre had agreed to refer the water issue to the Supreme Court as demanded by the Akalis. But it declined to do so for almost twenty years since 1966. This shows that though the Central government was all the time aware of the realities and injustice involved yet, it was, because of communal prejudices, out to make unconstitutional

1. *Indian Express*, July 20, 1991.

2. *Ibid.*

drain and ruinous damage to Punjab. On the other hand, as soon as the Kamatka government has stopped the water, the Centre has within a week made a Presidential reference to the Supreme Court for its solution. Further, while in the Cavery case, the Centre is unwilling to enforce the verdict or direction of the Inter-State Water Disputes Tribunal between the two riparian States, in the case of Punjab, the Centre made a special amendment, which to us seems apparently unconstitutional, so as to force a reference of the Punjab issue to the Tribunal, even though the dispute is not between the two riparian States and, for that reason, is beyond the jurisdiction of the Tribunal which under the Inter-Water Disputes Act, 1956 can take cognizance only of an issue concerning inter-state waters, which Punjab rivers are not.

Here it would be relevant to quote a statement of the Punjab Congress (I) President, Beant Singh regarding the construction of the Satluj Yamuna Link Canal. The statement gives us a glimpse of the attitude of the Congress Party towards the Punjab waters issue : "He clarified that his party had no concern with the anti-Satluj Yamuna Link Canal campaign and would not involve itself in any controversy pertaining to this carrier channel. The Congress (I) would not involve itself in any campaign to stop the construction of the SYL, the foundation of which was laid by the then Prime Minister Indira Gandhi."<sup>1</sup>

This statement clearly reflects the subservience and the anti-Punjab stance of the Punjab Congress. In the case of Punjab, the Congress Chief Ministers always became the willing tools of the Centre to sacrifice the interests of the State. They were, invariably, the Central nominees or stooges always looking to the Centre to safeguard their positions. It happened in the case of Giani Zail Singh, who never contested the unconstitutionality of Indira Gandhi's Award (1976) on waters. Cast in the same mould was Darbara Singh, who made an Agreement (1981) on the issue of waters and withdrew the case from the Supreme Court. How is it that while for decades on

1. *Indian Express*, July 27, 1990.

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end the Centre could not have any agreement made between Karnataka and Tamil Nadu, it had affected overnight an Agreement (1981) between Punjab and the two non-riparian States. The reason is obvious, namely, Punjab always had a stooge Government whenever its betrayal of interests took place.

From the above, it is abundantly clear that whether it was the Central government, the all India parties or the media, no one, even while knowing full well the injustice done to Punjab, ever tried even to suggest that the constitutional course should be followed and the matter settled judicially, which was the only right and speedy course of action. On the other hand, every party while side-tracking the real issue, raised shrill voices about law and order, separatism, communalism or the like. It is in this context that the various moves and developments of the Central government in Punjab for confusing, camouflaging and diverting the public attention from real issues should be understood and seen. Every attempt was made to hide the realities and instead to raise communal problems that were non-issues and served merely to misrepresent the truth and misdirect public attention.

Thus, this struggle between the Centre and the Akalis became the last ditch battle for both the sides. Because, if the Akalis won, not only the economic erosion of Punjab would have been averted, but it would have also exposed the Congress and seriously jeopardised its political future in the State. For the same reason, it was clear to Congress and other all India parties that the Sikhs were conscious of the situation and the big chunk the Centre had taken of the economic cake of Punjab, could be successfully swallowed only if it could demolish the Akali Party and its support base. Little did Prime Minister Indira Gandhi realise that any attempt to weaken the mainstream Akali leadership would strengthen the forces of extremism in the border State and would legitimise them in the eyes of some of the masses, especially because they were fully conscious of the ruinous effect of Central policies on Punjab agriculture, industry and their well being.

## Dharam Yudh Morcha : Prelude and Aftermath

We have already indicated the Central policy, approach and attitude towards the Punjab. We have also stated some of the economic, political and legislative moves to undermine the agricultural and industrial well-being of the State and its people. We shall now state some of the subversive, overt and covert moves of the Central government to erode the religious, social and cohesive strength of the Sikhs.

### Government Interference in Sikh Religious Affairs :

Government knew full well that the strength of the Akali Party and the Sikhs was drawn from its religious base in the Gurdwaras and the control of the S.G.P.C. With the Sikhs, politics and religion have always been closely linked since the times of the Gurus. As such, while the Government felt that the entire opposition to its political and economic designs came from the Sikhs and the Akali Party, it made a plan to gain the control of the S.G.P.C. from its adversaries, the Akali Party. It was of no consideration to the Congress or, for that matter, to any other all India political party that it would be very damaging both to its image as a supposed secular party and its claimed considerations for the interests of the religious minorities. Nationalism, which is identified with Hindu nationalism, was used as a convenient ploy to dub minority voice as communalism. While the Akali Party was castigated for mixing religion and politics, the ruling party never refrained from communalising its own approach. Its anxiety to induct its own proteges into the S.G.P.C., became very obvious when it decided and directed Congressmen to contest S.G.P.C. elections with the help, support and influence of its Government and administration in the State. This policy was initiated first in 1954 S.G.P.C. elections.<sup>1</sup> However, the attempt failed. Despite this reverse, the policy was continued again in 1960 believing that at the time of earlier elections, the Chief Minister was a Hindu (Bhim Sen Sachar) and perhaps that might have swayed the electorate in favour of the Akalis. In

1. Dalip Singh; *Dynamics of Punjab Politics* (Delhi, 1981) PP. 20 and 27; Sarhadi, Ajit Singh; *The Story of the Punjabi Suba* (Delhi, 1970) Pp. 292-310

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1960, the Chief Minister was Partap Singh Kairon, who tried as effectively as possible to organise elections in favour of the Congress candidates. The verdict was both the times clear and emphatic and reflected two things. It revealed how the mind of the rural Punjab worked and how it was conscious of Central policies, discrimination and injustice against the Sikhs. It also showed that Congress rule in Punjab was purely dependent on its Hindu majority in the joint Punjab

The Congress participated in S.G.P.C. elections in 1954 and 1960, under the banners of Khalsa-Dal and Sadh Sangat Board respectively.<sup>1</sup> Even an anti-religious party like the Communists also contested these Gurdwara elections under the banner of Desh Bhagat Party.<sup>2</sup> The Akalis under the leadership of Master Tara Singh contested the S.G.P.C. elections, in 1960, on the plank of Punjabi Suba.<sup>3</sup> Chief Minister Partap Singh Kairon with the support of Prime Minister Jawahar Lal Nehru, along with the Communists, formed the Sadh Sangat Board to oppose the Akalis to establish that the Sikhs were not for Punjabi Suba and would not accept any such forces to administer their religious shrines. The mandate of this election was very clear and overwhelming against this unholy and unprincipled alliance of the Congress and the Communists to have control of the management of the Gurdwaras. The Akali Dal won 132 out of the 140 elected seats "\*, and the Sadh Sangat Board could get only four seats and the remaining four went to the independents. The election results were interpreted as a clear verdict in favour of Punjabi Suba and the right of the Sikhs to manage their religious affairs without any outside intervention.

Similarly, the interference of the Centre in the management and the administration of the Delhi Gurdwaras became well known. Many a time, the elections of the office bearers of the DSGMC had been postponed to accommodate the pro-Congress leader Jathedar

1. *Lbid*

2. *ibid*

3. *ibid*

4. *libid*

5. *jatinder Kaur the politics of Sikhs new Delhi, 1986 p.147*

Santokh Singh<sup>5</sup>, who did not fulfil the eligibility of educational qualification. Section 16(3) of the Delhi Sikh Gurdwara Management Committee Act (DSGMC) read: "A person would not be eligible for election as President or hold any other office unless he was a matriculate, or had passed the higher secondary examination of a recognised university or board, or was a Giani, or possessed any other equivalent qualification."<sup>1</sup> As the elections to the DSGMC were due to be held on January 22, 1981, the Government decided to promulgate an Ordinance making some changes in the Act. This ordinance was approved by the Union Cabinet at an emergency meeting called by the Prime Minister and was signed by the President the very next day. The Ordinance, called the Delhi Sikh Gurdwaras (Amendment) Ordinance, 1981, omitted sub-section (3) of Section 16 and thereby waived the eligibility condition regarding the minimum educational qualification for the office-bearers of DSGMC<sup>2</sup>. After the promulgation of the Ordinance Jathedar Santokh Singh, a nominee of the Centre, was elected as the President of the DSGMC, in June, 1981.<sup>3</sup> This shows how the thinking of the Central government works and the speed with which it seeks to accomplish its own design in openly interfering in the religious affairs of a minority. As we have seen, the print media in general and the Government controlled media in particular have generally failed to take note of such contradictions and communal policies of the Congress and the Communists, whenever they attempted to denigrate the Sikhs and the Akalis with one strategem or the other.

Having made two attempts to subvert Sikh policies from within and having failed dismally, the Congress neither made a subsequent attempt in this direction nor did it hold periodic elections at the right time so as to enable the electorate to express their verdict correctly. Those were the days of the Akali agitation for Punjabi Suba. Since pre-partition days, the Sikhs had remained disciplined and maintained their cohesion under the unquestioned, selfless and able leadership

1. **Government of India, *The Delhi Gurdwaras Act, 1971 (Delhi, 1971)* Clause 16(1).**
2. **Jalinder Kaur; *op. cit*, PP. 147-48.**
3. *Ibid.*

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of Master Tara Singh. It is a great tribute to his ability and selflessness that he not only kept the community well-knit and in good spirits but also kept its elan and morale at a high level. The manner in which later leaderships have been changing after a few years and the way in which political leadership and influence have been exploited for personal ends in the country and in all parties, by itself is a high tribute to his stature and character. This also reminds one of the editorial in *The Tribune*, written on the demise of this great leader of the Sikhs, which read as under: "The tension filled months before the partition gave Master Tara Singh's activities a wider significance. It was primarily his bravery, courage and dynamism which prevented the whole of Punjab from going to Pakistan. It is a great pity that in the post-partition years, the various Congress Ministries did not come upto his expectations, henceforth he became an inveterate critic of the Organisation, in fact, a 'rebel'. He continued to agitate for Punjabi Suba and moved from 'struggle' to 'struggle', every time bringing his goal a little nearer."<sup>1</sup> Om Prakash Kahol, in a perceptive article. 'Master Tara Singh : A Tribute' in *The Tribune*, on this occasion wrote, "What he advocated was unity; but what his opponents demanded was uniformity. The die hards among Hindus wanted to iron out all angularities by a steam-roller, leaving no room for regional and sectional diversities. This basis of Hindu-Sikh unity was not acceptable to one who believed in unity in diversity."<sup>2</sup>

Master Tara Singh possessed an indomitable spirit and would go down in history as a leader who had the courage of his convictions. He led a simple and austere life and never cared for personal comforts. He never hesitated to court suffering and hardship for the causes that were dear to him. He was a devout patriot and an ardent fighter for whatever causes he espoused and was always motivated by a spirit of public service. He spanned almost five decades of Punjab's history. In the evening of his life, Master Tara Singh found himself desperately alone; the comrades on whom he had depended and who were in fact his own creations, could not resist the lure of

1. *The Tribune*, November 23, 1967.

2. *Ibid.*

the loaves and fishes of office. The

### **Nrinkari Issue:**

During the last quarter of the 18th century, the Sikhs had come to political power in Punjab. During this phase, as always happens at a time of victory, many Hindus embraced Sikhism. Though this was hardly the work of any Sikh mission, naturally, most of the converts of convenience could not overnight shed their old Hindu practices and customs, many of which went contrary to the injunctions of the Gurus and the Sikh tradition. It is in this background that Baba Dayal (17 8 3 to 18 5 0) of Peshawar, appeared and started his missionary work in the early days of the rule of Ranjit Singh. He promoted Sikh practices and denounced idolatry and other Brahmanical practices. He insisted on the strict observance of the *Bani* of the Guru Granth Sahib and other injunctions of the Gurus. He especially condemned the worship of a living person as a Guru by his often repeated saying :

"Dhan Nirankar; Deh Dhari Sab  
Khawar."<sup>1</sup> (Hail the One Creator,  
Worship of mortals is futile).

Baba Dayal wanted that the Sikh marriage ceremony should be simple and performed in the presence of the Guru Granth Sahib by the recitation of *Bani*. This revivalist movement received a great fillip during the stewardship of Darbara Singh (d. 1870), the successor of Baba Dayal.

The Nrinkaris had kept one Boota Singh (1883-94), as a paid hymn singer at its Rawalpindi headquarters.<sup>2</sup> He was removed from his job because of certain reported personal lapses on his part, which were considered incongruous in a missionary organisation, whose leaders had a high moral character. Boota Singh, no doubt, had

1. **Dhillon, G.S.;** *Singh Sabha Movement* (Ph. D. Thesis, Punjabi University, Patiala, 1974) PP. 33-36.
2. **Ganda Singh;** *Sikhism and the Nrinkari Movement* (Patiala, n.d.), PP. 29-30.

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musical talent and tried to set up a rival organisation at Peshawar but failed. This group who called themselves Sant Nrinkaris had hardly a religious base in the normal sense. One of Boota Singh's ardent devotees was Avtar Singh, who ran a bakery shop first in Peshawar and later in Rawalpindi. Boota Singh nominated him as his successor in 1943. Avtar Singh, apart from the old practice of *Kirtan*, took to speech and writings to propagate his cult. After partition, he shifted to Delhi and got his organisation registered in 1948. Avtar Singh was succeeded by his son Gurbachan Singh in 1963 as the head of the Nrinkaris.' Later the Nrinkaris brought out a publication called 'Avtar Bani' and their head started claiming himself to be a godman. This "book" (Avtar Bani) contained certain statements like the following :

"So far as the question of long hair and beard is concerned, if you deem all this as essential features of Sikhism, then, I am prepared to settle the issue just now by calling in a barber to cut off the hair and beard and would direct my followers also to do likewise".<sup>2</sup>

The Nrinkari head proclaimed himself to be a prophet and incarnation of Guru Nanak in the following lines :

"Gurbachan is the World's Guru,  
He himself is *Avtar*,  
Both determinate and indeterminate God  
"He is dwelling in all." He adds,  
"How sad that I was not bom,  
In the age when Guru Nanak had descended on earth.  
One day, someone gave the good news to me in my village.  
that a godman (refers to the birth of his son Gurbachan Singh)  
Had appeared in Delhi as an incarnation of Guru Nanak."<sup>3</sup>

A few excerpts from the writings of the Nrinkaris are noteworthy : "How can any sensible person call the writings in this big •

1. Fauja Singh; 'Sant Nrinkari Dal; A Challenge for Indian Society' in *Ibid*. PP. 19-21.
2. Sant Nrinkari Mandal; *Yug Punish Shehshah Avtar Singh Nrinkari* (Delhi. 1912). P. 205.
3. Nrinkari Mandal Manglacham; *Sampoorn Avtar Bani* (Delhi, n.d.). p. 249.

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bulky miscellany (refers to Sikh scripture Guru Granth Sahib) as Divine Revelation? True, it contains didactic material but nothing more."<sup>1</sup>

Gurbachan Singh wrote: "I, the lowliest of the lowlies. was much devoted to diligent study of the Sikh scripture. This craze is now all over."<sup>2</sup>

"While Guru Gobind Singh had ordained only Five Beloved Ones while creating the Khalsa, I Avtar Singh, have now ordained Seven Beloved Ones."<sup>3</sup>

A Nrinkari wrote about Gurbachan Singh, in *The Illustrated Weekly of India*, "Before I was converted to this new faith. I was an agnostic (i.e. a misguided Sikh), Gurbachan Singh has completely changed my psyche. I now freely consume beef and pork. I also freely indulge in alcoholic drinks. This makes no deleterious effect on my inner purity and spiritual progress.""

The above statements show that while Nrinkaris themselves claim no 'connection with Sikhism and have numerous non-Sikhs as their followers, their writings are clearly directed against the Sikhs and denigrate their Gurus and religion.

It has been alleged that the Nrinkaris of Delhi were clandestinely supported and promoted by the Government in pursuance of its policy to create schism and ideological confusion among the Sikhs. It is an important fact that, except for some Arya Samajists in the seventies of the nineteenth century, never has any Hindu, Muslim or Christian spoken a word against the lofty spiritual status of the Sikh Gurus. Hence, the broadcast of insinuations directed against the Sikhs came as a painful surprise to the community. Apart from seriously hurting the Sikh sentiments, all this gave rise to a mounting suspicion or even conviction that the Delhi based centre of these Nrinkaris had

1. *Sant Nrinkari*, **June, 1964.**
2. *Ibid.*, **April 1964.**
3. *Ibid*, **April, 1966.**
4. *The Illustrated Weekly of India*, **Bombay, October 24, 1971.**

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official backing, because otherwise no one could dare to attack the Sikhs so openly. Many other facts and factors also-strengthened this suspicion. A write up<sup>1</sup> by a prominent journalist, Sat Pal Baghi of Ferozepur in the Indian Express is revealing. It observes :

"The genesis of the real trouble between the Nrinkaris and Akalis goes back to the years when Mrs. Indira Gandhi headed the Union Government. She wanted to weaken the Shiromani Akali Dal, but found that Akalis could not be brought to heel. She thought of an elaborate plan to strengthen the *Nrinkari* sect not only in Punjab but throughout the country and abroad. Official patronage was extended to the Nrinkaris, much to the chagrin of Akalis who have always considered the Nrinkaris as heretics."

"In pursuit of this policy of divide and rule, Mrs. Gandhi personally gave clearance for a diplomatic passport to be issued to the Nrinkari Chief and the Indian High Commissioners and Ambassadors abroad were instructed to show him respect and regard. This was meant to help the sect to improve its image and increase its following abroad. During Mrs Gandhi's regime, the Nrinkaris were known to be receiving financial help from secret Government funds, not open to audit or scrutiny by Parliament."

"During Emergency the recalcitrant attitude of the Akalis further annoyed Mrs. Gandhi and Mr. Sanjay Gandhi. Efforts for building a parallel organisation among the Sikhs of Punjab as a counterblast to the Akalis were intensified. At the instance of Mrs. Gandhi, the Congress regime began giving great official patronage to the Nrinkari sect. Mr. H.S. Chhina. I.A.S. a staunch Nrinkari, was appointed Chief Secretary to the Punjab Government, in 1976."

"As a result of open official patronage and support, this sect got a considerable boost within the administrative set-up of the Punjab Government. Mr. Chhina appointed Mr. Niranjan Singh, I.A.S., as Deputy Commissioner of Gurdaspur. Mr. Niranjan Singh tried his best to enlarge the field of operation of the Nrinkaris. It is during this period that Sant Bhindranwale took up the challenge posed by this growing sect."

The write-up provides a clear insight into Indira Gandhi's consistent policy of damaging the Sikhs culturally and socially as well. In fact, by doing so she was toeing the line of her predecessors, Nehru and Patel, who had always disliked the talk of a separate Sikh identity. This reported continuous support of the Organisation by the Government is also evidenced by the fact that, during a very short span, the Nrinkaris established 354 branches-27 abroad and the rest in India. The total property of the *Mandal* runs into several thousand crores. The Mandal has a para-military organisation called *Seva Dal*, which has a membership of over 7,000, headed by a Commander called *Mukhya Shishak*<sup>2</sup>

The above two facts about this Organisation are very unusual and raise some pertinent questions. First, could the phenomenal increase in the influence, prestige and resources of this sect be explained without its having the patronage of the Government'? The second, why was the vicious attack of this group directed against the Sikhs and their institutions? Few truly religious groups make their beginnings with an unethical and almost an irreligious resort to propaganda against a sister community. Second, as the organisation and its activities were all Delhi based, the Central Administration could not remain unaware of everything. Rather the group received increasing support from the Government. Hence, it was not without reason that among other traditions, especially the Sikhs, a conviction started growing that the Delhi Nrinkaris were a brain child of the ruling elite and Government support to it was a part of its policy to attack, erode and create division in the Sikh community. The Sikhs felt that since the created hostility between them and the Nrinkaris could benefit only the Government, it was really a sinister design of the Central policy to undermine the Sikh religion, its tenets and institutions, and that the Nrinkaris were being used as a cat's paw for its political ends.

The provocative utterances and activities brought the Nrinkaris

1. *Indian Express*, April 25, 1978.
2. **Fauja Singh; op. cit, p. 20; The Tribune, April 23, 1978.**

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into open clash with the Sikhs. In 1951, at Amritsar, the then Nrinkari Chief Avtar Singh, held a *Satsang* attended by his about two hundred followers. Some Sikhs clashed with the Nrinkari Chief as he had committed an act of sacrilege by proclaiming himself a Guru in the presence of Guru Granth Sahib,<sup>1</sup> These bickerings continued and ultimately the two important Sikh organisations known as the Dam Dami Taksal and the Akhand Kirtni Jatha also came forward to confront the attack of the Nrinkari.<sup>2</sup>

Dam Dami Taksal:

There is a Sikh seminary called Dam Dami Taksal which has been well known for preaching and missionary work and for proficiency in the exposition of doctrines of Guru Granth Sahib. This Taksal traces its lineage to Baba Deep Singh, a devout follower and a contemporary of Guru Gobind Singh. He was both a scholar and a martyr. When the Afghan invader Ahmed Shah Abdali had assigned Punjab to his son Taimur in 1757, Baba Deep Singh led an army against the invaders to prevent the desecration of Darbar Sahib.<sup>3</sup> This Organisation has, over the centuries, been primarily an important Centre of Sikh religious education, training resident students in the Sikh tradition and culture. These graduates of profound religious commitment took up the work of Sikh mission in the later part of their lives. The head of this mission has always been a nominee of the earlier head who has to dedicate all his life to the work of the Taksal.

Because of this background both the organisation and its head command high respect in the Sikh religious life. So much so that Sant Kartar Singh Bhindranwale (1932-1977)<sup>4</sup> was given a State funeral by the Akali Ministry at the time of his death on August 20, 1977. Kartar Singh had some formal college education, before he

1. *The Tribune*, April 15, 1978.
2. *Ibid.*, April 15 and 17, 1978.
3. Kapur, Satinder Singh, *Bhindranwale* (jallandar, 1983), PP. 32-34.
4. *Ibid.*, PP. 46-62.

joined the Dam Dami Taksal.'

Sant Kartar Singh got a resolution passed by the S.G.P.C. on November 18, 1973, condemning the various anti-Sikh activities of the Delhi Nrinkaris.<sup>2</sup> The resolution asked the Central government to take cognizance of the provocative postures of the Nrinkaris. Attention of the Government was also drawn to the undue importance given to Baba Gurbachan Singh by the Indian High Commissions and Embassies during his visits abroad.<sup>3</sup> The resolution took exception to the misuse of their official' position by the Nrinkari officers with regard to the propagation of their mission and bringing thereby people into their fold. There were many instances of people joining the Nrinkari fold to get undue favours from senior Nrinkari officers. A P.C.S. officer is said to have written a secret note to the Government about the increasing influence of the Nrinkaris in the Civil Secretariat of the Punjab Government.<sup>4</sup> This was a time when a top Nrinkari, Niranjan Singh, I.A.S., was posted as Deputy Commissioner, Gurdaspur. In this capacity Niranjan Singh literally turned his official residence into Nrinkari headquarters. Any one coming for administrative favours was allegedly asked to join the Nrinkari sect. The situation had become so bad that there was a C.I.D. report against him, which warned that there was a possibility of Sikh-Nrinkari clashes in the district. But no efforts were made to curtail his activities by the then State government headed by Giani Zail Singh because the Chief Secretary; Hardev Singh Chhina, too was a Nrinkari. The anti-Sikh activities of the Nrinkaris were resented by the members of the Dam Dami Taksal, whose headquarters were located at Chowk Mehta in the Gurdaspur district. The tension that had been building up for quite some time, resulted in clashes at Batala, Sri Hargobindpur, Pathankot, Qadian, Ghuman and Gurdaspur between the Nrinkaris and the followers of Sant Kartar

1. *Ibid.*

2. *The Tribune*, April 15, 1978.

3. *Ibid.*

4. *The Tribune*, April 19, 1978; *Indian Express*, April 21, 1978.

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Singh. Clashes were also reported from Tarn Taran, Ludhiana and Ropar.<sup>1</sup>

It was during the phase of confrontation between the Nnnkaris and the Taksal that Sant Kartar Singh Bhindranwale met with an accident on 16th of August, 1977 and breathed his last after four days. Before his death, the Sant had appointed Jarnail Singh Bhindranwale, because of his religious zeal, as his successor to lead the Taksal.<sup>2</sup> Young Jarnail Singh Bhindranwale assumed the leadership of the Taksal at a very crucial juncture. He became the fourteenth head of the Taksal at the age of thirty.

Soon he gathered a large following especially among the Sikh youth, who had been in search of a charismatic leader for the articulation of their socio-political grievances. He was instrumental in generating the enthusiasm of the Sikh youth through the medium of revivalism *and Amrit Parchar*. He geared his activities to counteract the anti-Sikh activities of the Nrinkaris and others.

Bhindranwale had a courage of conviction far beyond his years. He could not be expected to submit to injustice and tyranny tamely and passively. There were many who bestowed their absolute faith in him and were willing to die for him. His religious training gave him the courage to say and do what he considered right and even to hazard his life if his conviction demanded. His transparent sincerity created a strong emotional bond between him and his followers. A man of unflinching zeal and firm convictions, Bhindranwale could not succumb to the pressure of big-wigs in the Akali Party nor could he be manipulated by the authorities to serve their ends. Those who tried to mend him or bend him to suit their designs underestimated his tremendous will and ultimately lost their own ground. He never became their tool. People who promoted his cause or helped him to rise to prominence were disillusioned, when he refused to play the second fiddle to them and declined to tread the path laid down for him. Paradoxical though it may seem, they became his unwilling

1. *The Tribune*, April 15, 1978.
2. Kapur Singh; *op. cit.*, PP. 83-84.

tools. Thousands listened to him with rapt attention at the Manji Sahib gatherings. He had tremendous power to mobilise the masses. His charisma and eloquence overshadowed other leaders.

Congress was keen to project Sant Jarnail Singh Bhindrawale, in order to counter the Akalis, and to create schism in the Sikh ranks. The manoeuvres of Zail Singh and Sanjay Gandhi with the consent of Indira Gandhi, were aimed at neutralising the Akalis as a political force.<sup>1</sup> The role of the Congress in giving tacit support to Bhindrawale has been the subject of controversy.<sup>2</sup> But a few facts are evident. It is well known that Bhindranwale put up candidates for the S.G.P.C. election in 1978, who contested with the Congress support. Bhindranwale is also reported to have extended his support to some Congress candidates during 1977 elections.<sup>3</sup> His close connections with Santokh Singh, President, D.G.P.C., a protege of the Congress, are within the knowledge of everyone. However, in the absence of access to secret Government records, it is very difficult to say how Bhindranwale agreed to align himself with the Congress during the S.G.P.C. elections i.e. whether it was due to his personal desire to improve the management of Sikh shrines or as a reaction against the vested interests, who were mismanaging the Gurdwaras. But from all accounts it is evident that his primary motivation was his religious zeal that brought the Taksal and him in the religio-political field.

The introduction of Bhindranwale in Sikh religious and political affairs can be understood by taking two extremely important facts into consideration. Then only we can easily grasp the course of Akali Morcha from 1980 onwards. The first is the position of the use of force for a righteous cause in Sikh ideology. Secondly, a continuous attempt by the Government to communalise the atmosphere so as to lead to incidents of violence. The aim ultimately was to try, on the one hand, to justify state violence and repression before the rest of the country on the seeming ground that it had no

1. Tully, Mark and Jacob, Satish; M<sup>TM</sup>. *Gandhi's Last Battle* (Delhi, 1985) PP. 57-58.
2. Harniinder Kaur; B/He Star over Amritsar (Delhi, 1990), P. 1303 *Ibid.*, P. 57.

option but to destroy the religious base of the Sikhs, and, on the other hand, calculatedly to make two kinds of moves, one of avoiding and side tracking every possibility of solving the real problems of the State and, on the other, of taking further measures that it knew would only escalate violence and communalism.

On the first issue it is a part of the Sikh history that Massa Rangar who attacked the Darbar Sahib and desecrated it, became the object of attack by Mehtab Singh. Similarly, Shaheed Baba Deep Singh's attack on Amritsar, in 1757, also followed Punjab the possession of Darbar Sahib by Taimur, son of Ahmed Shah Abdali. Incidentally, the Taksal is an old institution and traces its lineage from the same Shaheed Baba Deep Singh. In the like manner, the devout Namadharis' attack on the butchers for innovating the practice of openly slaughtering kine in the holy city of Amritsar, after the annexation of Punjab, is another instance of the same Sikh approach. Not insignificant is the fact that the Sikhs, under the presidentship of Sohan Singh Bhakna, a devout Sikh, organised the Ghadr rebellion, which had two outstanding Sikh mystics, Baba Wasakha Singh and Bhai Randhir Singh, as its leaders, both of whom were sentenced to life imprisonment. Similar!'), it is also well-known that during the Gurdawara Reform Movement of the early 1920's, there was a spontaneous Babbar Akali Movement, making use of militancy, since the cause was to save their sacred places from the clutches of the Administration, which was denigrating their religious base. All we seek to state in relation to the Sikh ideology, the training and psyche of the Sikhs is-that when it is a question of the desecration or an attack on their Gurus and their sacred places, the reaction has been most intense and spontaneous, particularly from devout Sikhs.

Here, it is relevant to quote the confessional statement of Mewa Singh, in 1914, who had eliminated William Hopkinson, Superintendent of Police, recruited from India for suppressing a ferment among Canadian and American Sikhs and whose agent Bela Singh had murdered two Sikhs in the Gurdwara. Prior to his execution, he stated: "My religion does not teach me to bear enmity with anybody, no matter what class, creed or order he belongs to,

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nor had I any enmity with Hopkinson. I heard that he was suppressing my poor people very much... I being a staunch Sikh could no longer bear to see the wrong done to my innocent countrymen and the Dominion of Canada... and I, performing the duty of a true Sikh and remembering the name of God, will proceed towards the scaffold with the same amount of pleasure as the hungry babe does towards its mother I shall have the rope around my neck thinking it to be a rosary of God's name." Now, who had taught Mewa Singh an ordinary Sikh coming from a remote Punjab village and migrating to Canada for earning his living, an essential principle of Sikh religion, namely, to react against social injustice? Sikh history is replete with examples like that of Mewa Singh.

Here we would like to state again that Sikhism is primarily a whole life or Miri-Piri spiritual system in its character and is therefore cognizant of all the socio-political problems of man. The Sikh approach to all such problems is spiritual. It is for this reason that both during the Guru period and later in its history. Sikhs have been waging a socio-political struggle. That is how the most devout Sikhs joined the Sikh struggle, even in the 20th century, whether it was the Kuka rebellion, the Ghadr rebellion, Gurdwara Reform Movement or the struggle for Independence. It is because of their religious status as Sikhs that the leadership of the Sikhs has devolved on men like Baba Kharak Singh, Master Tara Singh, Sant Fateh Singh and Sant Harchand Singh Longowal. Thus while to an outsider, the plunging of Sant Jarnail Singh Bhindranwale, the Head of the Taksal, into the political arena may look abnormal, it was nothing unusual in the context of Sikhism and its history. In an interview, with a correspondent of 'Sunday' magazine, Bhindranwale remarked. "No Sikh is afraid of dying, death is a game for a Sikh, there is a difference between a mere man and a Sikh. When you cut off a part of man's body he screams with pain, when you do the same to a Sikh: he reads the bani (scripture)." Impartial historians have established that the Bhindranwale phenomenon was not the product of alleged Sikh separatism but of the Sikh ethos and psyche. However, it was

1. **Khushwant Singh**; *A History of the Sikhs*, vol. I! (Princeton, 1966), P. 179(28n.).

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also the direct outcome of political intrigues of the ruling elite. For the same devious reasons, the Government later on turned against Bhindranwale, when he was not prepared to further the designs of the Government.

### **Akhand Kirtni Jatha :**

The Akhand Kirtni Jatha, founded by Bhai Randhir Singh (1878-1961), a great Sikh mystic, also had the revival of Sikh tradition as its ideological focus and sought to propagate Sikhism through the medium of Kirtan. Randhir Singh had played a very significant role in the Ghadr and Independence movements and was sentenced to life imprisonment in the Andaman islands. When the provocative utterances and activities of the Nrinkaris brought the question of Sikh political and religious identity to the fore, the Jatha, under the leadership of Fauja Singh and his wife Amarjeet Kaur, raised a strong voice of protest against the Nrinkaris.

### **Nrinkari-Sikh Clash (1978) :**

The Nrinkaris decided to hold their convention in Amritsar on April 13, 1978, the birthday of the Khalsa, when a large number of Sikh devotees thronged the holy city. It was alleged that the place, date and time of the convention were deliberately chosen by the Nrinkaris in connivance with the Congress, which had been out of power and was trying to embarrass the Akali-Janta alliance, in order to get political leverage. One day before the Convention, on April 12, the Nrinkaris took out a procession, during the course of which their Chief allegedly made some derogatory remarks against the Sikh religion.<sup>2</sup> These provocative gestures led to a lot of resentment in the Sikh circles in the city. Next day some followers of Sant Jarnail Singh Bhindranwale and those of the Akhand Kirtni Jatha, went totally unarmed to the venue of Nrinkari congregation to

1. *Sunday. Calcutta, May 15-21, 1983, P. 29.*

2. *The Tribune. April 14, 15, 17, 1978.*

dissuade the Nrinkari Chief from denigrating Sikh religion and its Gurus.<sup>1</sup> The Nrinkaris, who were well equipped with rifles and sten guns fired at the approaching Sikhs, resulting in the death of thirteen of them.<sup>2</sup> In the morning of April 14, a day after the incident, police force headed by the Senior Superintendent of Police and Deputy Commissioner, Amritsar, thoroughly searched the Nrinkari Bhavan premises in the city and carried away firearms, lathis and uniforms of the volunteer force of the Nrinkaris.<sup>3</sup> The Akhand Kirtni Jatha claimed that eleven of their followers were among the dead.<sup>4</sup> They made two demands. Firstly, they demanded justice according to the law. Secondly, they wanted an assurance that no one would show any disrespect to Guru Granth Sahib. Bibi Harsharan Kaur, a leading figure of the Jatha categorically stated that "they had nothing to do with politics but they would not give up these two demands."<sup>5</sup> As a reaction to these murders, tension started building up, which resulted in almost the closure of the Nrinkari Bhavans and their activities all over the State.<sup>6</sup> That the matter assumed the shape of a major issue is clear from the fact that, apart from other organisations, even Professor Taran Singh, Head of the Department of Guru Granth Studies, Punjabi University, Patiala, brought out a publication exposing the Nrinkaris and their activities.<sup>7</sup>

The primary cause, however, of the whole tragedy was the perennially explosive act of religious provocation and explicit tirade of abuse and denunciation of a religion by another cult or group. The tragedy was not circumstantial. It raised certain vital questions which had been simmering before the tragedy and which culminated in the explosion on the Vaisakhi day. The Sikh point of view is that there had been a naked offensive and open denunciation of Sikh

1. *The Tribune*, April 14, 1978.
2. *Ibid.*
3. *Ibid.*, April 15, 1978.
4. *Ibid.*, April 17, 1978.
5. *Ibid.*
6. *Ibid.*, April 18, 1978. \
7. For details see Taran Singh and Barbara Singh; *The Sikhs and the Nrinkari Mandal* (Chandigarh, n.d).

tenets by the Nrinkaris. This was felt as a dangerous challenge to the socio-political, cultural and religious identity of the Sikhs.

As a result of this event, a wave of anger gripped the Sikhs. The situation took a serious turn and there were apprehensions of clashes between the Nrinkaris and the Sikhs. A case was registered against sixty two Nrinkaris, including the Nrinkari Chief and Niranjani Singh I.A.S. officer, for being allegedly involved in murders.' But the warrants of the sessions Judge in the murder cases against Baba Gurbachan Singh were not served by the Delhi police. He was later on bailed out and the case transferred to Haryana Court. When the accused were being tried in the Court, the issue created a lot of controversy in Punjab. Passions rose high and some top Hindu leaders of Punjab, backed by the Congress, began to espouse the cause of the Nrinkaris and started accusing the Sikhs. Lala Jagat Narain, Chief Editor and proprietor of the Hind Samachar group of publications from Jalandhar, appeared as a witness in the defence of the Nrinkaris and did a considerable propaganda in his papers against the Sikhs through his writings.<sup>2</sup> This propaganda became increasingly marked in the vernacular press.<sup>3</sup> It not only vitiated the atmosphere but raised a strong suspicion that it was a subversive attack which had the backing of the Government, otherwise, the support to them both of the Administration and the Congress could not be understood. Virinder in one of the editorials in the 'Vir Partap' wrote : "In the absence of any other support, the Arya Samaj would stand by the Nrinkaris."<sup>4</sup> For, it was clear that the Nrinkaris were only trying to attack the Sikhs and that being so, no Government or political party normally would like to side with such an attack, because of the evidently harmful administrative consequences.

Another factor that inflamed the position was the active association of the Arya Samaj leaders. Many of them were influential

1. *The Tribune*, April 15, 1978; Sathananthan, S.M., Lalwani, K.T. et al. *Hindu-Sikh Conflict in Punjab ; Causes and Cure* (London. 1983), Preface, P. 11.
2. *Punjab Kesari*, Jalandhar, July 12, 1983.
3. *Vir Partap*. Jalandhar, May 13, 22-26, 1978.
4. *Ibid.*, May 27, 1978.

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Congressmen, who openly sided with the Nrinkaris and indulged in very unfortunate propaganda against the Sikhs. That the Arya Samaj leadership and their influence has been a very major factor in the Hindu-Sikh relations and increasing the gravity of the Punjab situation is also evidenced in the report. 'Hindu-Sikh Conflict In Punjab : Cause and Cure' by S.M. Sathanathan (London). K.T. Lalwani (London), S. Raghunath Iyenger (Lagos). Prof. G.P. Manuskhani (Bombay), Asha Bhatnagar (Jaipur) et. al. These persons belonging to different professions came all the way from far off places to personally study the Punjab situation. They moved from place to place in the State and met a cross section of the people and concluded as under :

"The present Hindu-Sikh conflict is the saddest tragedy of post-partition Indian History. Its genesis lies in a narrow-minded attitude of certain sections of the community, that totally refutes the traditional Hindu virtues of tolerance and understanding. One also wonders, why the Sikhs are always pushed into agitation for their basic constitutional demands, the kind of which were never denied to other States and communities. Why was Punjab the last linguistic State to be formed (10 years late)? Why is Punjab the only state in India whose capital Chandigarh is governed by the Central Government? There are many such unanswered questions which deserve serious probing and full national exposure. Indian news agencies and papers will do well to investigate the reasons for Hindu-Sikh conflict arising from Hindu opposition to Sikh demands, even though their demands were made to the Government (and not to the Hindus of Punjab and Haryana). While most of the Sikh demands are for the welfare of Punjab State, not one demand is anti-Hindu or hurts Hindu sentiments in any way."<sup>1</sup>

"If you were to trace the background of a reporter or an editor behind a particular anti-Sikh report, you would probably find him to be an Arya-Samajist. Late Lala Jagat Narain's persistent role in anti-Sikh activities (including that of his support to the Nrinkaris' and his staunch communal tendencies were clearly reflected in his popular daily newspaper in Punjab."<sup>1</sup>

1. Santhanathan, S.M., Lalwani, K.T. et al., *op. cit.*, P. 1. \*

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Sikhs in Punjab and outside became very sore at the approach of the Congress and the repeated propaganda of Jagat Narain and the Congress press against the Sikhs in this country. In Delhi, a Shahidi Conference was organised on 14th May, 1978, where speeches were made highlighting the anti-Sikhs activities of the Nrinkaris.<sup>2</sup> Appeals were made to the Central Government to ban 'Avtar Bani' and other literature of the Nrinkaris, which contained derogatory references to the Sikh Gurus and Sikhism. They gave a memorandum to the Prime Minister to this effect.

The tempo of Sikh anger kept mounting. A big convention of Sikhs was held at the Manji Sahib on 17th of May, 1978 to take stock of the situation and to adopt measures to defend Sikhism against the onslaught of the Nrinkaris.<sup>3</sup> In pursuance of this, a Hukamnama was issued from the Akali Takhat on June 10, 1978 calling for a social boycott of the Nrinkaris.<sup>4</sup>

Another Nrinkari-Sikh clash took place at Kanpur on September 26, 1978, in which more than a dozen of Sikhs were killed, this time in police firing.<sup>5</sup> The Sikhs felt very sore over this incident. Tempers ran high. There was an Akali-Janta coalition Government in Punjab, headed by Chief Minister Parkash Singh Badal. The Jana Sangha elements which constituted the Janta Party, because of their communal bias, wanted to withdraw their support to the Badal Government. They had their links and sympathies for the Nrinkaris. The Punjab Janta Party threatened to quit, in case the Punjab Government adopted a stiff attitude against the Nrinkaris. On October 27, 1978, an All India Akali Conference was held at Ludhiana to discuss the issue of growing Nrinkari-Sikh tension. A resolution was passed, urging upon the Central Government to proscribe the two Nrinkari books, 'Avtar Bani' and 'yug Pursh'

1. *Ibid.*, P, 11.
2. *The Tribune*: May 15, 1978.
3. *The Aajit*, May 18, 1978; *The Tribune*, May 18, 1978.
4. Kapur, *op. cit.* P. 102; *The Tribune*, September 27, 1978; *Akali Pairika*, September 28, 1978.
5. Kapur, *Ibid.*, PP., 103-4; *The Tribune*, September 28-30, 1978.

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and impose a ban on their anti-Sikh propaganda and activities.<sup>1</sup> However, nothing tangible on the Nrinkari issue came out of the appeals of ,the Akali Dal to the Central Government. The Akali Dal was a coalition partner with the Janta Party at the Centre. To protest against the police excesses at Kanpur and Delhi and the partisan attitude of the Central Government, the top Akali Ministers resigned from the Ministry, in keeping with the directive issued by the working Committee of the Party.<sup>2</sup> But due to the political compulsions, the Janta party wanted to continue its links with the Akalis. A three point settlement was reached between the two parties to resolve the crisis. The terms of the settlement included the withdrawal of resignation of the two Akali Ministers from the Central Government, release of Akali leaders and workers, who were arrested during the protest march and the scrutiny of objectionable portions in the Nrinkari books 'Avtar Bani' and 'Yug Pursh' with a view to deleting them.<sup>3</sup>

In the meanwhile, the Sessions Judge, Karnal. acquitted all the sixty two Nrinkaris, including their Chief, in the case of killing of thirteen Sikhs at Amritsar on April 13, 1978. All Sikh organisations including the Akhand kirtni Jatha and the Dam Dami Taksal led by Jarnail Singh Bhnidranwale, raised a lot of hue and cry against this decision since thirteen persons were killed and no one was punished.<sup>4</sup> The Akali Government filed an appeal in the High Court against the verdict of the Sessions Judge. But surprisingly it was withdrawn, when Punjab came under the President's rule, after the formation of the Congress Government under Indira Gandhi at the Centre, followed by the dismissal by it of the Akali Government in Punjab.<sup>5</sup> Denial of justice and the failure of the Government to deal with the guilty led to a lot of resentment among the Sikhs.

It is in this background that, after 1978, the bitterness mounted

1. Kapur *ibid.* P. 104.
2. *The Tribune*. November 14, 1978.
3. *The Tribune*. November 14, 1978.
4. *Indian Express*. January 5. 1980; *The Tribune*. January 5 and 6 1980: *Vir Partap*. April 11.1980.
5. *Hr Partap*, April 11,1980.

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between the Taksal led by Bhindranwale, the Akhand Kirtni Jatha led by Bibi Amarjeet Kaur and others on the one hand and on the other hand the Central government, which appeared to the Sikh public to be pro-Nrinkari because of the non-arrest of Baba Gurbachan Singh in pursuant to a warrant against him in the murder case and the transfer of that case outside Punjab. On 24th April, 1980, Nrinkari Chief Gurbachan Singh was shot dead at his house in New Delhi.<sup>1</sup> Fingers of suspicion began to be raised towards Bhindranwale.<sup>2</sup> However, Home Minister Zail Singh announced in the Parliament that the Sant had nothing to do with the murder of Gurbachan Singh.<sup>3</sup>

Thus, the exposure of the Government policy to erode the identity of Sikh religion added, in one sense, another dimension to the Punjab problem because the masses at large who had great respect for the religious role of the Taksal and Akhand kirtni Jatha came to have a deep sense of grievance against the Central Government for its covert attack against the Sikh religion and the Gurus. The Sikh mass motivation, being basically religious, is also an important factor that slowly led to the growing popularity of Akhand Kirtni Jatha and the Taksal led by Bhindranwale. For, the Sikhs felt that these religious organisations were facing the growing challenge of the Nrinkaris in a befitting fashion.

The Nrinkari move of the Government, as we shall see later, which was clearly aimed at diluting the Sikh identity and creation of ideological confusion and dissensions among the Sikhs and distraction of public attention from the real issues in the State, became unproductive. Because, instead of creating division among the Sikhs, it accentuated the sense of grievance among the masses against the Government, as the former are always very sensitive to interference in religious matters by the Government. And this apart from directing public feeling against the Government and, for that reason, lending

1. *Tully and Jacob; op. cit.*, PP. 65-66.
2. *Ibid.*
3. *The Tribune, September 10, 1981.*

support to the Sikh leadership, created further cohesion-and-awareness in the community.

### **Government Blunders and the phase of Violence :**

It is extremely unfortunate that the more reckless was the criticism of the Arya Samaj press led by Lala Jagat Narain of the Hind Samachar, Jalandhar, the greater were the bitterness and injury caused to the feelings of the Sikh sentiments at all levels because of the very sensitive nature of the issue. It is during this charged atmosphere that on September 9, 1981, Lala Jagat Narain was murdered<sup>1</sup> Next day, a mob of Hindus attacked the Sikh shops and burnt the premises of the Akali Patrika in Jalandhar. Some Sikh passers by also fell victims to the mob fury.<sup>2</sup> This incident, naturally created a sensation and many of the Hindus started blaming Bhindranwale. The Punjab Police, under the pressure of the Hindu press, came to a hasty conclusion of finding a link between the public speeches of Bhindranwale and the murder of Jagat Narain. The police, however, could not provide any substantial and clear cut evidence of, direct or indirect, involvement of Bhindranwale in this murder.

At the time of murder. Bhindranwale was on a preaching mission at Chando Kalan, a small town in the Hissar district of Haryana. When the police arrived at Chando Kalan with the warrants for his arrest Bhindranwale had already left.<sup>3</sup> After this, a contingent of five hundred armed policemen of Punjab and Haryana. surrounded the village of Chando Kalan on the night of 12th of September. 1981, and behaved disgracefully with the innocent Sikh inhabitants, including women, old men and children.<sup>4</sup> Every Sikh house was searched and their valuables were reported to have been looted. To give vent to their frustration, the policemen set on fire two of the Taksal's buses containing a number of *Birs* (copies) of Guru Granth.'

1. *The Tribune*, September 10, 1981.
2. *The Ajit*, September 11 and 12, 1981.
3. *Vir partap*, Jalandhar September 17, 1981; *Hindi milap* Jalandhar, September 17, 1981.
4. *The Tribune*, September 14, 1978.

This sacrilegious act committed either advertently or inadvertently by the police, made the position of the Government indefensible in the eyes of the sikhs. There were protest demonstrations all over the State against this act of desecration by the police. On 16th September, 1981, police lathi charged the students of Khalsa College, Amritsar, peacefully demonstrating against the incident of Chando kalan.<sup>2</sup> The police entered the campus of the College and beat the students, studying in their rooms in the hostels.<sup>3</sup>

In the meanwhile. Sant Bhindranwale had reached his headquarters at Gurdwara Gurdarshan Parkash at Chowk Mehta. The Gurdwara was surrounded by the police and para-military forces." On the other hand, several thousands of Sikhs from all over the State gathered inside and outside the Gurdwara to protect the Sant. After ascertaining that he was wanted by the police, the Sant conveyed to the authorities that he would offer himself for arrest on the 20th September at the appointed time.<sup>5</sup> There was, thus, no necessity of keeping such a big posse of the armed police for unnecessary provocation. However, the authorities acted otherwise. Before his arrest, Bhindranwale gave a sane advice to the people who had gathered at the *Diwan* not to turn violent under am circumstances, when the police took him away. Here it is important to mention that Jathedar Santokh Singh, the pro-Congress Akali leader from Delhi gave a very inflammatory speech at this gathering. However, following the arrest of Bhindranwale there was a disturbance and the police resorted to firing, in which eighteen Sikhs were killed on the spot and many others were injured. There were protest demonstrations all over the State against the arrest of the Sant, including violent reaction in the form of shooting incidents at Jallandhar (20th September, 1981)<sub>T</sub> and Tarn Taran (21 st September.

1. *Ibid.*
2. *Ibid.*
3. *The Sunday*. October 4, 1981, P. 15.
4. *Ibid.*
5. *Ibid.*
6. *Hindi Milap*. September 21. 1981.

1981), killing three and one Hindus respectively at these places' and also the hijacking (29th September 1981) of an Indian Airlines plane to Lahore .<sup>2</sup> Sant Longowal addressed a Diwan at Manji Sahib and announced that the entire Sikh community supported Bhindranwale. Similar support to the Sant also came from Gurdial Singh Ajnaha ,<sup>3</sup> the Jathedar of Akal Takhat and Gurcharan Singh Tohra, President of the S.G.P.C.<sup>4</sup> Bhindranwale was kept under detention for twenty-five days (from September 20 to October 15, 1981) and was taken from place to place for interrogation by the police and the C.B.I, officers from Delhi.' However, he was released unconditionally due to lack of evidence against him. Thus his arrest and release both remained an enigma. His arrest under political pressure and release due to lack of evidence did not lend credit to the government's handling of the situation.

We have given the above narration to show how the Government has, during the course of the Morcha against the unconstitutional deprivation of the rights of Punjab, instead of constitutionally solving the problems tended to divert public attention towards non-issues by, on the one hand, arousing communal tensions and passions and, on the other hand, raising the bogey of law and order and resorting to avoidable police oppression, firing and creating situations which had hardly any relation to the real issues. But such incidents did serve the purpose of the Government because public attention was diverted to communal matters and to law and order. The press was also guilty of this conspiracy of diversion and silence in so far as never, during the twenty-five years of unconstitutional policy and steps of the Government, did they even once suggest that the constitutional issues should be referred to the Supreme Court for decision instead of making them the subject of political decisions,

1. *Vir Partap*, September 22, **23, 1981**.
2. *The Tribune*, **September 30, 1981**.
3. *Vir Partap*, **September 21, 1981**.
4. *Ibid*.
5. *Sunday*, **October 4, 1981, P. 15**; *The Tribune*, **October 14, 15 and 16 1981**.

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negotiations or Government commissions. We shall state how even in the future history of the movement, this line of the Government and the press continued to be pursued and how despite all those provocations and propaganda, there was not even one communal riot in the Punjab. The history of law and order in Bihar and other states and of elections and murders is too well-known to need detailed mention for showing the contrasted position of law and order in Punjab and elsewhere.

Bhindranwale after his release, travelled the length and breadth of the State, baptising men and women in thousands. He tried to revive the old Sikh spirit through *Amrit Parchar*. The ever increasing popularity of the Sant especially in the rural Punjab became a cause of concern for the Government. His activities of *Amrit Parchar* made him an eye-sore for all those who looked upon the projection of Sikh identity as a challenge and who wanted to assimilate the Sikhs into the religious mainstream of India, which was made synonymous with the national mainstream. The movement of the Sant was positively oriented in as much as it exercised a restraining influence on the Sikh youth from taking intoxicating drinks and drugs. His oft-repeated message to the Sikh youth was : 'Give up addictions, take *Amrit* and become true Sikhs.'<sup>1</sup> Other things, over which he laid stress were simplicity and curtailment of excessive expenditure on social ceremonies especially on marriages. In pursuance of his campaign of social reform, he organised mass marriages, of his followers, including that of Harmander Singh Sandhu, without any dowry and without any fan fare.<sup>2</sup> He led a simple and austere life and was a staunch vegetarian. Money flowed to him in lacs but he never amassed any wealth. Even his worst critics did not doubt his integrity in this regard. Bhindranwale had no personal political ambition. He once declared : "I have sworn it at the Akal Takhat and repeat the same at your request, I shall never agree to become the President of the Akali Dal or the Head of the S.G.P.C. or a minister, or a member of the Assembly. I swear that I am prepared

1. Kapur; *op. cit.*, P. 178.

2. Tully and Jacob; *op. cit.*, P. 135.

to receive any punishment from the congregation, if I lie. I am only responsible for the cause of Sikhism, preaching the symbols of faith. My responsibility is to see that your beards remain intact, your hair is uncut and that you do not go after the evil things of life. like alcohol and drugs."<sup>1</sup>

The popularity of the Sant amongst the Sikh youth posed a threat to what were looked as alien influences like Marxism and modernity. The Arya Samaj and Communist press started attacking the Sant by calling him a 'fundamentalist', 'separatist' and 'Indian Khomieni'.<sup>2</sup> However, the Sant was not the person to take things lying down and his reaction was also very violent and vociferous. His grooming in the Sikh religious lore made him not to hide his emotions. His statement that he would weigh the killers of the Nrinkari Chief with gold was his unsophisticated reaction to the sacrilegious and desecrating activities of this group. Similarly, when the police arrested Sant Kartar Singh's wife and mother, he got provoked and threatened retaliatory action.<sup>3</sup> However, both the women were released immediately, as they had been arrested to pressurise Bhai Amrik Singh, son of Sant Kartar Singh Bhindranwale and President of the All India Sikh Students Federation to surrender. Such actions of the Sant made him very unpopular among the Hindus, who began to look upon all his activities with suspicion. When reports appeared in the press that Sikhs in the other states would be driven out, Bhindranwale threatened that the backlash in Punjab would be much worse. Violence, which was a direct outcome of the decline in democratic politics and blatant abrogation of constitutional norms, added a new dimension to the Punjab crisis. Both the Sikhs and the Hindus nursed a sense of hurt on this account. Whether the violence was perpetrated by the Sikh or the Hindu militants or by the 'Third Agency' or by the repressive state apparatus in the name of holding the country together and maintenance of law and order, was bound

1. *Ibid.*, P. 113.

2. *Ibid.* pp 114 22 and 35

3. *Sunday*, March 11-17, 1984, P. 13; harminder Kaur, *op. cit.*, PP. 74,75 and 78; Tully and Jacob; *op. cit.*, P. 12.

to leave deep scars on the psyche of the common man. While the slogans of espousing national unity found an instant echo in the minds of the Hindus, the Sikhs acquired a feeling of being discriminated against by the short-sighted policies of the Government which provided a breeding ground for militancy.

After his preaching tour in Punjab. Sant Bhindranwale visited Delhi (October, 1981) and was received by Santokh Singh, President, D.G.M.C. and other members of his group.<sup>1</sup> His visit to Delhi aroused a lot of controversy, as he freely moved in the city along with his armed men. A very powerful lobby wanted the Sant to be arrested but the Government took no note of it. It caused a lot of embarrassment to Home Minister Zail Singh, who was blamed for having a soft line towards the Sant.<sup>2</sup>

The Sant's next visit to Delhi was on the occasion of the Bhog ceremony of Jathedar Santokh Singh, President of the D.G.M.C., who was assassinated on 21st December, 1981.<sup>1</sup> The Jathedar was known for his pro-Congress leanings and was said to have close personal links with Indira Gandhi. The curtain is still to be lifted from the circumstances under which he was murdered. Was he murdered to hush up evidence regarding the murder of the Nrinkari Chief Baba Gurbachan Singh? Was he an accomplice in the murder of the Baba? A satisfactory answer to these two questions can be found only when one finds an access to the secret files of the Government. Jathedar's complicity in the Baba murder case could be traced easily when he got a resolution passed by the D.G.M.C. to give a monthly sum of Rupees two thousand to Ranjit Singh, the alleged assassin of Gurbachan Singh. The Government, however, ignored this *prima facie* evidence and instead tried to implicate Bhindranwale, who had remarked that he would weigh the killers of Baba in gold. Later on, Home Minister Zail Singh declared in the Parliament that the Sant was not involved in the murder of the

1. Tully and Jacob; *op. cit.*; P- 70.
2. *Ibid.*, PP. 70-72.
3. *Ibid.*

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Nrinkari Chief. Manjit Singh, son of the late Jathedar Santokh Singh, said that he was intrigued at the manner in which the Government had handled the case regarding the investigation of his father's murder. In an interview with a journalist, he said. "There was something mysterious about my father's death. After his murder the family had specifically requested the Union Home Minister, Giani Zail Singh that the case be handed over to the C.B.I. They did not want a judicial inquiry. They never interrogated a number of people we suspected. We wanted Dhanna Singh, his driver to be interrogated. But we were told that he had left for Iran Later, we brought him for interrogation from Amritsar. Mehr Singh Nihang and several others were also not interrogated."<sup>1</sup>

At the Bhog ceremony of Santokh Singh. both Zail Singh and Rajiv Gandhi were present. Bhindranwale made insulting remarks about Zail Singh's person. The wily politician took no offence. Somehow the Congress seemed to be in for a much bigger game and did not want to place its cards before the public.-

In April 1982, when Sant Bhindranwale had gone on a missionary tour to Bombay, the process of sacrilege of Hindu temples and Gurdwaras was set in motion allegedly at the instance of Chief Minister Darbara Singh. Interestingly, the truth of the matter came out when, on March 6, 1983, thirty Congress Legislators from Punjab, convened an urgent meeting and submitted to the Prime Minister, a Memorandum, entitled, 'Mis-Rule of Sardar Darbara Singh Government in Punjab : As viewed by Congress Legislators/ Apart from pointing out the various acts of omission and commission of Darbara Singh, the Memorandum furnished complete details of the people, places, time and manner in which the entire sacrilegious operation was conducted. Among the names of the persons involved in the sacrilegious act was the Chairman of a public Corporation, who is said to have helped in procuring the heads of cows to be placed in the precincts of the Hindu temples. They alleged that the

1. Harminder Kaur; *op. cit.*. P. 138 (20 n).
2. Tully and Jacob; *op. at.*, **PP.** 71-72.

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entire trouble was engineered to suit the designs of Darbara Singh. It read as under : "The Chief Minister himself got managed the first act of sacrilege of Hindu Temple at Amritsar... He arranged to send heads of two calves from Mohali (where the beheaded bodies of these calves were found) in a trunk by bus and got the same thrown stealthily in or near the Hindu Temple at Amritsar. Thus the first communal fire lit at the instance of the Chief Minister later resulted in a number of similar acts of sacrileges of Hindu temples and Sikh Gurdwaras at Patiala, Ludhiana, Moga, Sangrur, etc. This created a rift between the Hindus and the Sikhs."

The incident led to a lot of uproar and resulted in a chain reaction culminating in similar acts of sacrilege of temples and Gurdwaras at several places. Cigarette butts and tobacco were thrown in the sacred premises of the Gurdwaras. In some places copies of the Granth Sahib, the sacred Sikh scripture, were burnt.<sup>2</sup> Reports of the throwing of the heads, tails and ears of cows in the sacred precincts of the Hindu temples also poured in. These blasphemous and sacrilegious acts infuriated both the communities, who seemed to be pitched against each other, as never before. These events had serious ramifications on the future of the State and its people. Strangely enough, the media, instead of exposing the nefarious designs of the people in power, seemed to have thrown its weight with them.

However, the Central leadership did not have the will or inclination to mend matters. Thus the seeds of the macabre scenario that was to follow were sown by the Congress. While the Hindu press and Government controlled media pinned all the blame on Bhindranwale and his followers for the worsening situation in the State, it hesitated from raising the accusing finger at the Congress policies. It suited the Government to convert a political problem into a law and order problem.

1. Congress Legislators; *Mis-Rule of Sardar Durbar Singh Government in Punjab . As' viewed by Congress Legislators; Harminder Kaur; dp. cil., PP. 135-136.*
2. *Sunday.* May 15-21, 1983, P. 25.

Sant Bhindranwale, along with his men, were accused of the sacrilegious acts both by the press and the Government. Warrants were issued for the arrest of the Sant. As luck would have it the Sant came to know about his impending arrest and secretly moved from Bombay to reach Guru Nanak Niwas, a rest house attached to the Darbar Sahib complex, Amritsar. The Sant later explained that he sought shelter in the Guru Nanak Niwas in order to avoid harassment and humiliation at the hands of the police. The Sant was rendered helpless and immobile and his activities came to be confined to the Guru Nanak Niwas. His missionary programme of *Amrit Parchar* received a set back. However, he continued to attract large crowds especially from rural Punjab, who looked upon him as a symbol of Sikh resurgence.

Congress Party's nefarious game of propping up militant Hindu organisations also caused unbelievable damage to the State of communal harmony in Punjab. Virinder, an Arya Samaj leader and the editor and proprietor of 'Vir Partap', wrote in one of the articles that the "Hindu Suraksha Samiti would provide an answer to the Akali Dal in Punjab"<sup>1</sup> He appealed to all the Hindus to get together under the banner of the Samiti. It was founded on 28th of May, 1978, the birth anniversary of Vir Savarkar, the founder of Hindu Mahasabha<sup>2</sup> In one of the editorials of his paper he wrote. "It goes to the credit of the Samiti that it has succeeded in bringing Mr. Yash of the Congress and Mr. Yagya Datt Sharma of the B.J.P. on a common platform. Both of them are inspired by the ideals of the Samiti."<sup>3</sup> Similarly, Yash, a Congress leader of Punjab and the editor and proprietor of 'Hindi Milap', wrote *five* editorials supporting the creation of the Samiti.<sup>4</sup> Pawan Kumar Sharma, an erstwhile member of the Congress, emerged as the President of the Hindu Suraksha Samiti, with the blessings of some Congress leaders.<sup>1</sup> He was believed to be a close associate of Amarinder Singh, who was then the

1. *Vir Partap*, May 27, 1978.
2. *Ibid.*
3. *Ibid.*, April 17, 1978.
4. *Hindi Mi lap*, April 19-21, 23-24, 1978.

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Congress M.P. and was aspiring to become the next Congress Chief Minister of Punjab, after Darbara Singh. Pawan Kumar's links with the Haryana Chief Minister Bhajan Lal were also well known.' There were reports of his involvement in several cases of arson and violence but every time he was bailed out, under political pressure. On one occasion, a huge stock of arms, explosives and hand grenades was recovered from his possession. But he went scot free ' Unruly scenes were witnessed at the Ramnauami procession, organised by him at Patiala on May 2, 1983. Two Sikh passers by were killed and some Sikh shops were looted and burnt. Bhindranwale often blamed the Government for its double standards in dealing with the Sikhs and the Hindus. Once he thundered. "Take the case of Pawan Kumar, President of the Hindu Suraksha Samiti, Patiala Zilla (district). They found 230 granades in his house and he didn't go to jail even for an hour. A Sikh who doesn't even possess empty cartridges, if there is only suspicion against him, they shoot him to death."<sup>15</sup>

During this time, another militant Hindu organisation, known as the 'Hindu Shiv Sena', raised its head in Punjab, with branches springing up in all the important towns. The Shiv Sena armed its members with *Trishuls* and other weapons. A report published in 'India Today' of May 31, 1986 observed : "The fm/m/-Shiva's trident-has emerged as a militant symbol for these loosely-formed militias of unemployed youth and small shopkeepers in Punjab and Uttar Pradesh. In Punjab, Shiv Sena is a motley crowd divided into two distinct groups, one led by goldsmith-turned organiser Ramakant Jalota, dominating Jalandhar, Kapurthala and Amritsar, and the other led by Jagdish Tangri Ludhiana businessman, operating in Patiala and Hoshiarpur. Jalota claims that 80,000 youths have been

1. *Sunday-May* 15-21, 1983. P. 20; *Blitz*, Bombay, May 14, 1983.
2. Tully and Jacob: *op. cit.* P. 117.
3. *Ibid.*
4. *Blitz*, Bombay, May 14, 1983; *Sunday*, May 15-21, 1983.
5. *Sunday*, May 15-21, 1983, P. 29.

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"baptised". These groups now control major Hindu temples, like the Durgiana mandir in Amritsar, Devi Talab in Jalandhar and the Shiv temple in Ludhiana." Some Hindu intellectuals and journalists justified these organisations and their aggressive attitude particularly while dealing with the Sikhs. Giri Lal Jain, Editor of the Times of India went to the extent of pleading the case for "one hegemonical community" in India.<sup>1</sup>

The militant Hindu organisations like the B.J.P., R.S.S., V.H.P., Shiv Sena, Bajrang Dal etc. argue that *Hindutva* alone can be the basis of India's unity. This combine claims that its Hinduism is the other face of Indian nationalism. They also say that Hinduism is not a religion, but a way of life. The erstwhile R.S.S. Chief. M.S. Golwalkar sought to unify the heterogeneous and diverse people of the country by projecting *Hindutva* as the only way to maintain unity. In his book, 'We or Our Nationhood Defined', quoted in the 'Indian Express' of December 7, 1991, Golwalkar says that the Hindu nation is one where 'all those not belonging to the nation i.e. Hindu race, religion, culture and language, naturally fall out of the pale of real national life. The foreign races in Hindustan must either adopt Hindu culture and language, must learn to respect and hold in reverence the Hindu religion, must entertain no idea except the glorification of the Hindu religion and culture, i.e., the Hindu nation and must lose their separate existence to merge in the Hindu race or they may stay in the country wholly subordinate to the Hindu nation, claiming nothing, deserving no privileges, far less any preferential treatment, not even citizens rights/ This is the definition of a nation based on *Hindutva*. The theoretical and intellectual exercises of their leaders and the practical slogans given to their followers brought out the diabolical nature of their campaign. The slogans given at the grass roots and the poisonous communal propaganda had already created a deep sense of insecurity among the minorities.

Ramesh Thapar in an article 'The Hindus :A Call To Arms' in

1. **Kothari, Rajni;** 'Fundamentalism is not the Essence of Hinduism' in *The Illustrated Weekly of India*, December 7, 1986, P. 16.

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the Illustrated Weekly of India, wrote : "The surprising fact is that the Hindu community, in the grip of various *sanghams*, *Senas*, *manches*, and *parishads*, is trying to destroy the state it has created. The multi-cultural stream, so much a part of India's continuities. is sought to be transformed into a muddy mainstream of essentially Hindu practice passing as Indianness. The minorities are able to see the attempted transformation and are determined to confront it. The escalation in *its* present form is a blatant Hindu creation. Unless, it is possible to project this fact into the debate on fundamentalism, the Hindu leviathan will take over with tremendous destructive power."<sup>1</sup>

The growing polarisation of the Hindus and the Sikhs became a disturbing phenomenon. The rising upsurge of violence, the decrying of democratic institutions and processes provided the climate for the communal organisations to flourish. In the absence of democratic channels for the redressal of grievances, religion was allowed to become a rallying point to divert people's attention from the real issues. "Indira Gandhi used Punjab as a Sikh versus Hindu confrontation; Kashmir as a Muslim problem. By this she instantly appealed to the upper castes in North India. The nation is in danger, therefore, the majority community is in danger, Hindu civilisation is in danger."<sup>2</sup> Trapped in rhetoric, people were often fooled and misled. They forgot that assertions of national unity and integrity were nothing but a deceitful game. The gulf between precept and practice was bound to lower the people in power to the level of tricksters, with disastrous consequences for all.

The Asiad episode strengthened the feeling of alienation among the Sikhs as a community. It was not difficult for the Delhi 'administration to cope with Akali plan of demonstration during the Asian games, led by the moderates. But, the Government made it the occasion and excuse for harassing and humiliating every Sikh

1. Thapar, **Ramesh**; 'The Hindus : A Call To Arms', in *The Illustrated Weekly of India*. December?, 1986, P. 12.
2. Kothari, **Rajni**; *op. cit.*, P. 16.

passenger going to Delhi, there by injuring and inflaming the feelings of the entire Sikh community. Every Sikh travelling to Delhi was stopped, searched, humiliated and insulted in the presence of others by the Haryana Police.<sup>1</sup> Cars were checked and trains and buses were detained to get the Sikh passengers down for a 'thorough' scrutiny. Even eminent persons like former Air Chief Marshal Arjan Singh, Lt. General Jagjit Singh Aurora and Swaran Singh, former Central Minister, were stopped and searched despite their telling the police who they were. Haryana became the scene of some very ugly incidents. The Sikhs were made to feel as if they were passing through an enemy territory. The episodes led to a lot of uproar in the Sikh circles, although there were no reports of any retaliatory action in Punjab. The Government controlled media did not report any incident of harassment or humiliation to the Sikh community. The Asian games passed off peacefully. But the humiliation meted out to the Sikhs in Haryana during those days caused a grievous hurt to the Sikh psyche. Strangely enough, Prime Minister Indira Gandhi took no notice of Bhajan Lal's campaign of stirring up hatred against the Sikhs.

Bhindranwale's charge of discrimination against the Sikhs began to find more receptive ears. **On** December 25, 1982, a Convention of ex-servicemen was convened by the *Morcha* dictator, Longowal.<sup>2</sup> It drew a record number of ten thousand Sikh ex-servicemen. Among other things, Convention passed a resolution condemning the Government for the dishonour and humiliation that the Sikhs were made to suffer during the Asiad.

Attention has already been drawn to the dubious role played by the Congress in Punjab. Invariably all the Congress leaders in Punjab were discredited for showing apathy towards the socio-economic demands of the Punjab. Little did they realise that the denial of justice would ultimately lead to defiance and disaster. Matters became worse when Darbara Singh led Congress

1. Tully and Jacob; *op. cit.*, PP. 87-88.
2. *The Tribune*, **December** 24 & 25, 1982.

Government in Punjab resorted to repressive measures, including "encounters" in the police terminology, to disguise cold-blooded murders in its custody. There were reports that the persons were killed after their informal arrest and were wrongly shown to have been the victims of "encounters" with the police. Further, numerous allegations of extreme torture of Sikh political suspects by the Punjab police, appeared in the press. In an interview with Mark Tully and Satish Jacob, the B.B.C. correspondents. Chief Minister Darbara Singh minced no words and frankly admitted, "Encounters did take place and they were killed. I told my senior police officers, you kill the killers and I will take the responsibility/"<sup>1</sup> The "police killing" said Tully "sparked off revenge attacks against them by Bhindranwale's men."<sup>2</sup> In spite of open allegations of police excesses and contrived encounters, the Government made no effort either to controvert the allegations or to order judicial probes into the incidents so as to dispel the charges.

Most of the incidents of violence that took place in Punjab were attributed to Bhindranwale. In an interview with a correspondent of Sunday, he stated that the main targets of his attack were the "guilty" policemen, who unleashed repression on the innocent Sikhs. He elaborated his argument by furnishing the following facts : "A Sikh girl was stripped naked and her father was forced to rape her.. This happened in village Kahlkhurd, Moga Tehsil. The name of the father was Jagmir Singh ; he was a scheduled caste. Write on; a Sikh girl was stripped naked and paraded around Dao village by policemen... They caught a *Sikh granthi* and a Hindu policeman sat on him, smoked *bidis* and spat in his mouth and put tobacco in it. The name of the Sikh was Jasbir Singh, village Chukpiti; Tehsil Moga. They caught another Sikh and without finding anything on him, they cut his thigh, tore the flesh out and poured salt into the cut. Name: Jagir Singh, village Ittanwali, he lives in Moga. Is this riot wrong? During the Asian Games they drew a line and said that anyone with Singh attached to his name couldn't go to Delhi at all.

1. Tully and Jacob; *op. cit* p. 106.

2. *Ibid.*

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Did they stop any body else? Is this not injustice to the Sikhs?... There are no restrictions on a Hindu religious symbol, why is there a restriction on our religious symbol? Is this not discrimination?... Indira Gandhi was punished in 1977 for what she had done, by the Supreme Court and sent to Tihar Jail and her sympathisers like Pande hijacked a plane, how much punishment were they given? They have been made M.P.s now, and if the Sat Guru Granth Sahib of the Sikhs is burnt and some Sikhs hijack a plane, why should they be exiled?... Gurbax Singh's leg is cut off and take the case of Manjit Singh alias Museebat Singh, who was shot dead on 20 August, at Rajasansi airport... Is there a separate law for us and a separate law for the Hindus? It is the government's job to catch the guilty and bring them before a judge and it is then upto the judge to decide whether to free him or not. Isn't that what the law says?' Then where is it written that the police can get permission from the judge for a medical examination and then instead of doing that, they take hot iron bars and shove them into the stomach, bum their foreheads and *bhunno* them with bullets while they are still in their custody. Which law gives the government the right to do this?' Kulwant Singh Nagoke was killed like this. Jaswant Singh and Sukhdev Singh of Issathan had their stomachs burst open and flesh pulled from their bodies with sticks and their eyes taken out before being shot. Will they tell us what they found on them?' What proof do they have against them?... But to get a Punjabi Suba. to speak Punjabi, the Sikhs have had to send 57,000 people to jail, then they say the Sikhs are extremists. Now look at your newspapers, in all your newspapers you write about Sikh extremists. Why doesn't anyone write about Hindu extremists? At the same time they write that the Sikhs are a part of the Hindus. If this is true, and we are not even Sikhs, then why don't they say Hindu extremists, when they are writing about our 'extremism'. If you insist on saying Sikh extremists, then you must admit that we are a separate race. When it is extremism then we are different and when we ask for something then we become Hindus. What's the reason for this?' How is that whenever they want, they say we are extremists and, whenever they want, they say we are not Khalsas?... There was a Hindu Sammelan

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(meeting) here and the slogans they shouted were '*Hindu-Hindu bhai bhai*', *Kacch, Kada, Kirpan, enoo bhejo Pakistan. Dukki-tikki Khehan nahin deni, sir tey pagdee rehan nahin denei*." You asked me about Khalistan. I neither support Khahstan, nor am I against it (*na himayet na virodhata*). We want to stay with Hindustan, it is for the Central government to decide whether they want us with them or not. This is the job of the Centre, not mine. Yes, if they give us Khalistan, we will take it. We won't make the mistake of 1947. We are not asking for it but we'll take it if they give it to us. If they want to put it in our *.Jholi* that's their business. But tell me, am I a Khalistani or is the government?' Why is it that only Sikh houses are set on fire in Punjab? Has a single Hindu's factory, house or shop been burnt?... Balwant Singh was sitting in a rickshaw and he was killed by Lajwant Singh D.S.P. Gurmit Singh's nails were pulled out and salt was put into the wounds, his hands were held over candles and burnt. Then he was killed and they said he died in police encounter. They say that the Sikhs are killing the police in encounters. Apart from Deheru *Kand*. have the police even been wounded? Where are the bullets that have been fired by the Sikhs? Had you heard of these things before? Tell me... An *Amritdhari* Singh was caught by Bicchu Ram, *thanedar*, Sadar *thana*, Fazilka Tehsii, Ferozepur *Zila*. They shaved his beard and sent him back to me, saying 'go and tell Bhindranwale...'

"Only the government can tell us; they can decide. Now suppose that you have rights and I refuse to give them to you and you demand them and I still refuse, what would you do? Wouldn't you try to get them back? Now what if I not only denied you your rights but also tried to make that you were in some way to blame. This is what has^ happened. The government has taken our rights, we are asking for them back and they say we are extremists."<sup>1</sup>

The above statement of Bhindranwale, apart from being self-explanatory, gives a clear picture of the Government policies towards the Sikhs and the approach of the media in suppressing the realities of the situation and instead raising the bogey of 'extremism' to

1. *Sunday, May 15-21, 1983. PP. 26-29.*

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camouflage the clear discrimination against the Sikhs. The Government had been carrying out a campaign of illegal oppression and torture without calling to account any of the functionaries who perpetrated those atrocities. Whatever way one may assess the Sant, his statement, quoted above, is unassailable both on account of its factual realities and the background policies, of the Government and the distorted writings and opinions of the media. Our narration makes it clear how gross injustice had been done in relation to the natural wealth of Punjab and the territorial and other demands and how when the Sikhs wanted constitutional settlements, the Centre tended to throttle that voice by forcing them to accept arbitrary, unwarranted, illegal and unjust executive feats. There were charges of police excesses and atrocities and yet no incident was ever probed, nor were the guilty punished or even declared innocent after the enquiry. In a few lines, Bhindranwale has explained the entire story of Sikh agitation. He contends that open injustice and discrimination had been done against the Sikhs and when they asked for redress, they were thrashed and hounded as mad extremists. In order to comprehend the Bhindranwale phenomenon, one must take into account a complex range of socio-political factors which threw him up. Unfortunately, the media maintained a timid silence over the corruption of laws and principles, so forcefully lamented by Bhindranwale with his blunt honesty and in his rude but declamatory eloquence. He lacked the sophisticated oratory of politicians.

### **Dharam Yudh Morcha :**

The struggle between the Centre and the Akalis entered a new phase with the launching of the Dharam Yudh Morcha. The causes and background of the Morcha have already been traced. It marked the culmination of the grievances that had kept piling up over the years. Sham negotiations, dismissal of the Akali Governments in the mid-term, continuous economic erosion of the State and its people, undue support extended by the Government to the Nrinkaris, repression, fake encounters and human rights violations were some of the factors that intensified the crisis. The *Nehr Roko Morcha* (April 24, 1982), launched at village Kapuri to prevent the digging

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of the Satluj-Yamuna Link (S.Y.L.) Canal had not yielded any results. The agitation (April 13, 1981) started by Jathedar Jagdev Singh Talwandi, a leader of the break away faction of the Akali Dal demanding more state autonomy, through the implementation of the Anandpur Sahib Resolution, had also not evoked any response from the Government.

Among the immediate causes that led Bhindranwale to start an agitation, was the indiscriminate arrest of the members of the Dam Dami Taksal. On July 17, 1982, the Punjab Police arrested three members of the Taksal, on charge of conspiring to murder a police sub-inspector. On July 19, when Amrik Singh, President of the All India Sikh Students Federation, along with two others, went to the district courts of Amritsar in connection with the legal action in respect of three persons already arrested on July 17, they too were arrested by the police on the same murder charge.<sup>1</sup> Two other prominent members of the Taksal, Baba Thara Singh and Jathedar Ram Singh were also arrested on July 20.<sup>2</sup> On July 25, Bhindranwale called a convention of the representatives of the Panth at Manji Sahib Diwan Hall to discuss the Government's attack on the Dam Dami Taksal. It was decided to start a Morcha by sending a *Jatha* (group) of fifty Sikhs daily to court arrest as a mark of protest against the indiscriminate arrests and encroachment on the right of peaceful protest by the Sikhs.<sup>3</sup>

In view of these developments, the Akali Da! High command called an All World Sikh Convention at Amritsar on July 26, 1982.<sup>4</sup> The Convention authorised Sant Harchand Singh Longowal, the party president, to launch the "Dharam Yudh Morcha" from August 4, 1982.<sup>5</sup> Dharam Yudh signified a fight for righteousness against injustice and not a holy war as interpreted by many. Bhindranwale and Jathedar Talwandi were also persuaded to carry on the agitation

1. *The Tribune*, July, 1982.
2. *The Tribune*, July 1982
3. *Ibid.*: July 26, 1982.
4. *Ibid.*: July 27, 1982.
5. *Ibid.*: August 5, 1982.

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under the banner of Akali Dal and the leadership of Longowal.

Akali Dal chalked out a charter of economic, social, political and religious demands at the time of the launching of the Morcha. These demands had already been put up during the course of negotiations between the Akali Dal and Prime Minister Indira Gandhi or her nominees. A detailed mention of these demands has already been made.

In view of the Akali Morcha, the Government imposed a prohibitory order, under Section 144, banning the assembly of more than five persons. The response of the people to the Morcha was voluntary and enthusiastic, which eventually assumed the form of a mass upsurge. On an average five hundred people from one part or the other of Punjab would go to the Darbar Sahib and after invoking the blessings of the *Sangat* would offer themselves for arrest. The entire operation was conducted from the precincts of the Darbar Sahib in a peaceful, non-violent and organised manner, under the supervision of the Akali Dal. More than thirty thousand people courted arrest within a period of two months. The jails started overflowing and the Government had to set up temporary prisons in schools and other buildings to accommodate all of them. On 11th September, 1982, thirty four agitators were killed, when a bus in which they were being taken to jail rammed into a train at a manned railway crossing near Amritsar.<sup>1</sup> The incident led to a lot of uproar in Punjab. The callousness of the authorities came under sharp attack. The demand for a judicial enquiry into the incident was ignored. To make matters still worse, four Akali workers were killed in police firing in front of Parliament House in Delhi when they took out a procession to press their demand for a judicial enquiry into the Tarn Taran deaths. Chief Minister Darbara Singh expressed no regrets over this incident. However, the C.P.I. and C.P.I.(M) members staged a walk-out from the Punjab Vidhan Sabha on the opening day of its autumn session of September 14, 1982.

The Morcha was being conducted peacefully from the precincts

1. *Ibid.*; September 12, 1982.

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of the Darbar Sahib. The authorities could not estimate the zeal with which the volunteers came forward to offer their services for the Morcha even though they had to languish in jails under inhuman conditions. Complaints of insufficient facilities in the jails filed on behalf of the inmates, resulted in the passage of strictures by the High Court against 'unimaginative approach' of the Punjab government towards the Akali agitation. Basing his findings on the report of two Sessions Judges, whom the court had directed to inspect jail conditions, the Judges observed that the prisoners were being treated as "cattle".<sup>1</sup>

Prime Minister Indira Gandhi, in keeping with her father's approach, followed a policy of refusing to solve the issues. In a sudden dramatic move on October 15, 1982, the Government ordered the release of all the agitators,<sup>2</sup> probably with a view to taking the wind out of their sails. The Prime Minister did not seem inclined to consider the demands put up by the Akalis. However, the Morcha continued with full vigour, with more and more volunteers coming forward to court arrest. Government's move failed to dampen their spirits.

All along, the Prime Minister Indira Gandhi had followed a policy of evasion and sham negotiations to cover up the gross constitutional injustice to Punjab, especially on the issues of water and territory. As mentioned earlier, the Prime Minister had a series of negotiations with the Akali Dal before the Dharam Yudh Morcha, but without any positive results. The demands of a constitutional kind which could be tackled and settled through the verdict of the judiciary were sidetracked. Attempts were made to throw the real issues out of the political arena. The idea was to give a bad name to the Morcha and to set the stage for the gory drama that was later to be enacted in the Punjab.

1. Aid; October 2, 1983.
2. *Indian Express*, October 16, 1982.

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As the police atrocities and fake encounters continued unabated, people started flocking around Bhindranwale in larger and still larger numbers. The aggrieved started looking upon him as their saviour to avenge the wrongs done to them. Victims of police repression sought refuge with him. It was natural and inevitable for the traditional Sikh ethos to react against injustice, harassment and humiliation. The administration had begun to lose its moral authority by staging the killing of the Sikhs in contrived encounters and the use of third degree methods for torture. Bhindranwale had become a visible symbol of Sikh discontent. Very few writers have perceived the Bhindranwale phenomenon in this light. Because most of them are either completely ignorant of the Punjab problem or seek deliberately to suppress the reality of the situation, discrimination and injustice done to Punjab and Sikhs or are too busy to dispassionately study the basic realities. They form their perceptions by hastily going by the emotional propaganda of the media.

In the absence of a political solution the crisis in Punjab, as created by the Government, was kept alive. In this connection the views expressed in one of the issues of the 'Guardian'. London, are noteworthy : "Ever since the Prime Minister Indira Gandhi returned to power in 1980, New Delhi has kept alive a crisis in Punjab... to achieve three questionable objectives : to oust the Akali-led coalition state government of 1977-80, to prevent a legitimate constitutional settlement of Punjab's territorial, river waters and other political and economic disputes with the Centre and finally to forge a psychological wedge between Hindus and Sikhs... The Congress Party's obsession with power, its dwindling standards of political behaviour and its aversion to losing elections, is what led it to become the midwife of extremism and terrorism in Punjab." Our view is that with Indira Gandhi the question was not so much of winning elections. It was plain and simple unconstitutional loot of Punjab's wealth and despoliation of the State with a view to bestowing illegal gains on Hindu States. The question of winning elections was a problem all over the country and yet the Centre never deprived any

1. *The Guardian*, London, June 8, 1984.

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Hindu state in such an unconstitutional and unabashed manner as it did Punjab.

The Akali leadership thought of new strategies to maintain pressure on the Government. All the Akali members of Parliament (three) and members of the Legislative Assembly (thirty-seven) submitted their resignations on February 21, 1983."! This was a peaceful and non-violent act of civil disobedience to arouse the conscience of the rulers in Delhi. But it left no impact on the Centre. This was the first incident of its kind in free India.

The Akali Dal came under pressure for the slow pace of the Morcha. The masses became restive and wanted results. Longowal issued a directive for one day agitation of Rasta Roko (block the roads) on April 4, 1983. The response for this was very enthusiastic. While the trains were cancelled by Government orders, all other transport in the State was paralysed by the Akali workers by staging peaceful dharnas on the roads and reciting the Bani (sacred hymns). However, the security forces, especially the para-military forces resorted to "unprovoked and indiscriminate firing."2 resulting in the death of twenty-four agitators, apart from burning of a number of tractors and shops at Kup Kalan, near Malerkotla.' A five member fact finding team of national opposition leaders visited the affected places to make an on-the-spot study of the circumstances which led to the police firing there on April 4. The members were A. B. Vajpayee (B.J.P.). Harkishan Singh Surjeet, Saifudin (both C.P.M.). Bhogindra Jha (C.P.I.) and Harikesh Bahadur (D.S.P). Vajpayee told The Tribune : "'We are shocked by the devastation at Malerkotla and Kup Kalan."4 Surjeet said that the "excesses committed by the police were heart rending."5 He regretted the "apathetic attitude" of the Central government towards the Punjab situation.6 After the

1. *Indian Express*, February 22, 1983; *India To-day*, April 30, 1983.
2. *The Tribune*, April 10, 1983; *India To-day*, April 30, 1983.
3. *Ibid.*
4. *The Tribune*, April 10, 1983.
5. *Ibid.*
6. *Ibid.*

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**Rasta Roko**, Longowal gave a call for '*Kam Roko*' (stop work) on August 29, 1983.<sup>1</sup> The work in the government offices and public and private undertakings came to a standstill. Again, the response to this call was spontaneous and voluntry.

There is no denying the fact that a number of secret agencies of the Centre were operating at this time, which added a dangerous dimension to the atmosphere. On 25th April, 1983. D.I.G. A.S. Atwal was gunned down, while he was coming out of the Darbar Sahib.<sup>2</sup> The officer in charge of the C.I.D. in Amritsar told the B.B.C. correspondent Satish Jacob that "Atwal, who was unusually active and independent minded policeman, had planted one of his agents among Bhindranwale's followers."<sup>3</sup> The agent is said to have informed Atwal that on the night of 15th March, 1983 Bhindranwale and some of his followers were going to Chowk Mehta in a jeep.<sup>1</sup> Accordingly, the police put up a blockade on the Mannawala bridge on the G.T. road. The jeep was stopped and a rocket fired at it without any word or warning.<sup>5</sup> The weapon used in the attack was a prohibitive one, which is normally used in a war. Obviously, the attack was directed at Bhindranwale but incidently he was not in the jeep, having changed his plan at the eleventh hour. One Hardev Singh travelling in the jeep was killed and another person Gursant Singh was seriously hurt in his right leg.<sup>6</sup> However. Gursant Singh succeeded in driving the jeep along with the dead body and reached Guru Nanak Niwas, the same evening. The incident led to a lot of consternation in Bhindranwale's camp. Suspicions were raised that the Government intended to eliminate Bhindranwale through devious means.

Atwal's murder relates yet another sad story. It is reported that Atwal had arranged the *Bhog* of *Akhand Path* (non stop

1. *Ibid.*, August 30, 1983.
2. *Ibid.*, April 26, 1983.
3. Tully and Jacob; *op. en.* P. 97.
4. *Ibid.*: *Punjab Kesari*, May 18. 1983.
5. *The Tribune*. May 16 and 17, 1983.
6. Tully and Jacob; *op. at.*, P. 97.

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recitation of Guru Granth Sahib) on the fateful day, at Gurdwara Sukhchain Sahib in his native village Beedpand, about thirty kilometers from Jalandhar.<sup>1</sup> On the previous night he was at his village to make arrangements in connection with the *Bhog* and left for Jalandhar early next morning.<sup>2</sup>

It is reported that Atwal got a call from some senior officer of the Central Agency to reach Amritsar immediately.<sup>3</sup> The call, it is suggested, was neither from the Punjab government nor from his immediate bosses in the State. Leaving everything behind, he reached the B.S.F. Rest House, where he had a prolonged meeting with Brigadier Grewal of the R.A.W. and an I.P.S. officer of the Punjab cadre known to Longowal and Bhindranwale.<sup>4</sup> On the previous day, the I.P.S. officer along with Brigadier Grewal had met both the Sants in the Golden Temple Complex. In pursuance of the meeting, the I.P.S. officer and Brigadier Grewal went to the Complex and had a meeting with Sant Longowal.<sup>5</sup> They also had a meeting with Bhindranwale but the Sant left halfway, as he got engaged in some other meeting.<sup>5</sup> Atwal also went to the Darbar Sahib and for a considerable time remained there, presumably waiting for their message or the next step of their decided plan at the Rest House, to pursue which they had entered the complex. After waiting inside for about an hour and a half, an abnormally long time for a normal visit in the circumstances, he came out of the Golden Temple complex and was murdered when he emerged outside. The guards of the D.I.G and the police officer waiting for him slipped away. Incidentally, when the murder took place, the I.P.S. officer was sitting with Sant Longowal.<sup>7</sup>

It is indeed a mystery as to what was the Central plan in sending

1. *Indian Express*, May 3, 1983; *The Tribune*. **May 12**, 1983; *Punjab kaseri*. May 1X. 1983.
2. *The Tribune*, May 12, 1983.
3. *Punjab Kesari*, May 18, 1983.
4. *Ibid.*
5. *Ibid.*; *The Tribune*, May **12**, 1983.
6. *Punjab Kesari*, May **18**, 1983.
7. *The Tribune*. May 12. **1983**.

the three officers to the Golden Temple, with one of them wanting to have meeting with the two Sants and the other inexplicably waiting for an hour and a half at the Temple. This trip of Atwal becomes all the more intriguing because, according to Chief Minister Darbara Singh. "Atwal had been warned not to enter the Golden Temple. The government had apparently received information that he was a marked man."<sup>1</sup> This clearly shows that Atwal had gone to the Golden Temple not in pursuance of the order of the State government but of some Central agency. All the facts of the case point to some subtle design of the Third Agency and whatever happened seems to have been done in execution of that design. The director of C.B.I. J.S. Bawa, who was directed to probe into the murder, did not disclose his findings.<sup>2</sup> As no clue, whatsoever, could be found, it added a new dimension to the mystery of Atwal's death. In any case, it appears evident that whatever happened was either in pursuance of a Government plan or because of a design that misfired or backfired. As far as Bhindranwale was concerned, he clearly disowned and condemned the murder in the following words : "I condemn the incident especially as it has taken place just outside the main gate of the temple. We are not in favour of violence at all."<sup>1</sup> He further alleged that the Punjab government was behind the killing and that "this is a conspiracy of the government to prepare ground for police entry into the temple."<sup>4</sup>

Why was Atwal summoned from his village?' Why did the I.P.S. officer, who accompanied him, go to meet the two Sants?' What was it that kept Atwal waiting for long hours at the Golden Temple? To-date there has been no explanation to all these questions. Evidently, the purpose and the plan seemed to have been too secret and subtle to be brought to light.

The Government's disinclination to find a just and fair solution to the problem during the peaceful phase of the Morcha confounded

1. Tully and Jacob; *op. cit.*, P. 97.
2. *Indian Express*, May 3, 1983; *Punjab Kaseri* . May 18, 1983.
3. *The Tribune* 26, 1983.
4. *Ibid.*

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the situation. A wave of discontent mobilised the Sikh youth to emulate Bhindranwale who had started projecting himself as a saviour and champion of justice. All other issues for those youth got submerged before the grand issue of justice. India To-day wrote: "Bhindranwale, more than any other Akali leader, has assumed the proportions of a messiah. To a great extent, it is his outspoken, belligerent views that constantly attract attention: equally, it is his smooth handling of the media for whom he has all the time in the world. But his overall appeal lies in his strident defence of his faith that seems to strike a chord of sympathy in any Sikh with a propensity to turn a leader into a hero, a hero into a saint., Moreover, he has, in his rigid, puritanical way, come to stand for a Sikh revival at a time when the community's insecurities about its identity are at their lowest... Bhindranwale represents the resurgent core of the Sikh religion. On the plain social level, his arrival on the scene has engendered a new interest among younger Sikhs about their religion. An observer in Chandigarh points out that whereas a few years ago it was fashionable for young urban Sikhs to trim their beards, today it is in vogue to keep them long and untrimmed There also seems to be a noticeable rise in the number of younger Sikhs visiting Gurdwaras and observing rituals."<sup>1</sup>

The focus of Bhindranwale's crusade was the unfulfilled promises and the unconstitutional and high-handed drain of Punjab's resources. Stories of a sell out on the water issue started gradually percolating to the peasants in the villages. They felt disturbed at the Congress leadership trying to let them down on this most crucial issue. They veered towards Bhindranwale and increasingly, he became the focus of their socio-economic and religious aspirations. Bhindranwale assured them that he would not allow the vested interests to betray the cause of Punjab, especially in the socio-economic field.

Had the Government ever been willing to follow the constitutional path of referring all the legal issues to the Supreme Court, the Punjab problem could not have arisen at all and no Akali

1. *India To-day*. April 30, 1983.

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agitation could be sustained. Since no one could defy the verdict of the Supreme Court, for which Akali Dal had made a specific demand. Instead of giving up its policy of favouring Rajasthan and Haryana. the Central government raised the bogey of extremism and law and order, and chose to make scape goats out of the police, the Administration and the Chief Minister for pursuing its own political designs and disinclination to solve the issues justly or according to the constitution of the country.

Slowly but increasingly, under the plea of maintaining law and order, state terrorism in the form of false encounters, tortures and killings in police custody and oppression on the people increased. It is also correct that since about the 1980s when it became known that certain police officials and others had been guilty of high-handed excesses or violence, retaliatory steps against individuals were taken. Sometimes even the names and the atrocities committed by those officers were narrated in open meetings by Bhindranwale or the concerned victims. But neither the charges of the victims nor such reports to the authorities nor any complaints in that regard ever evoked any response from the administration to rectify the wrongs even for the future, much less for punishing the guilty. It is in this dismal context of official apathy and callousness that the belief became current and confirmed among the masses that whatever was happening was pursuant to studied direction of the administration. Hence while the Morcha, throughout, was conducted peacefully in accordance with the set policy of the organisers, individual retaliatory incidents did take place, following studied inaction of the authorities with regard to the excesses of the administrative machinery. Hence the belief became inevitable that state violence was being practised to create schism between the two communities and defame the Sikhs in the rest of the country and partly to sidetrack the real issues, since Government was willing neither to undo the injustice nor follow the constitutional path, as demanded by the Sikhs.

Here it is important to note that a news magazine, the Week, had given a figure of 220 killings in the first nineteen months of the Dharam Yudh Morcha. Out of these 220 persons, killed between

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August 1982 and February, 1984, 190 were Sikhs and 30 were Hindus.<sup>1</sup> Besides, the Akalis were openly alleging that killings were being done by agent provocateurs and that committing such violence was against the Akali policy. Reports had appeared that communal incidents, in order to inflame Hindu feelings, were initiated by the Congress. But without a detailed judicial enquiry, the truth could never be revealed and despite emphatic demands for this purpose. Government was unwilling to do so.

Bhindranwale was very sore about the police atrocities and the murder of scores of Sikhs in the garb of false and contrived police encounters. He was often heard criticising the double standards of the Government in treating Hindu and Sikh victims of violence, citing various incidents like the immediate appointment of an enquiry committee to probe Jagat Narain's murder and none for the killing of the Sikhs.<sup>2</sup> He believed that this blatantly partisan behaviour of the Government was bound to hasten the process of alienation of the Sikhs. Bhindranwale reprimanded the press for suppressing incidents of police atrocities. He stressed that Sikhs were a separate nation within India like the Muslims, the Christians and the Hindus. ^ To many journalists and others who met him and contended that Hindus and Sikhs were the roots and branches of the same tree, his prompt reply used to be that, by their actions, the Hindus in Punjab and the Government had proved it otherwise.<sup>4</sup> During this time, the People's Union of Civil Liberties sponsored a team, with Justice Tarakunde, as the Chairman and an eminent journalist Kuldip Nayar as its member to assess the police excesses against the Sikhs. It reported : "We had no hesitation in saying in our report that the police had behaved like a barbarian force out for revenge. They had even set houses of a few absconders on fire and destroyed utensils, clothes and whatever else they found in them. Relatives of the

1. **The 'Week' magazine quoted by S.S. Dharam in his book; *The Only Option For Sikhs* (Jaipur, 1984), P. 170; **The Editorial of *Indian impress*, July 1, 1984.****
2. *Sunday*, **May 15-21, 1983; Sathanathan, S.M. Lalwani, K.T. at, el: *op. at.*, P. 7.**
3. **Sathanathan et. al. *Ibid.***
4. *Ibid.*

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absconders were harassed and even detained. Even many days after the excesses committed by the police, we could see how fearstricken the people were. Villagers gave us the names of some of the police sub-inspectors and deputy superintendents involved; some of them, they said, had a reputation of taking the law into their hands."<sup>1</sup> Evidently, it cannot be believed that the police officials who were acting illegally in the manner they did, were doing it of their own. In the words of Mark Tully and Satish Jacob, the B.B.C. correspondents. "There was a series of what the Indian police call 'encounters'- a euphemism for cold-blooded murder by the police. Darbara Singh admitted as much to us."<sup>2</sup> When a Chief Minister acted like that, the people well understood the message that securing justice from the Administration had become out of question. In fact, whatever the retaliation, it was specifically directed against individuals. Instead of giving details about individuals, we are indicating the cases of D.S.P. Bachan Singh and Sub-Inspector Bichhu Ram.

The police killings sparked off revenge attacks against them and provoked the desperate rashness of youth. Police officers like D.S.P. Bachan Singh, blamed for inflicting severe tortures on youngmen in police custody, became the victims of retaliatory actions. It was alleged that the police officers had tortured the A.I.S.S.F. President Amrik Singh and his accomplices, while they were in police custody and had falsely implicated them in a case of attempt to murder a police sub-inspector. The torturing and killing of one Kulwant Singh of village Nagoke in Amritsar district, was done under the personal supervision of Bachan Singh. He was arrested by the police when he was getting his tractor repaired. "From 27th May to 9th June 1982, Kulwant Singh was so brutally tortured that his bones were broken at various places, his body was torn at the hip joint by pulling his legs in opposite direction; his intestines had been taken out and both eyes had been gouged out. His nails had been pulled out. His thigh had been ripped open and salt poured into it. On 9 June '82 Kulwant Singh died in custody of the Police. But to cover their deed, the police declared that Kulwant

1. Nayar, **Kuldip and Khushwant Singh**; *Tragedy of Punjab* (New Delhi. 1984). P. 55.
2. Tully and Jacob; *op. cit.*, P. 105.

Singh had escaped on the night of 8/9 June. On the night of 9/10 June, a fake encounter was shown to have taken place between the police and Kulwant Singh at Mehta Chowk Road, in which he was said to have been killed by the police firing."<sup>1</sup> The torturing and killing of Kulwant Singh was done under the personal order of no less a person than D.S.P. Bachan Singh. Later it was reported that Bachan Singh suffered retributive action, evidently at the hands of the youth.

Police Sub-Inspector Bichhu Ram S.H.O., Police Station, Guru Har Sahai arrested one devout *Amritdhari* Sikh Jasbir Singh of village Chukpiti in Tehsil Moga, on the *Rasta Roko* day.- He cut the Sikh's beard with a scissors and after chewing tobacco in his mouth, spat it out on his face. He told the youngman to go and report the matter to Bhindranwale. Later it was reported that Bichhu Ram had been shot dead (December 18,1983).<sup>3</sup>This shows that the retaliation was specific and non-communal, being directed against those who. the relations of the victims felt, had acted illegally, inhumanly and atrociously.

While the government did not refrain from contrived or fake police encounters, it was reported that members of the Bhindranwale. Babbar Khalsa, Akhand Kirtni Jatha, Dal Khalsa and other groups reacted against persons who were felt to be instruments of unlawful oppression. There were reports of the members of these groups having owned responsibility for retaliatory- acts against individuals. Violence, once, it breaks out destroys all values and leaves bitter memories that cast their ugly shadows on the future. Secret agencies of the Centre were also operating under direction from the Congress. An incredible story based on exclusive information provided by the officers of the RAW was published by the 'Surya' in its issue of September, 1984. It revealed the story about a super intelligence agency called the "Third Agency"<sup>1</sup>. It noted : 'We focus on pre-Blue Star Punjab. The Third Agency's assignment was to aid and abet

1. Dharam, S.S. *op. cit.*, P. 109.

2. *Ibid.* P. 112.

3. *Ibid.*: Tully and Jacob *op. cit.*, P. 102.

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the murders and killings in Punjab. The Third Agency kept the supply of lethal weapons flowing into the Golden Temple. The Third Agency allowed 47 railway stations to be blown up. The Third Agency incited violence in Punjab. And for their gallant roles, senior officers of the Third Agency have been rewarded with police medals and prize foreign postings."<sup>1</sup>

As revealed by 'Surya', a great part of violence in Punjab was planned and executed by a Government controlled intelligence agency. Whatever may have been the causes or sources of violence, it took a toll of precious human lives and created a wedge between the Hindus and the Sikhs. It provided the Government with an excuse to skip the real issues and prevent a legitimate constitutional settlement of Punjab's river waters, territorial, economic and political issues. It suited the Prime Minister to play upon the Hindu fear in the State and thus catch the vote of the majority community in the rest of the country. The Akalis and Bhindranwale often alleged that the Congress was breeding terrorism in Punjab to defame the Sikhs. On many occasions the Akalis had demanded judicial inquiries into killings in Punjab but without any response.

There is no denying the fact that the situation in Punjab was compounded due to the lack of objective reporting by the media. While Bhindranwale was projected as an aggressor and a villain, no reports of police atrocities and tortures were published. The two sets of perceptions regarding the violence against the Sikhs and the Hindus reflected no credit on the media. There was none to speak the truth that democratic process had been undermined, that politics had run its course and the Government was acting according to a plan. By and large, the media preferred to remain silent over the criminal delay on the part of the Government in responding to the constitutional and legitimate demands of the Sikhs. Violence suited the Government to absolve itself of the onus of discharging its moral responsibility and constitutional obligation to provide justice and fair play. Mindlessly twisted news bulletins of A.I.R. and Doordarshan often failed to note that terror tactics of a repressive

3. *The Surya*, September, 1984; For details see Annexure /.

state machinery were as condemnable as the acts of violence on the part of individuals. The opinions and perceptions of the problem along communal lines were bound to release dangerous signals. All those factors, which contributed to the breakdown of peace in the State, were ignored or under reported. An Editors Guild of India team, after an enquiry, reported: "Responding to the general climate of sectarian confrontation and polarisation, it is disturbing to note that newspapermen in Punjab, by their own admission, are divided all the way on communal lines. We were repeatedly told this quite candidly in Chandigarh, Jalandhar and Amritsar by a variety of journalists, both Hindu and Sikh. This is a sad commentary and a matter for deep professional and social concern. If the press becomes partisan, the images it reflects will be distorted. The reporters who met us preferred to discuss matters individually and separately rather than collectively in an open forum."<sup>1</sup>

Akalis often complained that the press failed to expose the basic issues of their Morcha and frequently misrepresented their cause and the case by dubbing them as separatists and secessionists and thus escalated communal tension. They often blamed the media for misleading the public opinion with false and exaggerated information in regard to violence in Punjab, whereas the police atrocities especially those during the *Asiad*, *Rasta Roko* and the *Hindu Surakhsha Samiti Bandh* Call (February 14-20, 1984) agitations did not receive the publicity they deserved. The bias of media was reflected in maligning the entire Sikh community by publishing highly volatile and unverified anonymous letters and calls. The official news agency U.N.I, released the news on 11-11-1983, of an anonymous letter supposed to be written by a Sikh, threatening a Hindu temple. 'The Times of India' gave it a wide publicity by publishing it in bold type on the front page on 12-11-1983, with the obvious intention of giving a bad name to the entire Sikh community. The responsible newspaper made no effort to discover the veracity of the anonymous letter.

Bhindranwale became the focus of attack for any violence that

1. Nayar, Kuldip and Khushwant Singh; *op. cit.*, P. 41.

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took place in Punjab. Even the routine killings and other crimes were attributed to him. The previous history of crime in Punjab reveals an average of three murders a day. The press made no distinction between these and the killings that took place during that phase of violence. Once Bhindranwale is said to have remarked, 'Even if a fly is killed in Punjab, it is blamed on me'. There were occasions, when Bhindranwale was heard reprimanding and warning his followers against indulging in any wrong act whether of violence or otherwise. People found making forcible collections from shopkeepers in his name were punished. As Bhindranwale became the focal point of attack by the press, it created a nation wide outlook against him. While the press raised a tirade against him and dubbed him as a villain and a monster, it had altogether different stance and standards to judge the anti-Sikh violence, the desecration of Gurdwaras and the burning of Sikh scriptures that took place in Haryana, during the Asiad and February 1984 *Bandh*, with the obvious connivance of the Administration. Bhindranwale stated that the Haryana Government was patted on the back for restoring 'normalcy' in time, whereas in Punjab after the Dhillwan killings of six Hindus in October 1983, the Punjab Ministry was sacked. S.S. Dharam believes that the "cold-blooded murder of six Hindus selectively taken out of a bus near Dhillwan in Kapurthala district on the night of October 4, 1983 appears to be the handiwork of professional assassins under the orders of the Third Agency"<sup>1</sup> He believes that the Prime Minister was looking for a pretext to impose President's rule in Punjab, which she did on 6th of October. Longowal, more than once, challenged the Government that if a judicial enquiry could be ordered, he would prove that the Dhillwan murders were not done by any Sikh or Akali agitator.

Longowal gave a call for Punjab Bandh on February 8, 1984.<sup>2</sup> It was reported to be peaceful without any untoward incident except the police violence. It reflected great credit on the Akalis that their entire agitation was directed and conducted very peacefully without any ugly incidents of violence or communal disharmony. But the

1. Dharam. S.S.; *op. at.*, P. 170.
2. *The Tribune*, February 9, 1984.

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Congress added a new and deadly dimension to the problem by encouraging communal violence. It is well known that a section of the Hindus was provoked to organise a similar *Bandh* to counter the Akalis. During the *Bandh* call in Punjab, Haryana and Himachal Pradesh, on February 14, 1984, given by Hindu Surakshsha Samiti. with the support of the Congress, many incidents of mob violence against the Sikhs took place.<sup>1</sup> These included the burning of the Gurdwaras and the shaving of the Sikh beards all over Haryana and some places .in Himachal Pradesh and Punjab. This was the first time that anti-Sikh violence was witnessed in Himachal Pradesh. Incidentally, this was the day when the tripartite negotiations between the Akalis, the Opposition and the Government were taking place in Delhi. The anti-Sikh violence in Haryana continued for three days.<sup>2</sup> Tractor loads of rioters collected at various points in the State. Haryana Chief Minister Bhajan Lal is said to have delivered an inflammatory speech at Faridabad. He said that the Hindu patience was running out and that retaliation was near.<sup>3</sup> A report in The Tribune said, "The decision could not have been taken by Bhajan Lal alone."<sup>4</sup> The *Bandh* was an open communal attack on even. Sikh passenger passing through the State. Responsible persons had said that such a large scale organised attack against every Sikh passenger in the entire Haryana state could not be sustained for four days continuously without the connivance of the Central government. In this context, a report in the Sunday is note-worthy): "To-day, Mrs. Gandhi, as a result of the cynical game for political power and by her personal example of hobnobbing with Hindu religious elements, has desecularised the Congress. Thus, when Hindu mobs were lynching Sikhs and destroying Gurdwaras in Panipat, no Congressman came forward to restrain the crowds. Infact, some Congress leaders, including some ministers, were enjoying the spectacle, lest the opposition leaders get away with

1. *The Tribune*, February 15-18, 1984.
2. *Ibid.*
3. Har minder Kaur, *op. cit.*, P. 151.
4. *ibid.*

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their 'holier-than thou' attitude, its record both in and out of power, has been no better in containing communalism... Panipat is hardly 40 miles away from Delhi, and all the important opposition leaders present in the capital, had information that trouble was brewing there. But what did they do?... Chandra Shekhar undertook a *padyatra* from Kanya Kumari to Delhi, but he did not feel confident to undertake a *padyatra* to Haryana and Punjab for peace and communal harmony."<sup>1</sup>

This planned violence and communal frenzy against the Sikhs in three states came as a rude shock to the Sikh community and created grave apprehensions regarding the motives, designs and approach of the Congress towards the Punjab problem. Some of the highest Congress leaders, including Prime Minister Indira Gandhi, were plainly indicating, through their repeated public statements, that the Akali struggle would make the position of the Sikhs outside Punjab very difficult. In pursuance of the *Bandh* call by the *Samiti*. on February 14, 1984, mobs gathered at as many as fifty six places in Amritsar and indulged in sacrilegious activities against the Sikh Gurus, Sikh religion and their religious institutions.<sup>2</sup> At the Amritsar railway station, a replica of the Darbar Sahib was broken into pieces. A picture of the fourth Sikh Guru Ram Das, on display for the past several years, was damaged beyond recognition and a lighted cigarette was struck into it.<sup>3</sup> The shitting and pissing on the picture was a part of the highly sacrilegious and provocative act of the mob, led by Harbans Lal Khanna, Ex-MLA and district President of the B.J.P.<sup>4</sup> When the local administration apprehended the culprits responsible for these nefarious and sacrilegious activities. Sewa Ram, a Congress MLA approached the Senior Superintendent of Police Amritsar and pressurised him to release them.<sup>5</sup> When the SSP refused to oblige him, two senior Congress leaders of the State Gurdial

1. *Sunday*, March 11-17, 1984.
2. Harminder Kaur; *op. cit.*, P. 150.
3. *Ibid.*, PP. 150-151; *The Tribune*, February 15.
4. *Ibid.*; *The Times of India*, February 16,
5. **Harminder Kaur**. *op. at.*, PP. 150-151.

Singh Dhillon and R.L. Bhatia prevailed upon the SSP to desist from further arrests.<sup>1</sup> Later on these Congress men got Ajai Pal Singh Mann posted out of Amritsar and subsequently got him removed from service on January 4, 1985, under the provisions of Article 311 (2) (c) of the Constitution which provides for the removal of a public servant without enquiry and without assigning any reason.<sup>2</sup> Some followers of Bhindranwale were reported to have carried the broken piece of the replica to the Golden Temple and swore revenge.<sup>3</sup> On April 2, 1984, Harbans Lal Khanna, responsible for the sacrilege, was gunned down in his shop in Amritsar city.

The large scale *Bandh* events in Punjab, Haryana and Himachal Pradesh along with numerous incidents of unprovoked communal violence against the Sikhs followed in contrast to the perfectly peaceful *Bandh of the Morcha* on February 8, 1984. It was this unprovoked and organised violence in three Congress administrations, seemingly with the connivance of the authorities and in apparent association of the local Congressmen, that sent a wave of resentment in Punjab against what they considered to be the inhumanly low designs of Delhi to almost criminalise the administration and politics. This being the situation, it evoked what the Congress had all these years wanted, i.e. incidents of communal violence against the Hindus in Punjab. The communal tension grew in Punjab and killing of the Hindus resulted in the wanton killings by the police and para-military forces.

It was unfortunate that the Government failed to comprehend the gravity of the situation. The Prime Minister's reluctance to rectify the injustice, her style of negotiating and political gimmick of one kind or the other led to a feeling of bitterness among the Akalis. Morcha dictator Longowal announced in Amritsar the formation of a volunteer corps of a lakh of Sikhs to be known as *Marjiware* (who would sacrifice their lives for the cause) that would be amassed from Punjab's 12,500 villages to carry on the protest. He announced

1. *Ibid.*
2. *Ibid.*
3. *Ibid.*

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: "I want to tell Mrs. Gandhi that our patience is getting exhausted. She should stop playing with fire. This is not Assam. We will die like soldiers at the hands of the police. We will tolerate no further ruse till she stops playing *Holi* with our blood." The swearing in started on February 21, 1983. By May 12, nearly one lakh persons were sworn in.<sup>2</sup>

In order to camouflage the real issues and to make farce of the Akali struggle, Prime Minister Indira Gandhi, once again, declared that she was willing to concede the religious demands of the Akalis. As always, she was out to hoodwink the general Indian opinion to show that she was very sympathetic and considerate to the religious susceptibilities of a minority community. Whereas on the other hand, she had virtually denuded Punjab of its river waters and hydel power by unconstitutional and high-handed means to benefit the non-riparian Hindu states of Haryana and Rajasthan. The aim of the *Morcha*, as we have seen, was to stop this illegal drain of Punjab's only natural wealth. On February 27, 1983, Prime Minister went to Gurdwara Bangla Sahib and announced that she had accepted the religious demands of the Sikhs. This announcement of Prime Minister Indira Gandhi was nothing but a publicity stunt and a clever argument to sidetrack the main issues. The announcement regarding the granting of holy city status to Amritsar and the right to wear *Kirpan* has never been implemented till to-day. These gimmicks could not mislead the Sikh masses, who were very keen to save the economic ruin of the State.

The 'Guardian', London made a good analysis of the policy of the Prime Minister in the following words : "All through the tangle in Punjab, the Government has preferred to talk religion instead of economics and politics in its dealings with the Akali party, which represents the interests of Punjabi peasants and farmers, the majority of whom are Sikhs... The farmers say, "Give us more of our own river waters to irrigate our fields, or refer the matter to the Supreme

1. *India To-day*, April 30, 1983.
2. Harminder Kaur; *op. cit.*, P. 121.

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Court." The Government replies, "We allow you to broadcast religious music over All India Radio, as for the water we shall appoint a tribunal to give a ruling on the dispute." The Akalis say, "Chandigarh, which happens to be in the heart of Punjab, should not have to be shared as a capital with neighbouring Haryana. The Government retorts, "But how can we persuade the Government of Haryana to agree?":.. The Akalis say that Punjab and other states throughout India should be given greater economic powers and allowed to manage their own affairs. New Delhi retorts. "This is a talk of secession, it must be inspired by a foreign power."<sup>1</sup> By such tricks the Government could hardly sidetrack or conceal the gross injustice. The answer to Punjab crisis did not lie in either evasion or intransigence but ironically the Government gave ample proof of both.

During the *Morcha*, from April 8, 1982 onwards. Swaran Singh, I.K. Gujral, Harkishan Singh Surjeet, Amarninder Singh, and several others made attempts as intermediaries to bring about a solution of the Punjab problem by an agreement between the Prime Minister and the Akalis. The net result of these efforts was nil. The general impression that was left was that while the Akalis were willing to have a reasonable and healthy solution of the issues, the Prime Minister was unwilling to come to any clear terms with a view to accepting even the bare constitutional demands of the Sikhs. What came out in the press made a clear suggestion that the Prime Minister, even while seeming to make a commitment, would later back out.

Dr. Ravi, who was trying to intervene on behalf of the Prime Minister and had negotiations with the Akalis and Bhindranwale towards the end of May, 1984 revealed that Bhindranwale had agreed to a reasonable settlement. He also gave Ravi the full discretion to make any compromise that he may consider appropriate provided it was, in his view, in the interest of the Sikhs and the country and not a sell out or detrimental to the interests of the Sikhs, and vet Ravi

1. *The Guardian*, London, June 8, 1984.

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found hardly any response from the authorities who had earlier asked him to initiate a move for a settlement.<sup>1</sup> This also gave a lie to the oft repeated allegation or story of secessionism. In fact, Government even concealed that neither Akalis nor Bhindranwale, nor any Sikh institution had ever raised the demand for Khalistan.

**Conclusion :**

The two year old Dharam Yudh Morcha spearheaded by the Akali Dal entered a crucial phase. From its beginning till 1984, it continued getting more and more support from all sections of the Sikh community. From the start of the Morcha till now, about 0.20 million Sikhs i.e. 20 per cent of the total Sikh population had courted arrest and 200 Sikhs had lost their lives, many of them shot dead by the police in fake encounters. The Punjab had been converted into a police state. Para-military forces deployed in Punjab till then were over 0.1 million, which worked out to be one policeman for every<sup>1</sup> ten Sikh men, women and children. Many Sikhs had lost their shops and houses, either burnt by the police or in arson. Scores of tractors, buses, trolleys and jeeps had been set on fire by police. As many as six Inspector Generals of Police had been posted in Punjab to crush the Sikh agitation. Previously it used to have only one Inspector General of police. But the Morcha failed to fetch the expected dividends as all norms of justice and fairplay were completely flouted. The political and constitutional processes were completely scuttled. The situation was allowed to deteriorate to such an extent that the people began to lose faith in getting justice through constitutional and legal means. The Government owed it to the people to find a constitutional solution to the problems, but not only it consistently failed to adopt the constitutional method but also barred the judicial process when the Sikhs adopted it. Instead its answer was sheer camouflage and resort to purely repressive measures which were bound to result in disrespect for authority and loss of its credibility.

Murky intrigues to misrepresent the situation and a campaign of misinformation and disinformation, hiding the real issues, were

1. Council of Sikh Affairs, Chandigarh; *op. cit.* P. 12.

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characteristics of the politics of destruction and deceit, which spelt nothing but ruin for the State. Oliver Goldsmith had once lamented, "Bold peasantry, a country's pride, once destroyed, can never be supplied." There is no denying the fact that a bold and patriotic Sikh community, with a glorious tradition of valour, chivalry and martyrdom stood alienated, deprived and shocked. Punjab, the food bowl of the country, was ruthlessly robbed of its resources. Unbridled repression of people clamouring for justice and fairness led to nothing but disillusionment, frustration and anguish. The inflamed passions and anti-Sikh euphoria that had been stirred up in the country was bound to lead to awesome results.

It is significant to note that both Jawahar Lal Nehru and Indira Gandhi followed a set policy against the Sikhs. Both of them opposed the creation of Punjabi Suba with all the might at their command. To Prime Minister Indira Gandhi it was a matter of acute frustration that the Punjabi Suba came to be accepted in principle because of the historical necessity following the Indo-Pakistan War of 1965. This explains why both in framing the Punjab Reorganisation Act of 1966 and her subsequent policies and decisions, the Centre did everything to dwarf and crush the socio-economic growth and entity of Punjab and its people. For there seems to have been always a lurking lament in her mind as to why this linguistic State had been created. It is only in this context that all through her unhealthy policies can be understood and explained. Here it is revealing to quote a statement of Chaudhary Charan Singh endorsing a similar line : "Psychologically it was a great mistake to divide Punjab into two parts in 1966. Gurmukhi and Hindi are not different languages. They only differ in script. Punjabi is only a variant of Hindi, that is all... It (Sikhism) is only a sect of Hinduism. The fundamentals of Hinduism and Sikhism are the same... If you do not include their sect as a part of Hinduism, then they will get separated more and more from Hindus"<sup>1</sup>

This explains why the Government was fuelling anti-Sikh passions in the country so as to achieve its objectives of eroding Sikh identity and its socio-economic and religious base. The most

1. *Sunday*, December 2-8, 1984.

important reality in the murky atmosphere was the clash of objectives, of the Sikhs to maintain their identity and of the Centre to confuse and destroy it. In her dealing with the Akali Dal, Prime Minister Indira Gandhi had adopted a policy of cold calculations, evidently destructive processes, intrigues, sham negotiations and also bloodshed.

The events make it obvious that the Prime Minister was working according to a design. She was, on the one hand, projecting herself as a firm and faithful guardian of the Hindus and on the other hand secretly preparing the engines with which she had resolved to subdue and attack the religious base of a patriotic community, oblivious of the fact that the greatest casualty in the process was going to be the fabric of the Indian State, in the rearing of which the Sikhs had made a unique contribution with their sweat and blood.

## FARCICAL NEGOTIATIONS : AKALI DAL DECEIVED AND OUT-MANOEUVRED

*"For the great majority of mankind are satisfied with appearances, as though they were realities, and are often more influenced by the things that seem than by those that are. "*

*Niccolo Machiavelli*

Sham negotiations, crisis generation, behind-the-scene intrigues and pushing matters to a point where pulling the gun would be an 'unavoidable' solution - this is how one can sum up the sordid game played by New Delhi, culminating in the 'Blue Star' attack on Darbar Sahib. The attack became 'unavoidable'<sup>1</sup>, not because all options of a peaceful political solution had been tried and found ineffective but because New Delhi had willed it to be so. There is enough evidence to prove that the Government continued to play the hoax of negotiations, even as the military preparations and manoeuvres for an armed assault on Darbar Sahib were being perfected up in the hills of Chakarata near Mussoorie.

The White Paper issued by the Government reveals, in very explicit terms, the government's intention to turn a blind eye to the political aspect of the problem. It states. "The essence of the problem in Punjab was not the demands put forward by the Akali Dal in 1981 but the maturing of a secessionist and anti-national movement, with the active support of a small number of groups operating from abroad."<sup>1</sup> This deliberate suppression of the political aspect of the problem has made it difficult for the non-Sikh population in India to fix responsibility for the failure of the democratic process and the peaceful methods of resolution of conflict between the government and the aggrieved Sikh community. If, in essence, the Akali Morcha was secessionist and anti-national, there was no point in earning on talks for such a long time.

The White Paper harps on the 'failure'<sup>1</sup> of the Akali Dal to arrive at a negotiated settlement. But apart from listing the dates.

1. Government of India; *White Paper on the Punjab Agitation* (New Delhi, 1984), P. 3.

venues and names of the participants, it does not furnish any details as to what transpired at the meetings. What were the issues that led to deadlock or breakdown of talks? This aspect of the negotiations has been completely suppressed. The 'Annexure' containing 'a calender of meetings' does not mention several names like Swaran Singh, Harkishan Singh Surjeet, Farooq Abdullah, R.L. Bhatia, Chandra Shekhar, Amarinder Singh, Dr. Ravi and Inder K. Gujral who participated in the meetings. Neither the correspondence with the Akali Dal nor the minutes of the meetings are published, as is the usual practice in White Papers.

It is necessary to focus attention on the farce of negotiations put up by the Indian Government, preceding the tragic episode of the Blue Star attack on Darbar Sahib. There is enough evidence, authoritatively corroborated by those who have remained closely associated with these negotiations, to prove that all possible settlements were sabotaged by the Centre. I.K. Gujral, a participant in the negotiations, noted that 'in a series of formal and informal negotiations the Akali representatives were out-manoeuvred by superior tacticians on the governmental side who brought them down step by step without yielding ground'.<sup>1</sup> A similar statement was made by Satyabodhan Chakravorty during the course of discussion on the White Paper in the Lok Sabha. He said, 'It appears from the White Paper that the government was ready to talk and the government negotiated with them. There were negotiations, but for the failure of negotiations, for the failure to come to an agreement, the Akali leadership was held responsible. Do the facts corroborate what the White Paper says? The facts are facts and the facts say that it is not true.'<sup>2</sup> The drama for conducting negotiations with the Akali Dal was put up by the Government of India for nearly three years. As many as twenty six rounds of negotiations with the Akali representatives were held. Out of these there were ten tripartite meetings in which several leaders of the opposition parties were also involved. But on each occasion, the negotiations broke down as the Government had no will to reverse its ill-conceived and discriminatory policies.

1. I.K. Gujral, *The Sequence* in Abida Samiuddin's *The Punjab Crisis: Challenge and Response* (Delhi 1985), P. 34.
2. *Ibid* P. 636.

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The first round of talks with the Akali Dal was begun on October 16, 1981 but was soon called off without any meaningful progress in view of the impending elections in Haryana next month. The second round took place on November 26, 1981, when the Akali Dal put forward 15 priority demands. Finding the talks dragging on unfruitfully, Sant Longowal declared that Akali Dal had no alternative except to launch a Morcha. He pointed out that the major demands of the Akali Dal relating to water and territory were being ignored, due to communal and electoral considerations. For the Akalis the river water issue was of paramount importance because of its decisive and far-reaching consequences for the economy and prosperity of the State. They pointed out that the Government's refusal to negotiate on this matter was a calculated move to benefit the Hindu peasantry of Haryana and Rajasthan at the cost of Punjab.

In the wake of the failure of talks between Akali Dal and the government, Sant Longowal launched a *morcha (Nehr Roko)* against the Centre's arbitrary move to divert water from Punjab to Haryana against all national and international norms, via the Satluj-Yamuna Link Canal.

The *Nehr Roko Morcha* started on April 24, 1982 at Kapuri (Patiala) with nearly 1000 volunteers of the Akali Dal and the C. P. I. (M) courting arrest in protest against the construction of the S.Y.L. Canal. The same evening the Akali Dal President Harchand Singh Longowal announced the postponement of the agitation by a month to allow the government sufficient time to reconsider its position on the water issue. Haryana elections would also have been over by then and New Delhi could have taken a more rational, constitutional and just view of the problem. But the government gave no indication of starting a dialogue with the Akali Dal. The *Nehr Roko Morcha* was resumed on May 24, with a squad of 1000 agitators led by Gurcharan Singh Tohra and Prof. Balwant Singh C.P.I. (M). Only two days later, communal tension was sparked off in Amritsar when the severed heads of two cows were found near places of worship. The Akalis suspected foul play. Later it was discovered that the incident was engineered by Chief Minister Darbara Singh.

The White Paper refers to a number of other meetings between the government and the Akali Dal in 1982 but fails to explain why

the government could not decide and clinch the issues. Each failure to arrive at a settlement is blamed on the Akalis. There is a ven. clear evidence of lack of earnestness, political trickery, arbitrariness, arrogance, intrigues, betrayals and bungling on the part of the government in regard to the negotiations. On November 3, 1982, an agreement was reached between the two parties and the statement was to be made by the then Home Minister PC. Sethi in Parliament. But on the next day, the government changed the statement. Why was the statement changed? Could the government tell the reason why this was done? These questions were raised by Satyabodhan Chakarvorty in the Lok Sabha.<sup>1</sup> The Government could not give an logical answer to these questions. The text of Sethi's statement in Parliament in breach of the accord with the Akalis is not given in the White Paper.

The Akalis felt betrayed and humiliated. On 4 November they decided to hold a protest demonstration in Delhi on the eve of the Asian Games. Bhajan Lal, the Haryana Chief Minister is said to have told Indira Gandhi that he would make sure that no Sikh crossed into Delhi. As already pointed out the pain and humiliation wanted!} inflicted by the Haryana police on all the Sikhs crossing into Delhi from Haryana were unforgettable. The Games went off peaceful!} but the traumatic experience of those days led to a feeling of alienation among the Sikhs. Newspapers in the country did not report an incident of violence against them as a community. Maj. Gen. Shahbeg Singh has gone on record as saying that it was after the humiliation meted out to him in Haryana that he decided to join Bhindranwale.

Chakarvorty also revealed in the Lok Sabha that on 18 November^ 1982, another agreement, was arrived at and was put down on paper. A plane was ready to leave for Amritsar to carry the Akali leaders and the Government spokesmen to make an announcement from there. But the Akalis found to their dismay that the final draft was quite different from the original draft. The Akalis did not agree to the changed draft. All this was disclosed to Chakarvorty by Swaran Singh who took part in the negotiations. There is no reference at all, in the White Paper, to the meeting of

1. *Ibid.*

November 1982 .where the agreement was reached and broken.

The year ended with three inconclusive rounds of discussions between the Akali Dal and Prime Minister Indira Gandhi and three more between Swaran Singh and the five member Akali panel. Longowal, who was at his wit's end, said, "They (the Government) have not yet told us what is on their minds. The ball is in their court". Swaran Singh was thoroughly disillusioned with the Government policy of shifting its stand, time and again. A year later, G.S. Chawla published a detailed account of these negotiations in the *Indian Express* of November 14, 1983: "Things appeared set for a settlement," he recalled; "four Akali leaders, Parkash Singh Badal, G.S. Tohra, J.S. Talwandi and Balwant Singh, reached the capital to be available to Swaran Singh, who was shuttling between the Government and the Akalis. After three prolonged meetings with Swaran Singh. the Akali leaders left for Amritsar on the morning of November 3. He had promised to inform them by 5 p.m. about the final outcome of the talks."

"He had two meetings with the Cabinet Committee members that day, both attended by the Cabinet Secretary-. At 5 p.m. a brief statement was prepared and approved by the Cabinet Committee which was read out to the Akalis on the phone at Amritsar from the office of Finance Minister Pranab Mukherjee. The Akalis were satisfied with the statement and had agreed to postpone the announcement of the next phase of their agitation. The draft of the statement was circulated to the members of the Cabinet Committee later in the evening. Home Minister P.C. Sethi, was to make a statement in Parliament the following day."

"But the statement he made the next day was different from the one read out to the Akalis on the phone. Swaran Singh, when contacted, had told this reporter : ' This is neither the language of the statement nor the spirit. The oft-repeated charge of the Government that the Akali Dal kept shifting its stand is baseless. It was the Government that turned a volte face."

1983 also began with a flurry of parleys. On January 6, members of the Cabinet Committee held a meeting with the Akali representatives in Chandigarh but no solution could be thrashed

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out, with the Government dragging its feet. The opposition parties intervened, after over twenty thousand people were arrested and jailed during the course of the morcha. On January 21, Indira Gandhi met the opposition leaders and the proposal of the latter to hold tripartite talks was accepted. Pro-establishment media described it as 'a national effort to solve the Punjab problem'.<sup>1</sup> The Akalis were again invited to participate. The Akali Dal which had suffered repeated embarrassments agreed but with a difference. As a rebuke to the Government's apparent insincerity, they sent up to New Delhi a team of negotiators consisting of second line party leaders. Only three days later the Akalis, the opposition parties and the members of the Cabinet Committee took part in the Tripartite meeting. Much progress was made. Agreement was reached on all other issues except the water and territorial disputes. The Akalis agreed to the transfer of seventeen Hindi speaking areas to Haryana. But at this stage, the Government, once again, raked up the Fazilka-Abohar issue. Harkishan Singh Surjeet records: "But the Government did not budge an inch from its earlier stand of accepting the 1970 Award in toto which meant that Chandigarh would go to Punjab only if Fazilka-Abohar went to Haryana. The responsibility of breaking these talks lies with the Government and not the Akalis."<sup>2</sup>

Indira Gandhi's communal, unreasonable and unconstitutional stand on water as well as Fazilka and Abohar was responsible for the deadlock. On Jan. 27, 1983, all the four Akali M.P.s and all but two of the 37 party legislators in Punjab submitted their resignations to arouse the conscience of the people at the helm of affairs. The resignations were to take effect from Feb. 21, during which time the Akalis hoped that fresh rounds of tripartite talks would make further progress. On Feb. 8, 1983, at the second round of tripartite talks in New Delhi, the Chief Ministers of Haryana and Rajasthan did not agree to Punjab Chief Minister Darbara Singh's proposal to reopen the 1981 Agreement on river waters which was unfair to Punjab. Further the talks were deadlocked on the territorial issue. Haryana did not agree to the Akali demand for the immediate inclusion of Chandigarh in Punjab, without transferring Abohar and Fazilka to

1. *The Times of India*, New Delhi, Jan. 22, 1983.
2. Surjeet, Harkishan Singh; 'Truth from Punjab', in *Indian Express*. June 18.

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Surjeet further noted; "Again on April 20, 1983, an agreement was arrived at. Only the modalities of implementation were to be worked out. It was again the Government which backed out."<sup>1</sup> The government owes an explanation for these blatant somersaults.

On June 30, 1983, a meeting of the opposition parties (16 in all), except the B.J.P., was held in New Delhi to consider the Akali agitation. A resolution adopted at the meeting noted that "this tragic and explosive situation is the creation of the government which believes in converting every problem into a chronic one to derive political advantage<sup>1,2</sup>. A consensus on a settlement of the Punjab tangle was arrived at. It was proposed that Chandigarh should go to Punjab and Haryana should be compensated. But the Prime Minister turned down the proposal, as she was as resolute as ever that Haryana, in any event, was entitled to Fazilka and Abohar. This stand was in consonance with her earlier territorial Award given in an arbitrary fashion. "Can I give Haryana's land to Punjab?' Is it my land?" she questioned. On July 21. I.K. Gujral noted. "It is ironical but true that each time the final approval was denied in the name of the Prime Minister". A similar observation was made by Charanjit Yadav, M.P. and National chairman of the Janwadi party. He said "My party fully supports the decisions taken at the tripartite conference. A solution had almost been found but unfortunately the government backed out and the Akali Dal fell into their trap. The 30 June, 1983, formula, to which Akali Dal was a party, can still form the basis of a settlement."<sup>3</sup> M. Farooqi, who had also played an important role in evolving the consensus formula, also criticised the Prime Minister for her policy of discrimination and drift in Punjab. He said, "Our party holds that Mrs. Gandhi's considerations have been partisan. She did not want to take the co-operation of the secular-democratic opposition parties." In an interview with

1. *Ibid.*
2. *The Tribune*. Chandigarh. July 1. 1983.
3. Yadav, Chandrajit, 'Only A Negotiated Settlement' in Samiuddin. Abida (Ed.) *'the Punjab Crisis : Challenge and Response* new Delhi. 1985). P. 344.
4. Farooqi, M. 'June 83 Formula offers a solution'. *Ibid.* P. 344.

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'Patriot'. Farooqi revealed that the Prime Minister's response to the June 30 Formula was not only negative but offensive in tone.

The government still wanted to appear that it was genuinely looking for political solutions. In 1983, as many as nine such meetings took place, with the senior members of the government, the Akalis and the opposition parties attending them. In all of them it was the same story of Government evasiveness. Major hurdles in the settlement were the unilateral Awards of the Prime Minister Indira Gandhi in regard to river waters and territory which were favourable to the Hindu states of Haryana and Rajasthan. She was not willing to shift her communal stand and redress the wrongs already done by her. An oft-repeated argument at the meetings was that on the issue of river waters and Chandigarh, Punjab was not the party involved: there were also other states which had to be consulted. Kuldip Nayar observed, "It appeared political considerations were uppermost in Mrs. Gandhi's mind and made her stall a solution on Punjab."<sup>1</sup> Lok Dal Chief Chaudhary Charan Singh said, 'Indira Behan (Sister Indira) is the root cause of the problem'.<sup>2</sup> The B.J.P. leader L.K. Advani was also constrained to say that 'the principal villain in the dark tragedy that is being enacted in the state (Punjab) is none else than the ruling party'.<sup>3</sup>

On Oct. 6, 1983, political process was suspended in Punjab and the state was put under President's Rule. This was done after the killing of six Hindus travelling in a bus near Dhillwan in district Kapurthala on the night of Oct. 4, 1983. Punjab and Chandigarh were declared disturbed areas and Armed Forces Act was enforced. The reason for imposing President's Rule in Punjab appears to be very dubious. If the President's Rule is to be imposed by a yardstick of half a dozen people of a community being murdered by members of another community, then President's Rule should also have been imposed in Haryana where scores of Sikhs were killed and Gurdwaras were burnt by the Hindu mobs, who could be recognised and pinpointed; in Maharashtra where hundreds of Muslims were killed in May 1984 by the Shiv Sena and in Hyderabad where scores

1. Nayar, Kuldip, *Toward\* disaster. Ibid.* P. 136.
2. *The Tribune.* July 19. 1983.
3. *The Tribune.* July 20. 1983.

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of Muslims fall prey to communal violence even second month Killers of six Hindus in the Dhillwan incident could not even be recognised as to who they were as their faces were covered. All these acts of omission and commission were part of a diabolical strategy, though a calculated one, to polarise the Hindus and the Sikhs.

It is pertinent to note that Col. B. Longer who had headed the political branch of Prime Minister Indira Gandhi's intelligence wing during the Emergency was sent out by the Janata Government in 1977 but, in 1980, Indira Gandhi brought him back and installed him as overall incharge of political field operations. As revealed by 'Surya' India of September 1984, Longer was "an expert in political outmanoeuvring and assassinations". His planning of clandestine operations was said to have been superb. As a key figure in the Super intelligence organisation, code named Third Agency, he was said to have engineered many incidents of violence in Punjab, thereby giving Indira Gandhi a chance to come down on the Sikhs with a heavy hand. The aim was to tarnish the image of the Akali Dal which had come to enjoy large scale support of the opposition parties, The White Paper issued by the Government has given the "Calender of main incidents of violence in Punajb during 1981-84." It claims that from August 4, 1982, when the Akali Morcha was started, to June 3, 1984, there were over 1200 incidents of violence in which 410 persons were killed. Further, from January 1, 1984 to June 3, 1984, there were over 715 violent incidents in which 298 persons were killed. This shows that the violence and murders increased more rapidly during the President's rule imposed on October 6, 1983 despite many repressive acts and ordinances and heavy bandobust of paramilitary forces than the earlier period. This demonstrates either total failure or the connivance of the Central Government in these acts of violence.

Dhillwan incident was condemned by all sections and Akali Dal supported a call of one day protest Punjab bandh given by the B.J.P. and the R.S.S. The government turned a deaf ear to Sam Longowal's repeated requests to hold a judicial enquiry into this incident. Such ghastly murders, the Sant said, with righteous indignation, could only serve the interests of the ruling party. In

fact, he had every reason to suspect that the perpetrators of these criminal acts 'enjoy the blessings'<sup>1</sup> of the government. But for the 'protection' assured by it neither could such mass killings take place nor could the killers walk to their safety, despite the fact that Punjab was no less than a 'Police state'. White Paper says that such incidents added a 'communal dimension' to violence in Punjab. In fact communal build-up worked out through the Third Agency seemed to be quite in keeping with the gameplan of the Congress to discredit the Sikhs and the Akalis. A retrospective look makes it clear that the Punjab Police, the C.R.P.F. and the B.S.F. were deliberately allowed to become discredited as was the elected government of Darbara Singh, in order to legitimise the use of army for controlling the situation. Step by step, all alternatives -popular rule. President's rule, negotiations, use of civilian law and order machinery and even para-military forces -were eliminated; its natural corollary being that 'Durga' should appear in the role of a demon-slaying *avtar*. Phase of communal violence that engulfed Punjab from October 1983 to June 1984 must be viewed in this light. As already noted preparations to mount an army assault on the Darbar Sahib had started nine months earlier than June 1984. This has been corroborated by Lt. General S.K.Sinha. A retrospective look makes it clear that from October 1983 onwards, Punjab had started moving on a course charted out by the Third Agency. Hence the sham negotiations with the Akali Dal.

Here it is pertinent to mention that cowardly slaying of innocent Hindus was wrongly associated with Bhindranwale. Target of Bhindranwale's men were either Nrinkaris or police officials who were responsible for the torture or killing of Sikh youth in fake encounters. As far as the indiscriminate killing of innocent Hindus was concerned, it was the Third Agency that was calling the shots. If Bhindranwale had launched a campaign of hatred against the Hindus, there would have been communal riots all over the state. Talking to newsmen after the army action Janata leader. Subramaniam Swamy said that 'he had never been convinced that

1. *The Tribune*, Oct. 7, 1983.

2. *Surya*, July, 1984.

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Bhindranwale had been directing the killings in Punjab".<sup>2</sup>

After the declaration of President's rule, Dhillwan incident was repeated near Tarn Taran. Both Sant Longowal and Sant Bhindranwale condemned the incident. The Akali Dal co-operated in the call for a *bandh* to register protest over the killings. Congress (I) was the only party which did not participate in the *bandh*. Even the Editor of the Tribune was constrained to acknowledge certain 'inescapable' conclusions : "The first is that such acts of butchery are not sponsored by the Sikh community, nor even by the Akali Dal, or (as it seems now) by Sant Jarnail Singh Bhindranwale, who has condemned the killings, as has Sant Longowal. The second is that President's rule has failed to deter them (the unidentified extremists)".<sup>1</sup> The identity of the "extremists ;and how they managed to get away always remained a mystery. The incident created a wide uproar in the national press. It was pointed out that the Central rule had not made much difference to the law and order situation in Punjab. The fact, however, was that neither the Governor nor the advisors had a free hand in dealing with the situation. Even a small step had to be approved by the Home Ministry' which had set up a special cell for Punjab and which was in constant touch with the Prime Minister's Secretariat. So much so that even the transfer of police inspectors could not be finalised without clearance from New Delhi. We give below an excerpt from 'Surya' of September 1984 about the role played by Indira Gandhi's nominee Col. B. Longier in the Punjab crisis :

"An expert in political out-manoeuvering and assassination. Longier was in his element during the Punjab Crisis. It is reported that it was Longier who had analysed the overall political effects of an invasion of the Golden Temple. It was Longier who had reported that the political climate in the country after the army action favoured the Congress (I). And it was Longier who had advised Kao and Saxena on the timing of the action vis-a-vis the general elections".

"Longier's selection of men for the Punjab Operation was masterly; -Men who looked like incompetent fools, but were masters of the intelligence game; men who would maintain a low profile

1. Editorial, *The Tribune*, November 21, 1983.

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even when the Government, the ruling party and the national opposition made hysterical attacks on the failure of intelligence in Punjab. Only PS. Bhinder, former Director General of Police in Punjab had given the game away when he said that intelligence and the police had not failed in Punjab. And it indeed had not."

An investigative journalist. Dhiren Bhagat of "Indian Post" Bombay revealed, in 1988, in a column in the 'Observer'. London and the 'Indian Post'. Bombay, the details of a calendestine RAW operation to smuggle arms into India from Afghanistan. He supplied all possible details of the consignment (date, flight number, consignment number, number of crates, an addressee who doesn't exist etc.) and then proceeded to speculate on the destination and purpose of the arms. He believed that the weapons were meant to be supplied to the Government-sponsored "militants" in Punjab or used in Punjab by double agents.<sup>1</sup> Imported weapons included Soviet built Rocket Propelled Grenade (RPG) launchers. The government sponsored hit squads were brought into action to propel a RPG launcher in order to lob a 2.25 Kg., 85 mm shell at the Vishwakarma Temple near Phagwara. where 70 CRPF personnel were residing. Dhiren Bhagat observed that "quite incidently none of the 70 CRPF sleeping policemen was hurt"<sup>2</sup> 'India To-day' revealed that its timing was politically expedient for the Centre. It came when the Union government was going through embarrassment of pushing through the controversial Emergency Bill (59th Constitution Amendment Bill) through Parliament.<sup>3</sup> The Bill was passed the following day. In a subsequent write-up by Bhagat, now part of the collection of his articles published posthumously in the form of a book "The Contemporary Conservative," he detailed how the Government tried to discredit him and cover up his story before having to admit that at least one consignment of arms had arrived under false documentation.<sup>4</sup> Atal Bihari Vajpayee read out the 'Observer's'<sup>1</sup> story in the Parliament and demanded to know the facts. In reply. P.

1. Crossette, Barbara; *India: Facing the Twenty-First Century* (Indiana- 1993), P. 103.

2. *Indian Post* Bombay, April 24, 1988.

3. *India To-day*, April 15, 1988.

4. For details see Bhagat, Dhiran and Khurshid Salman; *The- Contemporary Conservative* (New Delhi, 1990).

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Chidambaram, Minister for Home Affairs, made an extra-ordinary admission that RAW had brought in the consignment. The entire episode was completely ignored by the media. In a recently published book, "India: Facing the Twenty First Century." a critique of Indian leadership, by Barbara Crossette. it has been observed that under Indira Gandhi's regime spies and agents provocateurs operated extensively, infiltrated opposition groups and staged acts of violence, intended to appear the handiwork of militants. There is a strong suspicion, in certain quarters, that the journalist Dhiren Bhagat. who had revealed the RAW story was murdered and not killed accidentally in a car crash. Dhiren Bhagat's sincere and painstaking research on the Punjab, which would have led to startling revelations on certain controversial events and personalities was to be published in the form of a book by Penguin India.' The above revelation made by Bhagat can provide useful leads to honest and serious researchers on Punjab to investigate further into behind-the-scene mechanisms and intrigues of the Government.

The reasons for Bhindranwale's arrest, on a charge of murder and later on his inexplicable release, appear to be dubious. It is obvious that he was being exploited for political purposes. He could have been arrested till as late as 15 December 1983. when he still lived outside the Golden Temple. But the Hindus and the Sikhs had to be polarised still further. The situation had to be allowed to deteriorate still further. Only a spectacular attack on the Shrine could help build the true *Durga* image. There were murky intrigues to mislead public opinion. P.S. Bhinder, just three days after taking over as Police Chief in Punjab issued a statement that there were no criminals hidden in the Temple. It was also significant that his wife, a Congress (I) M.P. had paid a courtesy call on Bhindranwale July 1983. A few days after the Dhillwan incident, the Prime Minister herself gave an assurance that the police would not enter the Temple, even as the military preparations for an armed attack on the Temple were in full swing. When the honest historians come to untangle the intricate strands in this tragic saga, they would surely blame the Prime Minister for the dark days witnessed by the people of Punjab

1. Crossette, Barbara; *op. cil.*, PP. 103-104.

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In spite of the best efforts of the government to project the problem as a law and order problem, there were certain sane elements in the country who shared the agony of Punjab and were conscious that it was essentially a political question which demanded a political solution. Among them were the Punjabi forums who supported the politico-economic demands voiced by the Akali Dal. Opinion had veered round to the view that centre was deliberately keeping the Punjab pot boiling for partisan motives. On January 22, 1984, a large number of Delhi citizens, including retired civil and military bureaucrats, authors, artists, journalists, doctors and other professionals issued a joint appeal to the Prime Minister to solve the Punjab tangle in a spirit of sincerity. These people, who called themselves "Punjab's silent majority" and whom the Tribune described as "truly representatives among the city's (Delhi's) and the country's intelligentsia" sought an explanation from the Union Government for its inaction and drift :<sup>1</sup>

"...It is imperative that the demands voiced in Punjab be demarcated as demands not of a particular community but of a region as a whole. This is the context in which they must be seen and pressed.... On the face of it, none of these demands seems to be insuperable . It is the Centre's inaction, its disquieting lack of will to take decisions, that has allowed the phrenetic play of extremist forces to flourish and grow.... There has been enough talk and discussion. Agreements have been reached on several occasions. They have not been honoured or implemented. The Union government owes the Indian people an explanation for its inaction and drift."<sup>2</sup>

The 150 odd signatories to this statement included Hindus, Sikhs and Christians and were men and women, 'whose credentials cannot be questioned.'<sup>3</sup> Little did these people know that the Prime Minister had an altogether different design on her agenda. A few days later, the Punjab Governor B.D. Pandey met the Prime Minister

1. "The exercise was obviously a command performance as the signatories include such persons as are not prone to issuing statements or writing open letters."—Inderjit.' Delhi Conclave and Beyond.' *The Tribune*, Chandigarh, July 12, 1983.
2. *The Tribune*, Chandigarh, January 23, 1984,
3. *The Tribune*, Chandigarh, January 24, 1984.

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in New Delhi and in his consistently mistaken reading of the situation (he favoured a political settlement), stressed the need for the resumption of negotiations with the Akali Dal. Punjab Pradesh Congress (I) President R.L. Bhatia also emphasised the need for a political solution. Vice-President of the state unit of the Congress (I) also demanded the immediate transfer of Chandigarh to Punjab, 'asserting that Haryana had no claim to Fazilka and Abohar

In order to maintain her credibility and also to ensure that the Akali leaders were not forewarned about her impending plans, the Prime Minister kept up the farce of negotiations with them. Charanjit Yadav, an opposition leader had informed the Srinagar Conclave of opposition parties, months before the army action, that Indira Gandhi had made it known to him that she was not interested in a solution. He had even pleaded with the opposition leaders not to play in her hands by joining the so-called tripartite talks on the Punjab. He knew that the Prime Minister was playing ducks and drakes with the Akalis.

On February 14, 1984, the very day when the Tripartite meeting was convened, the *Hindu Suraksha Samiti*<sup>2</sup> gave a call for *Bandh* in Punjab, Haryana and Himachal Pradesh. The *Bandh* was marked by anti-Sikh violence, murders and the burning of Gurdwaras with the connivance of the police and the administration in Haryana. This was in pursuance of their nefarious objectives viz. not to allow the tripartite talks to succeed. A few months earlier, the killing of six Hindus in the Dhillwan incident had led to the dismissal of Darbara Singh government in Punjab. No notice was taken of the communal hatred and violence, on a much large scale, unleashed against the Sikhs in Haryana. In a letter dated February 20, 1984, Harkishan Singh Surjeet C.P.I.(M.) wrote to the Prime Minister that 'the police and the administration (in Haryana) have been conniving with the miscreants and the Haryana Chief Minister has been issuing provocative statements.' The tripartite meeting was

1. *The Tribune*. Chandigarh, February 19, 1984.
2. "The only (Hindu communal) group active (in Punjab) is the *Hindu Suraksha Samiti*. This group was formed on September 26, 1982 at Patiala by Pa wan Kumar Sharma. known to be a Youth Congress (I) activist": in Pramod Kumar, Sood ct a . *Punjab Crisis: Context and Trends*, (Chandigarh, 1984), P. 88.

called off without reaching any conclusion.

Charanjit Yadav was proved right. The Prime Minister deliberately allowed the Bhajan Lal brand of politics to gain strength in Haryana even at the cost of stoking communal fires and impairing the government's credibility. The intransigent stand taken by Bhajan Lal on the water and territorial issues was surely at the behest of the Prime Minister. His provocative utterances and unbridled actions set in motion a disastrous course of events.

On March 3, 1984, Indira Gandhi, who was guilty of shameful and ignoble scuttle of negotiations, did not hesitate to assert that Punjab tangle could be solved through negotiations but 'some powers' were coming in the way. The identity of the powers remained obscure.' Wild allegations and abstractions were hurled around, quite often, to confuse matters. Unfortunately, she was a leader who proclaimed one thing in public and did precisely the opposite behind closed doors. The communally biased media toed the government line and held the Sikhs accountable for the stalemate. Girilal Jain, Editor of the Times of India wrote, "It is 11 p.m. in the history of the Sikh community. It must reverse the clock. It is still possible to do so. But time is running out. The community must demand that the agitation be called off. The Sikhs must heed the warning before it strikes midnight."<sup>2</sup> Such malicious statements fitted well into the gameplan to spread communal hysteria against the Sikhs.

Till the end, the Prime Minister wanted to give the impression that she was keen to find a political solution. Three weeks before the military- operation, a few members of the Delhi based Punjab forum were invited and their help was sought in solving the tangle. Kuldip Nayar who was one of the invitees wrote, "Some of us belonging to the Punjab group were summoned by Mr. Narasimha Rao, then Foreign Minister, only three weeks before Operation Blue Star to evolve a formula which would be acceptable to the Akalis. They (Akalis) had agreed to refer the river water dispute and the case of more autonomy of the state (Anandpur Sahib Resolution)

*The Hindustan Times*, March 4, 1984.

Jain, Girilal "The Sikhs are in danger", *The Times of India*, March 7. 1984.

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to the Supreme Court and a tribunal respectively. The Akalis even went to the extent of accepting the split of Chandigarh between Punjab and Haryana, along a 70-30 ratio. The government dilly dallied -Mr. Narasimha Rao became elusive -because it had already decided to go in for the military operation... The nation should reassess the disinformation that New Delhi and the Congress Party had been disseminating on the Punjab problem, even if the promised and repromised "package" remains "elusive." However one may assess the Akali Dal, the statement quoted above leaves no doubt regarding the background policies of the government which was not inclined to a political settlement. The stalemate continued.

It is significant to note that throughout the two year period of the Akali Morcha, the Prime Minister, as a measure of propaganda, was making fake attempts at negotiations. Swaran Singh, Kuldip Nayar, I.K. Gujral, Madhu Dandvate, Harkishan Singh Surjeet Farooq Abdullah, Amarinder Singh and Dr. Ravi were involved in the negotiations and all of them have revealed how the Prime Minister evaded the issue on one pretext or the other. Participating in a discussion on the White Paper in the Parliament Madhu Dandvate revealed that the Prime Minister failed to make use of the 'consensus' evolved by the opposition parties after a great deal of discussion. A.G. Noorani points out that between October 1981 and April 1984, there were as many as four accords concluded and foiled by none else than the Prime Minister herself. So much so that Swaran Singh felt so disappointed that he 'swore to himself not to get involved in the talks.' Similarly Harkishan Singh Surjeet and Kuldip Nayar, who were repeatedly asked to bring about a compromise felt that the Centre was hardly serious in solving the problem. In an interview with the B. B. C. Surjeet told Mark Tully. "Three times in six months an agreement was reached and three times the Prime Minister backed out. Each time the interests of the Hindus of Haryana weighed more heavily with her than a settlement with the Sikhs." Kuldip Nayar wrote : 'In April 1984. H.K.L. Bhagat. Minister for Information and Broadcasting, met me at my residence to find out if I could suggest a formula to settle the Punjab problem. I had a typed copy of the formula which I had prepared... I never heard from Bhagat

1. *The Tribune, Sun 2, 1993.*

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after that. Apparently, this formula made its way to the Prime Minister, who appointed Narasimha Rao to talk to the Punjabi group (Air Marshal Arjun Singh, Lt. General Aurora, I.K. Gujral. Gurbachan Singh, Pran Chopra and myself). The meeting was held at his residence on 12 May, 1984.,. Narasimha Rao rang up on 16 May and said that he would be meeting us soon. On 24 May, we reminded him that we were waiting for his call. Little did we realise that we, as well as perhaps Narasimha Rao, had been led up the garden path. Mrs. Gandhi had other intentions."<sup>1</sup>

The above narration brings out clearly and inevitably two facts. The first is that all the intermediaries who had negotiated, on behalf of New Delhi, with the Akalis had found an acceptable response from them, including the two Sants. The mediators were all intrigued to find their prompters hardly willing to listen to their success story. Dr. Ravi, the last intermediary who met Bhindranwale in the last week of May 1984 found him in a very receptive mood. In an interview with 'Surya',<sup>2</sup> Ram Jethmalani revealed some of the details of what transpired between Bhindranwale and Dr. Ravi. Bhindranwale, who seemed to be convinced about Dr. Ravi's sincerity of purpose told him in unequivocal terms : "You are a good man and a wise man, whatever settlement you will go and arrive at, I shall put my thumb impression on it". Dr. Ravi reported the result of his conversation to R.L. Bhatia, President of the state unit of the Congress. "The matter was passed on to Prime Minister Indira Gandhi, but she backed out. Later Dr. Ravi was told that 'we'll talk after the army action.'

Even the June 2, 1984 broadcast of the Prime Minister delivering a sermon on the merits of peace and bringing home to the Akalis the virtues of choosing the path of negotiations was nothing but an exercise in hypocrisy. The doors of negotiations were claimed to be kept open even as the army rushed past the doors of the Golden Temple. The fact is that on 27 May, 1984, the army had already moved to lay siege to the Golden Temple. Firing had started. All channels of communication between the Complex and the rest of

1. See Abida; *op. cit.* Appendix 1, PP. 644-645. 2!

*Surya*, July, 1984.

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the world were severed. The Akalis had no telephone links. The entire state of Punjab was placed under curfew. A strict censorship was imposed on all newspapers in the state before Indira Gandhi made her last minute 'appeal'<sup>1</sup> to the Akali leaders. The appeal itself is worthy of note : "I still appeal to them to accept the framework of settlement the government has outlined,"<sup>1</sup> The White Paper states, 'Even a last minute appeal by the Prime Minister in a nation-wide broadcast on June 2, 1984, was spurned.' The fallacy of this contention is obvious and New Delhi's courage in advancing it is exceptional. Major General Antia, who had made a comparative study of the situations in Punjab and Assam observed: "The situation was reminiscent of the one prevailing in Assam in 1980. When the Prime Minister was continuing her political talks with all shades of public opinion, the Home Minister and the Governor were negotiating to bring about an amicable settlement the Central Government secretly deployed the army in full strength. The Prime Minister's June 2 appeal cannot therefore have been genuine and the conclusion must be that it was a deliberate attempt to mislead/<sup>2</sup> Soon after the Prime Minister's speech. All India Radio announced that army had been called into the Punjab 'in aid of the civil authority. General K.S Brar in his book, 'Operation Blue Star : The True Story' has 'revealed that the army was already on the move, while the Prime Minister was making her broadcast. He states, "We had, in fact, received our instructions a little earlier than Mrs. Gandhi's broadcast. Soldiers of Bihar, an infantry battalion, were already on the move and were heading in the direction of the Golden Temple to reinforce C.R.P.F. post along the outer perimeter of the Temple Complex.'" Brar has unwittingly thrown the lie in the face of the Prime Minister.

In spite of the best' efforts made by the government to camouflage the issues, the realities of the situation were perceived even by those who had no sympathy or concern with the Akali agitation. Virinder, pro-Congress journalist-cum-politician and proprietor and editor of 'Partap', who had a close look at the style of functioning of Prime Minister Indira Gandhi, observed in one of

1. *White Paper*, P. 108.
2. Antia, S.N.' Army for law and order: Danger of emerging trends' in Ahida, *op. cit.*, PP. 497-98.

his editorials : "Mrs. Gandhi has her own style. Whenever any problem presents itself before her, she tries to keep it hanging. When it comes to confrontation, she starts deliberations and tries to tire out the other party by prolonged negotiations. This has happened in Assam and the same is happening in Punjab, hi Assam, thousands of people have died and this fact will remain a slur on the fair name of the Government of India. Punjab to-day is face to face with a similar situation."<sup>1</sup> These are the observations of a person who has never been sympathetic towards the Akali demands.

The clear inference from the above events and the sterile negotiations is that the Prime Minister was following a consistent two fold policy. On the one hand, she was making a large scale drain of the natural wealth of Punjab, by unconstitutional methods, a *fate accompli* and, on the other hand, she set in motion the Third Agency to engineer trouble. She was also consistently pursuing her violent policy of repression, thereby showing it to the Indian public. that she was justified in escalating her violent attacks against the Sikhs and their institutions, who could not be curbed or demolished otherwise. This is specifically clear especially from the statements of Kuldip Nayar and H.S. Surjeet because, while for the previous many months the plan to attack Darbar Sahib had been prepared and finalised for almost immediate execution, these persons were sent by the Centre to the Akalis, only a few days before the final assault. Hence, the conclusion is inevitable that the dramatic moves were just for the sake of a show, since when they seemed to fructify, the Centre was reluctant to pursue the effort. And this is graphically borne out by the public statements of these intermediaries.

In retrospect, it appears that the Prime Minister had a pre-meditated design to apply a military solution, instead of a constitutional solution to the Punjab crisis, but was marking time so that the situation may further deteriorate for justifying that solution. We give below two important observations of the 'Sunday Times', London, in support of our assessment of the situation: "The Indian army drew up its invasion (of Golden Temple) strategy nine months ago. A week ago last Friday, Mrs. Gandhi seized the perfect

1. far-top, May 6, 1983.

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opportunity to use it."<sup>1</sup>

Government had repeatedly declared that it would not send police into the Darbar Sahib. But the fact is the Government had started preparations for the military action months before June 1984. A large model of the Darbar Sahib Complex had been prepared at a camp of the Special Frontier Force at Chakrata in the foothills of the Himalayas and commandos were trained for this purpose. A British correspondent of the 'Sunday Times', London, noted: "Last week's assault on the Golden Temple took place after months of preparation of the Indian army, which included advice from British experts in counter-insurgency. Sources in Delhi say that two officers of the Indian secret service, Gary Saxena and R.N. Kao, of the Research and Analysis wing made several trips to London to seek expertise. The Indian government then selected 600 men from different units and sent them to rehearse the assault on a life size replica of the Golden Temple, built at a secret training camp in the Chakrata Hills, about 150 miles north of Delhi. The assault troops were alerted to invade the Temple no fewer than five times during the past three months, but each time Mrs. Gandhi vetoed the invasion. A case of nerves', according to a senior aide".<sup>2</sup> Gary Saxena was later elevated to the rank of Governor in Jammu and Kashmir.

Having made up her mind to apply a military solution to the Punjab crisis, the Prime Minister felt that the situation must be allowed to drift and get worse before she could justify that solution. Rajiv Gandhi is reported to have told Mark Tully in an interview<sup>^</sup> that he did not approve of such a policy on Punjab and was in favour of sending police into the Temple without the loss of time. The Government was looking for an opportune time to storm the Darbar Sahib.

A month later, the government of India issued a White Paper which was intended to be 'an account of government responses to the various demands put forward by Shiromani Akali Dal,<sup>3</sup> It was nothing but another exercise in hypocrisy and deceit. The Paper

1. *Sunday Times*, London, June 10, 1984.
2. *Ibid.*
3. *White Paper*, P. 4.

gives an account of the specific demands of the Akali Dal-about twenty five pages in the Paper have been devoted to them but it takes no cognisance of the sense of injustice and the sense of discrimination that led to the articulation of these demands. Bhindranwale, who had emerged as the most articulate champion of Sikh grievances, has also been quoted in the White Paper. He is quoted as having said, "It should be clear to all Sikhs... We are slaves and want liberation at any cost.' Leadership in Delhi failed to note that Bhindranwale was not just an individual, he was a whole phenomenon, an expression of a troubled state of mind of an entire community. Unfortunately, the people at the helm of affairs did not .perceive things in this light. No wonder, their entire approach was marked by bankruptcy of statesmanship and responses that were negative and destructive. The authors of the White Paper try to white wash all this by asserting that 'the government remains committed to its stand that a lasting solution should be found through the democratic process of discussion.' What a travesty of truth!

## 10

### ATTACK ON THE HEART OF SIKHISM

*"Mughal emperors and British governors alike tried military solutions to the Sikh problem and succeeded only in adding to the roll of martyrs cherished by the proud and prickly people. Sikhs have, long memories. They have never forgotten or forgiven the day in 1919 when General Dyer ordered his troops to open fire in the sacred city of Amritsar and Mrs. Gandhi may well have cause to rue the day she did the same. "*

*Sunday Telegraph, London, June 10, 1984*

#### **Climax of the Mounting Plan :**

After outmanoeuvring the Akali leaders and systematically depriving Punjab both economically and politically, the Government now decided to execute the finale of its programme by a direct attack on the heart of Sikhism that gives strength and sustenance to the community. The three fold plan of the Government was aimed at, on the political front, destroying the Akali party and its image, economic despoliation of the State and erosion of their nerve centre, their sanctum sanctorum.

As already noted, the Akali Dal was the only political party in the country with a strong mass and religious base and organisation which the Congress had not been able to demolish or absorb. Unlike other parties, its leadership was a challenge to the elite-ridden ideology of the Congress and other all India parties. Moreover it was only the Akali party which had given a lead to the country in resisting the oppressive Emergency regime of Indira Gandhi. The unfortunate part is that the Congress since Independence had, either out of bias or indiscretion, come to believe that the socio-religious identity and ethos of the Sikhs should be combated and destroyed, it being a hurdle in the Hindu idea of re-establishing a homogenised nation. Moreover the big bites that the Congress had taken of the economic cake of Punjab could be successfully swallowed only if it could demolish or sap both the Akali party and its strong mass base.

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All the issues raised by the Dharam Yudh Morcha could be settled according to the law of the land through simple and constitutional measures. Even the much maligned Bhindranwale was prepared to accept a just and constitutional solution to the demands of the Morcha but unfortunately judicious solutions were being persistently denied. The Congress design was aimed at fomenting trouble in Punjab and then to exploit it fully for creating a feeling of insecurity among the Punjab Hindus and arouse natural sympathies for them in the rest of India. This makes it clear why the solution of the constitutional demands was sidetracked and state repression and violence were continued.

We have already emphasised that the Punjab Reorganisation Act (1966) was a calculated measure to thwart all social, economic and political progress of Punjab and its people. The Government had also put the seal of its authority on the economic ruin of the State through unilateral Awards. Withdrawal of the water case from the Supreme Court was a blatant blow eventually leading to ruinous consequences. Thereafter the Government persisted in its one track approach of repression and suppression. After the Prime Minister had delivered a massive blow to the Akalis both economically and politically., her perceived motive was to devise more destructive strategies to hide her sinister plan and to show that the Sikhs were an aggressive lot, and not an aggrieved lot. It seemed to have become a political compulsion for her to put a pretence of negotiations to cover her designs.

The pretence of negotiations was also a measure of show to prepare the Indian public outside Punjab for the sinister plan for which preparations were being made for execution.<sup>1</sup> The second fact is that for about a year or perhaps for over a longer period, the task of mounting military attack on the Golden Temple, Amritsar had been assigned to the army with a view to its swift execution.

The most dangerous signal ahead was the alienation of the Sikhs from the country's mainstream, mainly because of the different sets of strategies which the Government applied to Punjab and the

1- *Sunday Times*, London, June 10, 1984; Surjeet, Harkishan Singh; 'Truths from Punjab' in *Indian Express*, June 18, 1984; Chopra, Pran; 'Where Has All the Song and Dance Gone' in *The illustrated Weekly of India*, December 11-17, 1983.

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rest of the country. According to the Government reports violence in Punjab claimed 410 lives in a period of two years i.e. from August 4, 1982 to June 3, 1<sup>^</sup>84.' The Government publicised this figure in its White Paper in order to justify the army action. The figure of 410 included routine killings in the State and also 290 Sikhs killed in police firing and fake encounters. It was noticed that while the Sikhs in Punjab were subjected to a brutal military action, no such action was proposed or planned against the culprits (mostly Hindus) of Hindu-Muslim riots in Bombay barely a month earlier (May 3 984), which took a toll of more than 300 lives, apart from the loot and arson in which some people were roasted alive. The issue was hushed up, ^as the Government was making preparations for an assault on Darbar Sahib. In an interview with 'India Today', soon after the communal -holocaust in Bombay and Bhiwandi, Bal Thakheray, Shiv Sena Chief said, "This country must stand for Hinduism. I am sowing the seeds, let me see if we will reap the harvest."<sup>2</sup> It was amazing that the Government took no notice of such provocative utterances gloating over the Bhiwandi killings and calling them a seed which he had sown. A similar statement from the leader of a minority community would have aroused a chorus of protests and would have been construed, by both the Government and the media, as posing a serious threat to nation's unity and integrity.

The contemplated attack and its preparations became a subject of discussion in the press. Numerous Sikh and non-Sikh organisations and personalities spoke emphatically of the tragic, horrendous and ruinous results of the proposed plan. Chandra Shekhar, President of the Janta Party who met Prime Minister Indira Gandhi some time before the attack, in order to ascertain her views said in a statement to the press; "Mrs. Gandhi told me she would never make the mistake of sending the Army into the Golden Temple and yet she did."<sup>7</sup> Even as the preparations for storming the Temple were complete, the Prime Minister kept giving assurances that the Government would not resort

1. *Indian Express*, July 1, 1984.
2. *India Today*, June 15, 1984.
3. *Indian Express*, January 3, 1992.

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to any such action which would cause more harm than good.' Even upto the last session of Parliament preceeding the attack, P.C. Sethi, the then Home Minister, reiterated that the Government had no intention of invading the Temple.<sup>1</sup> This is an extremely important and significant fact. This indicates three things. First, that she was fully aware as to how the Sikh world would take such an event. Second, that the Prime Minister Indira Gandhi was clearly wanting that either among the Sikhs or among their sympathisers outside the community, an opinion may not grow to be vocal enough to thwart her plan. Third, that in full awareness of these warnings about the possible reactions and results, she was so, it would seem compulsively, bent upon her project that she went to the extent of even misleading both the people and some of the well meaning public men.

Here it is necessary to reveal the kind of game Indira Gandhi was playing. In November 1983, she herself had written to Bhindranwale, a personal letter in her own handwriting appreciating his progressive views on social matters. Bhindranwale himself had shown this letter to Devinder Singh Duggal, Head of. the Sikh Reference Library in the Darbar Sahib. The letter was kept in the Library but the valuable document was destroyed when the Library was burnt during the army action.<sup>2</sup> While the public mind was fed on all sorts of lies, half truths, exaggerated and one sided versions of the events, glaring facts such as above were, advertently or inadvertently, ignored by the media and the writers on Punjab. Rajiv Gandhi who had come to Chandigarh in the first week of May 1984 had chosen to describe Bhindranwale as a religious leader. Asked specifically by pressmen, "Is Bhindranwale an extremist?," he evaded a reply and said, "This is for you to evaluate." He was further asked, "Do you think he is a political leader?" Rajiv Gandhi responded positively, "He is a religious leader and has not shown any political inclinations so far."<sup>3</sup> It was amazing how a few weeks later he had

1. Nayar, Kuldip and Khushwant Singh; *Tragedy of Punjab* (New Delhi, 1984), P. 10.
2. Citizens For Democracy, *Oppression in Punjab* (Bombay, 1985). P. 17.
3. Noorani, A.G.; 'A White Paper on a Black Record' in Simuiddin, Abida(ed); *op. cit.*, P. 231.

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suddenly become a terrorist, who along with his followers had to be flushed out of Darbar Sahib with the aid of the army. Khushwant Singh observed, "What induced Rajiv Gandhi, General Secretary of Congress-I, to give Bhindranwale a clean chit as a purely religious man and not a political leader at a time when his mother and her advisers were clearly planning to eliminate him?"<sup>11</sup>

Such self-contradictory facts, no impartial observer can fail to note since these are simply covers to hide the underlying reality or a unified policy. It is obvious that the objective in implementing the plan was far more overriding and compulsive for the Centre than to evade or avoid it either because of the willingness of the Akalis to have a settlement or of the warnings of the calamitous results of such an act given by public men and institutions.

As stated already, the attack on the Golden Temple was the last heavy stroke of a policy which had systematically accomplished socio-political and economic erosion of the Sikhs and the Punjab. It is evident that it was part of a pre-determined and consistent plan that aimed at hitting the very religious and moral source, strength and inspiration of the Sikhs. As the Sikh history shows, every ruler of the times knew full well of the fundamental importance of the Darbar Sahib in the Sikh- life and struggle. It was thus not accidental that practically all of them made Darbar Sahib a priority target of their attack on the Sikhs and that also on a holy day when Sikhs assemble there as pilgrims to pray and to pay their homage and obsequence. Let us have a look at the chain of events. On the one hand are the facts that the Punjab problem was not only a creation of the Punjab Reorganisation Act but it could easily and without repercussions be solved constitutionally. Second, that more than once whenever the mediators were sent to negotiate with Akalis by the Centre, they always had a good and positive response from them

*Tragedy of Punjab*, P. 121, On March 23, 1984, Rajiv Gandhi said, "I think we should not enter the Golden Temple. The police can enter the temples, but it is a question of what is good balance. To-day as we see it, it is not as if Sikhs are against the Hindus, and we should do nothing that separates them." Noorani, A.G. 'A White Paper on a Black Record' in Patwant Singh and Malik, Harji; *Punjab : The Fatal Miscalculation* (New Delhi, 1985) P. 145.

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and brought viable proposals for a solution, which the Centre was always later disinterested even to look upon. The fate of the water dispute, the cardinal issue of the Punjab problem in the courts and its withdrawal from the Supreme Court, clearly indicates that settlement with the Akalis was hardly the objective in view. This happened till the end of May, 1984, as evidenced by the reports of Kuldip Nayar, Ravi and others. This showed that Prime Minister's interest was not in a settlement but in 'making a show of her seeming earnestness to come to an agreement.

Further, the Centre had been repeatedly warned by responsible Sikhs and public men, of the far reaching and horrendous consequences of such a step. In an article in the Indian Express (April 23, 1984), a prominent journalist Pran Chopra sounded a note of warning : "What is needed anyhow is not change of the tools of law and order but a change of methods and intentions at the political level... There are rumours in New Delhi that the army might be brought in. That would be the gravest blunder politically and severely harmful to the army itself. It would be the worst form of changing tools. The army cannot do more, and in the given circumstances can probably do much less, than the present four agencies after the initial shot of confidence artificially induced by an army show runs out. The third temptation to be avoided is to make a rush upon the Golden Temple. There is nothing to be gained by it and much to be lost." The historical context of the earlier rulers and invaders, their choice of target including the day to attack were well known to the Centre. While all the time preparations were being made for the attack, continuous assurances were being given in and outside the Parliament that such a step was far from their contemplation. On the other hand, another chain of events, political, socio-economic and religious which interconnected and unidirectional as they were unmistakably pointed out that the last step would be on the bastion of Sikh strength. In fact, to an outsider who studies the two chains of events, contrasted as they were, it is evident that the policy, process and plan which had started with the - rehabilitation of the Sikhs, the merger of PEPSU in Punjab and rejection of the Punjabi Suba in the North could inevitably end only

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in the holocaust at the Golden Temple Amritsar and that the logic of this series of events could neither be interrupted nor have a different finale.

Blue Star Holocaust :

As already noted, a cold blooded plan to attack the Darbar Sahib had been conceived and its preparations too had been completed. Only the date of its final execution had to be conveyed by the Prime Minister. Even after having given the order for its execution, she only tried to keep the facade of her willingness to solve the problem, despite her consistent and calculated refusal to do so. While the iron hand had been raised to strike, to the Indian masses, it was the kid glove thereon that was being shown and publicised.

The evaluation of facts reveals that the orders to implement the covertly planned assault were given on the night of May 27, 1984.<sup>1</sup> A highly placed police officer, who pleaded anonymity said that the army had taken positions in some high rise buildings around the Temple on May 30.<sup>2</sup> As part of the strategy jointly formulated and executed by top brass Generals, almost all the battalions of the Sikh and Punjab regiments, as also the artillery and armoured units, which had a large number of Sikhs in them, had already been moved out gradually from Punjab and neighbouring states to far off Central, Southern and North-Eastern States.<sup>3</sup> This showed that either the Government did not trust the Sikh soldiers to impartially carry out the orders or the Government wanted the 'operation' to be undertaken by soldiers who could be thoroughly biased against the Sikhs, subjected as they had been to an intense propaganda of Government controlled media.

On the issue of the code word 'Operation Blue Star'<sup>1</sup> on 27th May, the army units were rushed to Punjab by road, rail and air. The commandos, who were especially trained at Chakrata for the

1. Dharam, S.S.; *The Only Option For Sikhs* (Jaipur, 1984), P. 33.
2. Harmider Kaur, *Blue Star Over Amritsar* (Delhi, 1990), P. 16 (2n).
3. Dharam; *op. cit.*, P.33.

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purpose, were moved to Amritsar. There is enough evidence that a week before the attack, some army officers had been masquerading in CRPF uniforms for reconnaissance. One of Bhindranwale's men had spotted Col. Fernandes, who was on such a mission.<sup>1</sup> On June 1, 1984, Maj. General K.S. Brar, dressed in civilian clothes, is said to have visited the Temple in order to have an assessment of the fortifications inside.<sup>2</sup> He was recognised by some of the devotees. "He must have seen that the Temple and the hostel complexes were unusually crowded because pilgrims had already arrived to celebrate the martyrdom of Guru Arjan... General Brar must have also realised that the unusually large number of pilgrims in the two complexes would make his task of getting Bhindranwale out of the Temple without killing or injuring the innocent very much harder. But the operation went a head."<sup>3</sup>

Whereas most of the official versions maintain a meaningful silence about the happenings of June 1, 1984, there is plenty of evidence to prove that the security forces fired on the Harmandar Sahib on June 1, 1984, itself to give a foretaste of their fire power. Military experts believe that it was a deliberate attempt to provoke Bhindranwale to fire back so that he could reveal his positions and his fire power. It could also be an attempt to frighten Bhindranwale into submission. But they failed to note that Bhindranwale had the blood of martyrs in his veins. There was no response from inside. The firing was carried out by the B.S.F. and the C.R.P.F. on orders from Maj. General Kuldip Singh Brar.<sup>4</sup> "There is no doubt that security forces (C.R.P.F.) fired on the Harmandar Sahib on June 1, 1984, itself and the news over the All India Radio that there was unprovoked firing from inside was a blatant lie. However, most of the official versions do not deal with the happenings of June 1, 1984. For them, the story begins on June 2.<sup>5</sup> An organisation. Citizens for Democracy (here after referred to as C. F. D.) which took great pains

Harminder Kaur; *op. cit.*, P 23.

*Tragedy of Punjab*, P. 92.

Tully, Mark and Jacob, Satish; *Amritsar Mrs. Gandhi's Last Battle* (New Delhi. 1985), P. 147-48.

Harminder Kaur; *op.cit.*, P. 7 (4n).

*Oppression in Punjab*, P. 57.

together inside information and has made some startling exposures to counter-act the campaign of misinformation launched by the Government. After examining various eye witness accounts they revealed that there was no firing from inside the Golden Temple. According to these accounts, the security forces resorted to wanton firing resulting in the death of eight persons, including a woman and a child inside the complex.<sup>1</sup> In the 'Khabaranama' of June 3, 1984, the Pakistan T.V. showed bullet marks on the entrance of the Golden Temple Complex. The marks were encircled red and carried June 1, 1984, as the date of firing. There were as many as thirty four big bullet holes on all sides of the Harmandar Sahib which completely belied the Government version that the security forces had shown extreme restraint and did not fire a single shot to initiate the attack.<sup>2</sup>

Longowal, leader of the Dharam Yudh Morcha, seemed to be at his wits end. He is said to have made desperate lightning calls to President Zail Singh seeking his intervention to get the firing at the Darbar Sahib stopped. But the President's secretary put him off by evasive answers. B.S. Ramoowalia, who had been making calls on behalf of Longowal told him that the President seemed to be avoiding him.<sup>3</sup> Later on, Longowal is said to have contacted B.D. Pande, the Punjab Governor, who told him very candidly that the situation was beyond his control and that the decisions were coming straight from New Delhi.<sup>4</sup> In a statement issued to the press, Longowal said: "By opening fire on the Golden Temple the government has begun a new fight with the Sikh nation. With this the Government's facade of secularism has been unveiled. Every bullet fired on the Golden Temple has pierced through the heart of every Sikh."<sup>15</sup> The desperate Akali leader was making a futile bid to thwart the attack which had been launched in all seriousness.

1. *Ibid.*

2. *Ibid.*

3. **Harminder Kaur** *op.cit.*, P. 8.

4. *Ibid.*

5. *Ibid.*, P. 9.

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The White Paper issued by the Government begins the story on June 2, 1984, with the Government of India deciding to call in the army in aid of civil authorities in Punjab with the object "to check and control extremist, terrorist and communal violence in the State of Punjab and the Union Territory of Chandigarh, provide security to the people and restore normalcy."<sup>1</sup> According to Devinder Singh Duggal, who was one of the persons to give an eye witness account revealed that, on June 2, 1984, a team of the B.B.C., including Mark Tully, was taken around the Darbar Sahib and shown thirty four holes, some of them as big as three inches in diameter, caused by the bullets on all sides of the Temple.<sup>2</sup> Tully noted, 'The C .R.P.F. firing took place four days before the army actually entered the Temple... I believe that the Central Reserve Police Force (evidently under orders of the Generals, who were incharge of the assault since the end of May, 1984) firing was the start of an attempt to frighten Bhindranwale into surrendering, an attempt which lasted almost to the hour that the army did eventually go in four days later"<sup>3</sup>

The tragic and the momentous character of the contemplated attack is evidenced by the Prime Minister's nervous behaviour at a meeting of the party workers from all over India, on June 2, 1984. The meeting was meant to be held behind closed doors but three journalists managed to walk in. One of them, Anand Sahay, observed; "When Mrs. Gandhi walked upto the platform she appeared to be limping. Her shoulders were hunched. She looked dishevelled. Her face was drawn. She choked as she spoke. I was so surprised that I thought someone in her family must have died."<sup>4</sup> Sahay concluded that normally immaculate Mrs. Gandhi's downtrodden and dishevelled appearance must mean that ^something big had been decided."<sup>5</sup>

1. **Government of India; White Paper On The Punjab Agitation (New Delhi. 1984), P. 43.**
2. *Oppression in Punjab*, P. 58.
- 3- **Tully, Mark and Jacob, Satish; op. tit., P. 145.**
4. *Ibid.*, P. 142.
5. *Ibid.*

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Even when it was difficult to hide the onset of the attack from the onlookers and gun shots were being fired heralding the horrendous event, the Prime Minister resorted to the most immoral and disgraceful act of hiding the truth. Till the end she played one gimmick after another to prove her credibility to the outside world. On the evening of June 2, 1984, she appeared on the national radio to make an unscheduled broadcast to the nation about the Punjab crisis. It was an exercise in duplicity as she had no intention of matching her words with deeds. She told a lie to the nation that the Government had accepted most of the demands of the Akalis and that a settlement had not been possible only because they (Akalis) kept raising fresh demands. The speech marked the culmination of a long series of hypocritical exercises aimed at running down the Akalis. She could not shun the pretence of negotiations even when she had already launched the military attack. She said, "Even at this late hour. I appeal to the Akali leaders to call off their threatened agitation and accept the framework of peaceful settlement which we have offered."<sup>1</sup> It was rhetoric that lacked substance. She said all this, while she was fully aware that her ordered attack was in progress and irreversible, thousands of troops had already converged on the State and surrounded the Gurdwaras, which were being unprovokingly fired at. People in Amritsar as well as every where else in Punjab could sense that the Army was poised for a big drastic action. Kuldip Nayar observed : "How could she first order military operation and then suggest negotiations? And even if Akalis were ready to talk, how could they contact her, all their telephones had been cut off."

Towards the end of her broadcast, the Prime Minister trying to sound very genuine, made an appeal, "Let us join hands together to heal wounds. The best memorial to those who have lost their lives is to restore normalcy and harmony in Punjab which they loved and served. To all sections of Punjabis, I appeal, don't shed blood, shed hatred."<sup>3</sup> The decision to shed more blood and invite more

1. *White Paper*, P. 109.
2. *Tragedy of Punjab*, P. 91.
- 3- *White Paper*, P. 109.

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hatred had already been taken. The Prime Minister's consistently calculated policy now led her into the suicidal step which would generate only hostility and destruction instead of peace and harmony, hatred instead of love, chaos instead of normalcy, more suffering instead of solace and disunity instead of unity and integrity, Ian Jack and Mary Anne Weaver correspondents of Sunday Times, London observed : "The cracks in the integrity of the Indian State-what the Indian Press likes to describe as fissiparous tendencies widened dramatically, when the Golden Temple was invaded; and they will take a considerable time, if ever, to close again."<sup>1</sup>

Lt. General Ranjit Singh Dayal, Chief of Staff. Western Command had taken over as Advisor Security to the Governor of Punjab on June 2, 1984.<sup>2</sup> The whole administration of the State along with the railways and other transportation services including the postal and telecommunications were carried on or suspended, to suit the needs of the armed forces. The State police service virtually ceased to exist as massive purge operation went on and its various functions were taken over by the army personnel i.e. such functions as frisking, searching and arresting people, performing security duties, regulating movement of transport and men, guarding railway tracks, canals etc. and other installations of public utility. Thus on June 2, 1984, the army took over the administration, and whatever vestiges of a civilised government had remained vanished.

3 June, 1984, the day chosen for mounting the attack was the martyrdom day of the fifth Sikh Guru Arjan Dev, the architect and builder of the Darbar Sahib. A large number of people, approximately estimated at ten to fifteen thousand had come from the towns and villages to commemorate the occasion. It was felt that the day was deliberately selected to cause maximum loss of life and suffering to the Sikhs. Besides thousands of the pilgrims, there were hundreds of Akali workers, who had gone there peacefully to court arrest in connection with the Dharam Yudh Morcha. The priests and Sewadars

1. *Sunday Times*, London, June 10, 1984.

2. *The Tribune*, June 3, 1984.

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of the Temple and employees of S.G.P.C. were also in the Complex. No body had any inkling or warning of the sudden curfew and the imminent Army attack. As observed in the report of the Citizens for Democracy, "No one inside the Golden Temple had yet realised the sinister plan of the authorities. Punjab had been sealed. Amritsar had been sealed. The Golden Temple had been sealed. Thousands of pilgrims and hundreds of Akali workers had been allowed to collect inside the Temple complex. They had been given no inkling or warning either of the sudden curfew or of the imminent Army attack. It was to be a Black Hole-type of tragedy, not out of forgetfulness but out of deliberate planning and design!"<sup>1</sup>

Bhan Singh, Secretary of the S.G.P.C. who was trapped inside and was one of the survivors said, "Had the army given a warning, at least those pilgrims who had come for the Gurburb could go out and then those persons who were simply here to participate in the Dharam Youdh Morcha could go out. But no warning was given to the people. The firing was started from all around the complex with vengeance, as if they were attacking an alien, enemy country."<sup>2</sup> Gurdev Singh, the Deputy Commissioner of Amritsar at that time, sought the help of the army authorities to get the pilgrims out but no body paid any heed to his suggestion. A shake up in the Amritsar Administration was immediately ordered and Gurdev Singh proceeded on leave.

Two and a half centuries earlier, Darbar Sahib Amritsar had been the target of attack on the Diwali of 1736 by the Mughal army. It was a massacre of such great magnitude that people remembered it for a long time as the "bloody Diwali."<sup>3</sup> When Ahmed Shah Abdali had raided Darbar Sahib, he too had chosen the Baisakhi day to launch his attack in order to inflict the maximum casualties on the Sikhs who gather there in large numbers to commemorate the birth of the Khalsa on the Baisakhi. It is well known that the historical

1. *Oppression in Punjab*, P.59.

2. *Ibid.*, P. 60.

3. Gian Singh, Gyani; *Twarikh-i-Guru Khalsa* (Patiala, 1923), P. 18.

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**Jallianwala Bagh massacre in Amritsar also took place on the Baisakhi day i.e. 13th April, 1919. Invasion of Darbar Sahib on a holy day brought back to people's minds the gory accounts of the turbulent periods of Sikh community found in the books of history. The "Operation" was the first of its kind in the history of India, in fact of the world, when troops were ordered to storm a community's most sacred shrine, involving large scale massacre of its own people - men, women and children.**

**As the troops launched the attack on the Darbar Sahib, the entire State of Punjab was virtually isolated from the rest of the world. All postal services and tele-communications were snapped. A thirty six hour curfew, later extended by another thirty hours, of the most savage kind, was clamped over the length and breadth of the State, including the countryside. So much so that no one could walk on a public way or cross even a lane. No curfew passes were issued and army vehicles with machine guns mounted on their roofs and, in some cases, tanks loaded with tank carriers, were seen in the streets to give the impression that the military was in control.<sup>1</sup> Residents living in the immediate precincts outside the Golden Temple were given only five minutes to vacate their houses and shops on the day the curfew was clamped. As some of the residents found it impossible to vacate their premises within the stipulated time, some of them were said to have panicked and leapt out from the second and third floors and died. Some old men, women and children who could not escape had to undergo life and death struggle, since the water and electricity supply were stopped.<sup>2</sup> It was a virtual martial law, though without any declaration to that effect. All rail and bus services were cut off. All non-military vehicles including the bullockcarts were banned from the roads. "Even the dogs were not allowed to bark", said an eye witness.**

**News censorship was ordered for a period of two months. All the foreign journalists were rounded up and expelled from the State under military escort. So much so that all the leading newspapers of**

1. *Indian Express*, June 17, 1984

2. Mann, Simranjit Singh; 'Letter to President Zail Singh' in Dharam, S.S.; op. cit. P.232.

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the State had to suspend publication for three days. All war time emergency measures were brought into force. Life came to a stand still. The telephone connections of the Complex were disconnected on June 2, 1984, and the water and electricity supply were cut off on June 3, 1984.

The firing which had started on June 1, 1984 continued intermittently for the next two days, this being an attempt to provoke cross-firing to enable the army to locate the points of resistance. But as already stated, no retaliatory firing took place.

Eye witness accounts disclosed that Bhindranwale had issued strict instructions not to fire a single shot unless or until the security forces entered the Darbar Sahib.<sup>1</sup> They had put up fortifications in the Temple only as a measure of defence and not offence. The eye witness account of Duggal disclosed that Bhindranwale's men resorted to firing only when the army entered the Golden Temple. Despite their unprecedented courage and commitment, they were no match for the army either in terms of number of men or in amount of arms and ammunition.

As the army entered the Complex, the men inside under the command of Maj. General Shahbeg Singh retaliated and a vigorous battle ensued. The armed forces which had been firing intermittently since June 1, resorted to heavy firing from the morning of June 4, without any let up. Apart from heavy firing from LMG's and MMG's the army troops also threw mortar shells and poisonous gas cannisters inside the Akal Takhat and other buildings in the Complex. The army commanders had thought that the whole 'Operation' would not last more than a few hours but due to the determined fight put up by the Sikh youth, the battle lasted almost four days. Mary Anne Weaver, Correspondent of Sunday Times, London observed: "The army expected they could clear the Temple of Sikh extremists in 48

1. *Oppression in Punjab*, P. 57.

2. *Ibid*, P. 60.

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hours. Instead it took four days. Resistance was as fierce as the death defying hyperbole that Bhindranwale had promised : "If the authorities enter the Temple, we will teach them such a lesson that the throne of Indira will crumble."<sup>1</sup> They were determined to fight to the last man and to the last bullet. On the first two days, the army had brought into operation machine guns, mortars and rockets, but they could make no headway despite its heavy losses. Subash Kirpekar who was watching the scene from his hotel room observed : "For the first time, I sense that my friends are wondering whether the Army has not taken too long to complete the task. A mere Sant has held them at bay for three days. Some of the markets around the Temple complex have caught fire. I can see huge flames leaping up and dancing devilishly in the air. I wonder whether the entire city will be engulfed in flames if the fire spreads."<sup>12</sup>

There were hurried consultations and evidently it appears that orders were obtained to launch an attack with heavy artillery and tanks. This was the first action of its kind in which seven divisions of the army were deployed and all the three wings of the armed forces -Army, Navy and Air Force were brought into operation to tackle a domestic situation. Perhaps the planners were under the impression that the demonstration of a mighty show of fire and thunder of the three wings of the army would frighten Bhindranwale and his men into submission. But they were mistaken as the rattle of gun fire and the rumble of the armoured vehicles could not subdue, the defenders. Mary Anne Weaver a British correspondent in her report to Sunday Times, London (June 17, 1984), observed : "Not since independence had the army been used in such numbers -about 15,000 troops took part in the assault, with another 3 5,000 standing by- to put down an internal rebellion. Not even in the more ruthless days of empire had the army been used to storm such an important religious shrine." Bhindranwale's men had withstood the Indian

1. *Sunday Times*, London, June 10, 1984.

2. Kirpekar, Subash; 'Operation Blue Star : An Eyewitness Account' in Amarjeet Kaur. Shourie ed. al; *The Punjab Story* (New Delhi, 1984), P. 81.

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infantry for two days but the tank barrage was too overwhelming to be resisted with their limited means. As some eye witnesses revealed, the number of defending men was between fifty to one hundred. As many as 13 tanks were used in the attack. Out of these seven were deployed for attack on the Akal Takhat. One of them was reportedly destroyed by a young boy of 16 years, who tied explosives around his body and jumped under the moving tank.<sup>1</sup> Due to damage, the tank got bogged down in front of the Samadhi of Baba Deep Singh in the Parikarma. Later it was removed ; "At about 9 p.m. on 6 June, entire city of 700,000 was plunged into darkness by a power outage. Half an hour later, Amritsar was shaken by powerful shelling, mortar explosions and machine-gun fire. The big battle had begun. Half the city was up on rooftops watching the battle. Tracer bullets and flares lit up the crescent moon sky The explosions at the Golden Temple rattled doors and windows miles away. While the battle was raging, the state-run radio claimed that the city was 'calm'. Between 10-30 p.m. and midnight, we heard slogans from city outskirts of villagers trying to march to the Golden Temple from three different directions. The slogans -'Long live the Sikh religion' and 'Bhindranwale is our leader' -were heard briefly on each occasion and were followed by rapid army machine gun fire and screams."<sup>2</sup>

Gas cannisters and "stun" bombs (meant to stun the opponent) were lobbed at the Akal Takhat to support the First Para Commandos and ten Guards who went into the attack. However, due to strong breeze and close brick-lining of the rooms., the stun bombs and the gas cannisters did not have the desired effect and the commandos kept asking for more and more fire support, which was promptly coming. In spite of all this, the commandos suffered heavily.

As the news of the bloody attack on Darbar Sahib was heard,, tension built up in Punjab and there was a mass upsurge in the

1. Dharam, S.S.; op.cit, P. 41.

2. Chellaney, Brahma; 'An Eye Account' in Samiuddin, Abida; op. cit., P. 181.

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countryside. Army helicopters spotted groups of angry Sikhs gathering in many different places in their bid to march to the Shrine in order to defend it. At Gohalwar, a village about twenty kilometers from Amritsar, a crowd of over 30,000 persons gathered to start a protest march against the army invasion. At Raja Sansi and Heir villages in Amritsar district, thousands of Sikhs were seen planning to march towards the Temple. Reports were also received of angry villagers gathering in Batala and Gurdaspur districts trying to rush to the Shrine. The army concluded that 'resort to deadly firing was the only effective way to disperse the ever swelling rebellious crowds.'<sup>1</sup> Accordingly Sikhs marching to Darbar Sahib were subjected to bombing and machine gunning from the air, resulting in the killing of hundreds of unarmed protesters.

The curfew that was initially imposed for thirty six hours was extended by another thirty hours.<sup>2</sup> On the night of 5-6 June, the battle increased in ferocity. According to General K.S. Brar, on June 6, around 4-30 a.m. thirty soldiers managed to get into the Akal Takhat: "The battle continued for another two hours and the extremists fought to the last man."<sup>3</sup> Due to repeated explosions, the Akal Takhat was reduced to a rubble, Bhindranwale and his men died defending the Temple and became as was the subsequent reaction of the community, martyrs in the Sikh tradition. People believed that they sealed the pledge of their sincerity with their blood.

The army claimed to have acted with much restraint. But the damage to the Akal Takhat showed that restraint was just thrown to the winds. The effect of the tank barrage on the building was devastating. The entire front of the sacred Shrine was destroyed leaving hardly a pillar standing. The gold plated dome of the building also came under heavy fire and was badly damaged. The Timeless Throne of the Sikh religion was in a shambles. David Graves, the

Harminder Kaur; *op. at.*, P. 20.

Kirapekar, Subash; 'Amritsar Diary' in Samuiddin, Abida (ed.); *op. at.* P. 172.

Brar, K.S.; 'It was a Difficult Task' in Samuiddin, Abida; *op. cit.* P. 164.

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first foreign correspondent of Telegraph, London, allowed to visit the Darbar Sahib Complex reported; "The Akal Takhat looks like it has been bombed. It looks like a building in Berlin" after the War. Every building in the Complex had been riddled with bullets and there was still a stench of death in the air."<sup>1</sup> Even the Golden Temple bore more than three hundred bullet marks, in addition to the shooting of one priest Avtar Singh Purewal and the passing of bullets through the holy Guru Granth.<sup>2</sup> In an interview with Surya, Giani Puran Singh, the Head Granthi of Harmandar Sahib told that he showed the bullet marks on Harmandar Sahib, to Indira Gandhi, when she visited the Shrine on June 23,1984. He also told her that 700 copies of Guru Granth Sahib had been burnt. "Avtar Singh, one of the members of the Ragi Jatha, died right in Harmandar Sahib and yet they say that not even a bullet was fired at Harmandar Sahib."<sup>1</sup>

Even the most moderate accounts put the number of slain in the Complex at three thousand." According to some other estimates the number was eight thousand and even more.<sup>5</sup> The Government White Paper put the number of dead at 493 and the number of injured at 86 in the Golden Temple Complex.<sup>6</sup> In addition, it put the number of dead at 59 and injured at 35 in other Gurdwaras during this "Operation."<sup>7</sup> The military experts believe that the ratio of dead and injured in almost every warfare is one to five. This casts serious doubts on the figures given by the Government. But till this day the Government has not released the list of people killed in the action. Among the victims were not only the young men who had put up resistance against the army but also hundreds of innocent pilgrims and priests, old men and women, newly wed couples and young mothers with babes in their arms. The promiscuous carnage was executed without discrimination of innocence or guilt, age or sex.

1. *Telegraph*, London, June 15, 1984.
2. *Tragedy of Punjab*, P. 102.
3. *Surya*, August, 1984.
4. *Tragedy of Punjab*, P. 109.
5. Dharam, S.S.; *op. cit.*, P. 43.
6. *White Paper*, P. 169.
7. *Ibid.*

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According to Ram Narayan Kumar and George Sieberer. "The army which had suffered a heavy toll in three days of battle went berserk and killed every Sikh to be found inside the Temple complex. They were hauled out of the rooms, brought to corridors in the circumference of the Temple, and with hands tied to their back were shot in cold blood. Among the victims were many old men, women and children."<sup>1</sup>

The soldiers who lost their lives in the action were paid one lac Rupees each and other pensionary benefits to the next of their kin. Soldiers who had lost their lives in the Wars of 1962, 1965 and 1971 were not given these benefits. Some of the soldiers and officers were given promotions and were decorated with gallantry awards for their "heroic feats." General R.S. Dayal and T.S. Oberoi were elevated to the rank of Lt. Governors after their retirement.

Brahma Challeney of the Associated Press (AP) of U.S.A., the only foreign correspondent who managed to stay in Amritsar during the storming of the Darbar Sahib, revealed on the basis of interviews with affected persons, including the doctors and the police officials, that many of the Sikhs killed during the attack were shot at point-blank range, with their hands tied at the back with their turbans.<sup>2</sup> The entire 'operation' became a by-word for army brutalities.

Even though the Akal Takhat had turned into a rubble with the tank shells and army had established its control over the entire Complex, the soldiers still took out their wrath on the unarmed and innocent pilgrims who had been trapped inside. The army men were seen at their worst behaving like a communal and grossly insensitive force slaughtering people like rats. Communal passions had been aroused due to repeated pronouncements made by the Government media and the national press that the Sikhs were asking for Khalistan. Before launching the 'operation', the army Generals had drilled into the heads of the rank and file that the 'enemy'<sup>1</sup> wanted an independent Sikh state and was posing a threat to the country's integrity, which

1. Kumar, Ram Narayan and Sieberer, Georg; *The Sikh Struggle* (Delhi, 1991). P. 262.

2. Chellaney, Brahma; *op. cit.*, P. 185.

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they had all sworn to uphold.<sup>1</sup> But even as the entire state apparatus had been communalised, it was even more dangerous to politicise and communalise the army. The communal frenzy which gripped the army destroyed its image beyond repair. The army, though consisting of heterogeneous elements had a name for fighting as a united force against a common alien enemy. The atrocities and sacrilege committed by the soldiers in the Darbar Sahib horrified the Sikhs, who had given their sons to the army with so much love and pride. Even when the resistance from the defenders of the Temple had been overcome, they killed with vengeance hundreds of pilgrims, who could not get out due to the sudden imposition of the curfew.

Grenades and poisonous gas shells were thrown at the men, women and children, who had locked themselves in the rooms, bathrooms and toilets of Guru Nanak Niwas, Guru Ram Das Serai and Teja Singh Samundri Hall. Those who tried to come out were pierced with bayonets and shot dead. Some soldiers out of vengeance caught hold of small babies and children by their feet, lifted them up in the air and then smashed them against the walls and thus breaking their skulls.<sup>2</sup> The eye witness accounts collected by the CFD expose the army's claim of using restraint. According to the Report, on June 7, 1984 twenty eight persons were pushed inside a strong room without any ventilation and locked. When the room was opened, 14 of them were dead. Bodies were left to rot inside the room and then burnt. "This was free India's Jallianwala Bagh leaving the old Jallianwala Bagh of the British days far behind in the number of killed and the manner of killing,"<sup>3</sup> observed the Report. In September, 1985, the CFD released a booklet, 'Report to the Nation; Oppression in Punjab.' This document was banned the very next day after its release.

A Naik of Kumaon Regiment, who participated in Blue Star, narrated the events of the fateful night of June 5 and 6 to 'Probe India'. Relieved to be returning home safely, he recounted the gory

1. Tragedy of Punjab, P. 94.
2. Harminder Kaur, op. cit, P. 38.
3. *Oppression in Punjab*, P. 11.

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details while sitting in the compartment of the Amritsar-Howraw Mail: 'On the morning of June 6, 1984, the Golden Temple complex was like a graveyard. Bodies lay all around in buildings, on the Parikarma and in the Sarovar. The sun was shining and the stench from the bodies was becoming unbearable. Bodies of Jawans were identified and handed over to their respective regiments. I myself carried the bodies of three soldiers on my shoulders. Each regiment conducted the funeral rites of their various jawans. The civilians who died, about 1500 of them, were piled in trollies and carried away. A lot of them were thrown into the rivers. The battle was a tragic one. I couldn't eat anything. Food made me sick. I used to just drink lots of rum and go to sleep. I am glad now to be relieved of my duty in Amritsar."<sup>1</sup>

Mary Anne Weaver, a correspondent of Sunday Times, London reported, "The army may be operating under 'take-no-prisoners' orders and wanted few militants to survive."<sup>2</sup> She made this observation on the basis of diplomatic sources in Delhi.

It was reported that a woman who pleaded with a soldier to get some water for her child dying of thirst was told, "Why should we serve you water? Have we come here to kill you or serve you water?" Addressing another one who made a similar request, he retorted, "Not long ago they were saying that we won't give any water to Haryana or to Rajasthan. You bastards, now. none of you will get water even to drink."<sup>3</sup>

On the basis of information gathered from reliable sources, Simaranjit Singh Mann wrote a letter to President Zail Singh, "The Indian armed forces, I have now learnt, had orders not to take any prisoners, a fact which I have mentioned in my resignation letter. After the operation in the Golden Temple was completed, a hundred children within the age group of eight to twelve years, who were students of the Dam Dami Taksal (Order), (Sant Jarnail Singh

- 1- *frobe India*, August, 1984.
2. *Sunday Times*, London, June 10, 1984.
3. Harminder Kaur, *op. cit.*, P. 39.

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Bhindranwale was the Jathedar of this Taksal), were lined upon the Parkarma (Circumambulation) of the Golden Temple and asked individually by an army officer whether they "still wanted Khalistan." Each looked up towards heaven as if to seek some divine inspiration and as each received it, he uttered the Sikh slogan' Jo Bole So Nehal " One by one as each Sikh child took this pledge he was shot dead by the jawans of the Indian Army. None amongst them asked for mercy or for a moment faltered in giving a courageous reply to their evil captors. They died to the last upholding the glory and traditions of the Sikh faith."

We are giving below some eye witness accounts of the happenings inside the Darbar Sahib Complex.

Duggal records : "At about 4 a.m. in the early hours of the morning of June 4, the regular Army attack on the temple started with a 25-pounder shell which fell in the ramparts of the Deori to the left of Akal Takhat Sahib with such a thunder that for a few-moments I thought that the whole complex had collapsed. I along with my wife were then sitting in the verandah of my house adjacent to the Sikh Reference Library. Recovering from the initial shock, we moved into the room and took shelter in one of its corners. Thereafter, every second the ferocity of firing increased and it continued unabated till the evening of the 6th June."

"As we were on the first floor and our quarter was open on all sides, our position was very vulnerable. The bullets hit our quarters on all sides and some of them pierced through the doors and landed inside the room. To add to our miseries, the power and water supplies had been cut. Through a slit in the shutter of a window, we saw a large number of dead bodies in the Parkarma of the Golden Temple. They included women and children. We could not leave our room. Coming out in the open would have exposed us to sure death."

"The helicopters hovered above and continued to fire from

1. Mann, Simranjit Singh's Letter to President Zail Singh in Dharam. S.S.; *op. at.* P. 231.
2. *Oppression in Punjab*, PP. 59-60.

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above. Some of these helicopters also guided the firing squads of the Army by making a circle of light around the targets. Immediately after these circles, the cannon balls would land on the targets causing havoc. We saw a large number of boys blown to pieces."<sup>1</sup>

Citizens for Democracy group records the evidence of one young college going girl in the following words: "They continued the firing till the evening of June 5 and then it was about 8-30 p.m. It was completely dark when they entered, accompanied by very heavy firing. The blasting was so severe that I thought that I had reached some other world."<sup>2</sup>

She said, "We were 40-50 persons huddled together in the room, including women and children, also a child of six months. In the next room were the pilgrims who had come on June 3, 1984. to celebrate Gurburb but they had been trapped/<sup>3</sup>

She continued, "The upper portion of the Akal Takhat had been fired at by the Army and completely destroyed. Pieces of the Guru Granth Sahib were flying in the air and littering the ground. The place seemed to have been transformed into a haunted house... There were some among us who were frantic for some water, they came out in the open. In the morning I saw the dead bodies lying in the Parikarma. This was the worst kind of treachery."<sup>4</sup>

Giani Puran Singh, a priest at the Harmandar Sahib and also an eye-witness remembers : "At 7-30 p.m. on 5th I went to Sri Akal Takhat where I met Sant Jarnail Singh Bhindranwale with whom I had a long satisfying talk while shots were ringing outside. At 10.00 p.m. the tanks started entering the complex and the barrage of shooting from within became more intense and heavy armour began to be used. At this stage an armoured carrier entered and stood beside the Sarovar. The lights on this carrier, when switched on, bathed the whole complex in bright light. We were viewing all this

*1 Ibid.*, P. 61.

*2 Ibid.*, P. 63.

*3 Ibid*

*.4 Ibid.*

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perched in the main dome of Harmandar Sahib and thought that probably the fire brigade had come to get water for extinguishing fires raging throughout the city. But we were proved wrong when this vehicle came down to the Parikarma and started firing. From both sides the tanks started closing in, from clock tower to the Brahm Buta the tanks set fire to all rooms, while desperate people collected water from the Sarovar to extinguish the fire. Loud cries and wails of both women and children rent the air. A vigorous battle ensued and the Darshani Deoris of Clock Towers and Atta Mandi along the Serais (rest houses) were in Army control by 10 o'clock, the next day (June 6). The 40-50 youths who had been holding the forces fought bravely till either they were killed or the ammunition was exhausted. From about 10 in the night till 4.30 the next morning, we were on the roof of Darbar Sahib."<sup>1</sup>

"At 2 a.m. on June 6", said Pirthipal Singh, Sewadar at the Akal Rest House, "the Army people came to the Rest House. They tore off all my clothes, stripped me naked, my kirpan was snatched, my head gear (patka) was untied to tie up my hands behind my back. They caught me by my hair and took me along with five others -who were all pilgrims -to the rums of the water tank; there we were made to stand in the line all naked for an hour or so; we were told, 'Don't move or you'll be shot.' They kept hitting us with the rifle butts. Then a Major came and ordered a soldier, 'shoot them', then shouted at us, 'You must be Bhindranwale's Chelas.' You want Khalistan? I said, 'I am here to do my duty. I have nothing to do with all this.' 'Six of us were in a line facing the Major, when a Pahari soldier started shooting from one end. killing four of us (with 3 bullets each). As my turn was coming, 'suddenly a Sikh officer turned up and ordered. 'Stop shooting.' Thus I was saved. The Sikh officer was told, 'These people have ammunitions.'" At that he ordered them to lock us in a room. Two of us were locked up in a room in Guru Ram Das Serai, but we did not talk nor did I ask -the other man's name. On 7 June the door was opened at about 8 or 9 in the morning. We had gone without water. The floor was covered

1. *Ibid.*, PP. 64-65.

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with blood. I was allowed to leave."<sup>1</sup>

Bhan Singh, who was arrested along with Longowal and Tohra, has also given an eye-witness account of June 6. He says, "We were encircled by the Army people, throughout the day from 4 a.m. till 5 a.m. when Sant Longowal and Jathedar Tohra were taken to the Army Camp, but I, along with many others, was kept inside the compound of Guru Ram Das Serai. We were taken away to the Army Camp at about 9.30 p.m."<sup>2</sup>

On the morning of June 6, a girl student, daughter of a S.G.P.C. employee, staying in the Complex, opened her room and came to fetch water. She said, "I saw nothing but piles of dead bodies, all stacked one over the other. At first I instinctively felt that I wouldn't manage to go out. All I could see was a ceaseless mound of dead bodies. It seemed that out of all the persons who were staying in the Parikarma, not one had survived."<sup>3</sup>

The narrations of Bhan Singh, Harcharan Singh Ragi, Giani Puran Singh and the girl student tear apart the Government issued "White Paper" that the Army had been instructed 'to treat all apprehended persons with dignity and consideration' and also that, 'no women and children were killed in the action by the troops.'<sup>4</sup>

Bhan Singh remembers: "On the 6th morning when hundreds of people were killed or wounded, everywhere there were cries of those people who were wounded and injured but there was no provision for their dressings and there were no Red Cross people within the Complex. Many young people aged between 18 and 22 years were killed and so were some ladies. A lady carrying a child of only a few months saw her husband lying before her. The child was also killed on account of the firing. It was a very touching scene when she placed the dead body of the child alongside her husband's body. Many people were crying for drinking water but

1. *Ibid.*, P. 67.
2. *Ibid.*, PP. 67-68.
3. *Ibid.*, P. 68.
4. *Ibid.*, P. 69.

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they were not provided any. Some had to take water out of the drains where dead bodies were lying and the water was red with blood. The way the injured were quenching their thirst was an awful sight which could not be tolerated. The Army people were there, moving about mercilessly without showing any sign of sympathy with those injured or wounded. Those who were under arrest were not provided any facility of water or food or any other thing of that sort. The clothes of those who were arrested were removed and they were only left with shorts. Their turbans, shirts, etc. were all removed and heaped together. Such a brutal treatment was given to them, as if they were aliens and not the citizens of the country to which the forces belonged."

"There were about 27-28 persons with us, 5 of them ladies, some elderly men, the rest young boys. Out of the remaining male youths, they picked up four and took off their turbans with which they tied their hands behind their backs. Then the Army men beat these 4 Sikh boys with the butts of their rifles till they fell on the ground and started bleeding. They kept telling the boys all along, "you are terrorists. You will be shot." These boys were shot dead right in front of me. They looked completely innocent. Neither they seemed to know how to use a rifle, nor did they seem to know the meaning of terrorism'. They were shot before my eyes. Their age was between 18 and 20 years. I did not know who they were - circumstances had brought us together. Whenever I recollect that scene, I seem to lose my bearings,"<sup>2</sup> says the girl student.

She said, "Then they (the Army people) surrounded me and started questioning me. I told my grand-mother not to speak a word to them as they were speaking only with bullets. I asked them whether they had come to protect us or to finish us. I said my grandfather was a Colonel in the Army... The Army man incharge then asked his colleagues to leave me and my family members. He told me to go away quickly. And so we were saved."<sup>3</sup>

1- *Ibid.*, PP. 69-70.

2- *Ibid.*, PP 70-71.

3- *Ibid.*, P. 71.

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Giani Puran Singh narrates : "At 4.30 a.m. on June 6. Gum Granth Sahib was brought down, *Parkash* was done and the *Hukamnama* taken. The Kirtan of Asa-di-Vaar started. This Kirtan was not done by the appointed Ragi Jatha (Hymn Singers) but by members of Bhai Randhir Singh Jatha. one member of which Avtar Singh of Purewal was later martyred inside the Darbar Sahib. The official jatha of Bhai Amrik Singh had been martyred at the Darshani Deori the previous day. Bhai Avtar Singh was hit by a bullet, which tore through the southern door, one of which is still embedded in the Guru Granth Sahib which is there since Maharaja Ranjit Singh's time. Time passed and at 4.00 p.m. on June 6, 1984, some poisonous gas was spread and the Akal Takhat was captured. Without this gas the forces could not have been able to gain the Akal Takhat At 4.30 the Commandant Brar spoke from the speaker on the Southern Deori that all living people should surrender. All those who had come face to face with the forces had been eliminated, We (I and Giani Mohan Singh) asked all the 22 within the Darbar Sahib to surrender and told the Commanding Officer that two priests had stayed behind and, if need be, he could send his men for them. He did not agree with them and called aloud on the speaker that we should come with raised hands. We decided against this because if we were shot on the way it would merely be a waste. We were in the Darbar Sahib till 7.30 when two soldiers and a sewadar were sent to fetch us. While on our way out, I stopped to pour a handful of water in the mouth of the wounded member of the jatha, who asked us to send for help. I promised to do so provided I remained alive. General Brar told us that he too was a Sikh and then enquired as to what we proposed to do. We told him that we wanted to go to the urinal. Then we were questioned of the whereabouts of Santji and were told that he would not be harmed. We told them that they knew better as they were in command. We were questioned; whether any machine gunnists were operating from Darbar Sahib to which we said that they were welcome to inspect the premises themselves. Five persons accompanied us to the Harmandar, one Sikh officer and 3-4 others. When we started, the Sikh officer insisted that we should lead because if firing started from within, we would face it

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because we would be shot if someone shot from within. When we reached the Harmandar, a search was carried out by them, picking and searching below every carpet but no sign of firing was traced. Meanwhile, the wounded member left behind had passed away. His body was placed in a white sheet, brought out and placed along with various others lying outside."<sup>1</sup>

Apart from the wanton killings, the army set the Sikh Reference Library and Archives, Toshakhana and Museum on fire, in a fit of revengeful vandalism. Hundreds of copies of the Holy Granth, Hukamnamas (edicts) bearing the signatures of the Sikh Gurus and extremely valuable rare manuscripts dating back to the times of the Gurus were destroyed. This took place when the army had taken control of the Complex and the announcement to this effect had been made by the All India Radio. The buildings of Guru Ram Das Serai, Guru Nanak Niwas and the S.G.P.C. office in the Teja Singh Samundri Hall were also set on fire. According to Bhan Singh, the Army had removed all the records of the S.G.P.C. and the building was set on fire subsequently so as to provide an alibi that all the records had been burnt. Ramesh Inder Singh, who had taken charge as the new Deputy Commissioner of Amritsar, is said to have contacted the army authorities and wanted to send fire tenders to extinguish the fire but he was not given permission to do so.

An eye witness account of Devinder Singh Duggal is worth recording. He told a team of the CFD that as he had left the Complex on 6th June all those buildings were in good shape in spite of the army attack. On 14 June, 1984, Duggal was arrested by the army and taken inside the Darbar Sahib to take charge of the Library. When he told the army authorities that the Library was no where, he was told that he had no option but to sign a typed receipt to the effect that he had taken over the charge of the Library.<sup>2</sup> Duggal, who was in a state of shock, refused to take charge of the ashes of the Library.<sup>3</sup> According to the official version, the Library caught

1. *Ibid.*, P. 72.

2. *Ibid.*, PP. 66-67.

3. *Ibid.*

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fire accidentally due to the heavy machine gun fire released by Bhindranwale's men, who had taken positions in the Library. According to the eye witnesses, the Library was in control of Brigadier A.K. Dewan and his men. According to Mark Tully and Satish Jacob, "The Garhwals did manage to establish a position on the roof of the Temple library. Their commanding officer reported this to his Brigadier, A.K. Dewan."<sup>1</sup> Both Duggal and Bhan Singh reported that the Library was intact on the afternoon of June 6.<sup>2</sup> This belies the official version. Evidently, - army deliberately set the Library on fire. In an interview with Mark Tully, Bhai Ashok Singh said, "Any army which wants to destroy a nation destroys its culture. That is why the Indian army burnt the library."<sup>3</sup>

Giani Kirpal Singh, Jathedar Akal Takhat told Surya: "The Government wanted to destroy Sikh history. Otherwise, how do you explain the fire in the Sikh Reference Library? The archives were set on fire two days after the army action. It was a historical collection of ancient books, *Khardas* (manuscripts), handwritten historical *heeds* (Holy books), some of them were even written by the Gurus, *Janam Sakhis* (biographical sketches of Gurus), *Hukumnamas* (commandments of Akal Takhat) which were of the greatest importance as the Sikhs regularly referred to them for their research."<sup>4</sup>

Later in an interview with the Tribune, Duggal pointed out that 'there were about 20,000 books in the Library' but not even one book had survived the 'holocaust'. There were over 500 hand written manuscripts related to the Sikh tenets, scripture and history. There was also a library of 250 odd wooden blocks related to historic events, personalities and saints."<sup>5</sup>

Lt. General J.S. Aurora, who visited the Temple, a month after

1. Tully, Mark and Jacob, Satish; *op. cit.*, P. 163.
2. *Oppression in Punjab*, P.67; Harminder Kaur, *op. cit.*, P. 45.
3. Tully, Mark and Jacob, Satish; *op. cit.*, P. 176.
4. *Surya*, August, 1984.
5. *The Tribune*, July 4, 1984.

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the bloody attack observed : "I went to Amritsar on 6 July, visited the Golden Temple and talked to the Army authorities and others who were there during Army operation. The damage to the entire complex was much beyond what was reported in the media news or the press. It was difficult not to feel hurt and to control one's anguish."<sup>1</sup>

Eye witness accounts reveal that the Red Cross was not allowed to enter the Complex in aid of the wounded. Many people died of thirst as they were not allowed to drink water. Pool of nectar (Sarowar) was converted into a pool of blood with the throwing of dead bodies into it. Many people were said to have quenched their thirst with the water from the pool mixed with blood. Water supply to the Complex had been cut off.

The dead were robbed of their money and ornaments. The money from the Temple golaks (money boxes) was also taken away.<sup>2</sup> Some historical paintings in the museum were found missing. The missing items also included rare coins, albums, a rosary presented by Maharaja Dalip Singh and a hand embroidered picture of Guru Nanak presented by the famous Pakistani Singer Malika Pukhraj and her daughter Tahira.<sup>3</sup>

The authorities did not bother to identify- the dead or to record the number of casualties. The precincts of the Shrine were seen littered with dead bodies for three days after the 'operation". The doctors who were entrusted with the task of performing post-mortem over the highly decomposed bodies could not sleep for several nights. Later on, it was decided to dispense with the formality of post-mortem. Subash Kirepaker reported : "The disposal of corpses posed a great problem. So much so that seven truck cleaners behind my hotel were rounded up one morning and threatened with dire consequences if they did not do as ordered. But they stubbornly refused. So the scouts then went to contact some sweepers. They

1. *The Punjab Story*, P. 92.
2. **Harminder Kaur**, *op. cit.*, P 45.
3. *Ibid.*

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too refused. But when offered liquor and the lure of owning whatever was found on the corpse, be it gold chain, ring or cash, goes the story they agreed. Some of them have made big fortunes in the bargain."<sup>1</sup>

A sweeper described the gruesome sight in these words: "The bodies had been lying in the scorching heat of June for two days. When we tried to lift a body by the limbs, flesh simply came into our hands. We tore turbans and *dupattas* of the dead to tie them around their limbs in order to lift and carry them on stretchers to the nearby trucks (generally used for carrying garbage) to be dumped at Guru Tegh Bahadur hospital for post-mortem. From there the dead bodies were taken to the Chatiwind cremation ground for mass cremation."<sup>2</sup>

Another sweeper recalled: "In one room, a number of corpses lay one atop another. There was ankle-deep congealed blood all around. It appears some people, who had been hiding there, were discovered by some jawans and shot at point-blank range/<sup>3</sup>

It was reported that the dead bodies were loaded and carried in the garbage trucks of the Municipal Committee, dumped together and burnt by pouring kerosene oil, diesel and petrol on them. Since some of the bodies were highly decomposed and kerosene oil could not completely destroy the human flesh, the stench did not go away for a period of two weeks or even more. Brahma Chellaney reported the following account given by the man on duty at the city crematory: "I twice visited the main city crematory on 9 and 11 June to check the fatality toll in the Golden Temple assault. Bodies were being brought in municipal garbage truck round-the-clock since early 6 June. 'We have been really busy. To add to our woes, we don't have enough wood to burn the dead, and so we are cremating them in heaps of twenty or more'<sup>1</sup>, said the crematory official- Near the Golden Temple, I saw an estimated 50 corpses in a large rubbish lorry that

1. **Kirapekar.** Subash in *The Punjab Story*. P. 83.
2. Harminder Kaur; *op. cit.*, P. 46.
3. *Ibid.*

had sewage still smeared on its outer body. From the back of the grey truck, at least two masculine legs were sticking out and from the left side one could see the hanging forehead and the long flowing hair of an apparently unturbaned Sikh. As I peeped into the truck from the back, I could see dead bodies of at least two women and a child. That night it was difficult to sleep; I kept thinking of the dead bodies."

"On 10 June, a UNI reporter and I saw the dehydrated body of a petty shopkeeper, who apparently had died of starvation and thirst, being pulled out from a wayside stall by troops about two kilometers from the Golden Temple. Later, the district police chief admitted in confidence that six people and more than LOGO buffaloes had died of starvation because of the strictly-enforced curfew. In Amritsar's Green Avenue, where I stayed with the Air Force Officer, babies had no milk to drink and residents were mostly eating lentils and home made bread. A village milkman who tried to bring milk to the area in violation of the curfew was shot dead by soldiers. From my three military sources, I gathered that 106 people had been killed between 4 and 10 June by army firing on crowds of Sikh villagers trying to march to the Golden Temple."

The Guardian, London, in its issue of June 26, 1984, observed :  
 "In Amritsar, people have yet to recover from the trauma of the three-day battle between the troops and the Sikh extremists inside the Temple. Residents, particularly of the areas adjoining the Temple, talk of nights of terror when mortar shells whined over their heads and sharpnels struck their houses. Hundreds of houses and shops surrounding the Temple, the hub of the city, were reduced to rubble in the crossfire. At a conservative estimate, more than 500 buildings have been destroyed. Many of those who died are believed to have been indoors when the ancient buildings collapsed under fire. Bodies are still being dug from the debris. All the bodies cannot be recovered till the entire area is demolished. The destruction has left nearly 30,000 people homeless. Thousands gather at the site every day to survey the remains of what were their homes and shops."

1. Chellaney, Brahma: 'An Eyewitness Account' in Samuiddin. Abida: *op. cit.*. P. 182.

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The Observer, London (June 9, 1984) reported : "Outside the Golden Temple scores of buildings have been reduced to rubble. Flies outnumber people who stand around in mournful groups outside their damaged homes. Foreign reporters have not been allowed inside the inner walled city which has been badly damaged by shell-fire. Four of the seven bazars have been hit by 6 shells and partially destroyed."

Along with the Darbar Sahib, there were seventy four other Gurdwaras, thirty seven of them of historical significance, which were simultaneously stormed by the Indian troops<sup>1</sup> on the pretext of 'flushing out terrorists.' It was nothing but deliberate misuse of terminology without any evidence to support the contention that 'terrorists' were hiding in these Gurdwaras. No warnings had been given. No warrants had been issued. The sinister plan was clean,' aimed at destroying the religious base of the Sikhs *en masse*. The British too wanted to use Gurdwaras as channels for indirect control of the Sikhs. But on no occasion did they attempt to desecrate or destroy the Gurdwaras. It was an undeclared but a full fledged war against the Sikhs by the Government of free India.

No news was released regarding the sacrilege and the atrocities committed in these Gurdwaras or the number of people killed during the so called 'Operation'. According to army sources, 20 people were killed at Gurdwara Dukh Niwaran at Patiala but the doctors at Patiala hospital put the number at 56.<sup>2</sup> Many of the young boys were captured by the army jawans and asked "If they still wanted Khalistan." Later they were shot at the point blank range through their temples.<sup>3</sup> The pattern of atrocities committed by the army) was astonishingly the same all over Punjab. A 16 year old Bir Singh who survived and escaped from Gurdwara Dukh Niwaran narrated the horrifying and spine chilling account of the brutal killings in the Gurdwara.<sup>4</sup>

1. Dharam, S.S.; *op. cit.*, P. 45.
2. Harminder Kaur; *op. cit.*, P. 48; Tully, Mark and Jacob, Satish; *op. cit.*. P. i52.
3. Dharam S.S.; *op. cit.*, P. 47.
4. *Ibid.*

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The siege of Mukatsar Gurdwara and town by the army troops continued for about a month under total curfew conditions. Hundreds of innocent pilgrims were caught unawares in the Shrine, The army resorted to indiscriminate firing. In the mopping up operation, the jawans caught hold of the priests, the young men and the old men. tied their hands and legs with their turbans, kicked them and hit them with rifle butts. Some of them were made to lie down on the burning hot floors in the scorching heat with their hands tied-<sup>1</sup> In spite of the fact that officers of the army were told by the priests that Baba Harbans Singh was a revered saint of Bangla Sahib Gurdwara of New Delhi and had come there only to carry out Kar Seva, no heed was paid to this request. The Sikh saint and his followers were searched, harassed and humiliated.<sup>2</sup> Some people were not allowed to quench their thirst. Instead of giving any first aid to the wounded, they were shot dead.<sup>3</sup> No records, whatsoever, were kept of the people who were killed by the troops. The dead bodies were put in trailers and trollies, carried outside the town, dumped there and set on fire by pouring kerosene oil on them. The army jawans ran amuck and looted money not only from the pilgrims but also from the *Golaks*. They entered the Gurdwaras with shoes on their feet, insulted the holy Granth and freely smoked in the precincts of the shrines.

A rigid press censorship did not allow the black deeds, committed by the army under the innocuous label of 'Blue Star', to reach the people. By all recognised tests-number of killings, manner of killings, numbers rendered homeless, number of buildings raised to the ground, the Blue Star holocaust was worse than any other event known to recent history of mankind. What added to the anguish of the Sikhs was the glorification of the brutal act as an act of patriotism. A brave and patriotic community was pushed to the wall. After the Jallianwala Bagh massacre, though much smaller in magnitude, the British Government had the discretion to admit that it was a savage, brutal and cold-blooded act. Winston Churchill.

1- *Ibid.*, P. 49.

2. *Ibid.*

3. *Ibid.*

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the British Secretary of War said, "It is an extra-ordinary step which stands in singular and sinister isolation."<sup>11</sup> The British regime had bowed to the demand to appoint a commission of enquiry, known as the Hunter Commission, to go into the event. The Government of India's refusal to appoint a commission to explain as to what happened before, during and after the Blue Star in all its ramifications, was an abject confession of failure. In a true democratic set up, norms of decent administration require the appointment of an enquiry commission even into the ordinary cases of police firing, resulting in casualties.

An issue of 'Surya' unearthed some startling facts and revealed the most obnoxious features of the Government policy. It was discovered that 'the whole Punjab operation was initiated, conducted and concluded by a super intelligence organisation code named' Third Agency'.<sup>1</sup>

Many questions arise. How did the Government determine that the persons inside the Golden Temple were terrorists? Their names were never released and no warrants were ever issued for their arrest. What criterion did the Indian army adopt to make distinction between the pilgrims and the militants? Why was it essential for the Government to attack the Temple on the holy day when thousands of pilgrims had assembled there to pay their obeisance? Was it necessary to enact the gory scene of blood, brutality and destruction at the Golden Temple? Why was the Sikh Reference Library and archives, which had a collection of rare manuscripts and Hukamnamas, bearing the signatures or marks of the Gurus, set on fire, after the attack had come to an end? How was it that a large number of Sikhs whose dead bodies were brought for post-mortem had their hands tied at the back and had been shot in the chest or the head? Why has the Government not released a list of casualties to this day? Why were the dead bodies of the people killed inside the Temple not given to their families for cremation? Why was it essential for the government to attack, seventy two other Gurdwaras in Punjab and outside especially when there was no resistance from the inmates? No healthy rationale can answer these intriguing questions. Hence.

1. *See Annexure 1.*

the conclusion becomes inevitable that the Blue Star attack was simply unrelated to the problem of law and order but was a direct attack on what the Sikhs considered to be dearest to their hearts.

### **Wood Rose : Mass Oppression :**

Unfortunately Blue Star did not mark the end of a tragic chapter in the history of Punjab. The phase of oppression was continued with great virulence because the motives which prompted it were no different from those that had staged the bloody attack on the Golden Temple. What needs stress is that both Blue Star and Wood Rose assaults were part of the single process, which was the product of a planned thinking, to which we have referred earlier, with clear instructions to destroy the Sikhs and their moral strength that had sustained their *Morchas*.

Sikh sentiments which were already deeply hurt received another jolt when the Government launched the second phase of the military action under the ironic name of 'Operation Wood Rose.' This exercise was conducted in the immediate wake of 'Blue Star', when the army unleashed a reign of terror on the Sikh populace in the countryside with instruction to torture, humiliate and destroy them. When soldiers asked the officers who was to be considered the enemy, they were apparently told that all *Amritdhari* Sikhs (baptised Sikhs) were terrorists. The result, needless to say, was havoc and led to the first wave of able-bodied youths fleeing across the border for their survival. Indian Express reported : "Some divisions are engaged in stemming the militants in Punjab and most districts, in fact, have a Brigade Commander at the helm of the law and order machinery. A drive down the highways into the countryside in Punjab shows that heavier weapons, including some armour, have been marshalled for support."<sup>1</sup>

Ruthless repression was let loose in the State in the name of mopping up 'terrorists'. Thousands of Sikh men, women and children were rounded up on the suspicion of being 'terrorists'. Sikhs of all hues and shades were looked upon with suspicion. The wrath of the army was especially directed against the *Amritdhari* Sikhs (baptised

1. *Indian Express*, June 18, 1984.

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Sikhs) who were described as dangerous people. A Circular (No. 153) was issued in the July, 1984, issue of 'Batchit'. an official magazine circulated throughout the army, directing the army personnel to keep track of all *Amritdhari* Sikhs who were to be treated as suspects, It read as under : "Although the majority of the terrorists have been dealt with and bulk of the arms and ammunition recovered, yet a large number of them are still at large. They have to be subdued to achieve the final aim of restoring peace in the country. Any knowledge of the *Amritdharis* who are dangerous people and pledge to commit murders, arson and acts of terrorism should immediately be brought to the notice of the authorities. These people may appear harmless from the outside but they are basically committed to terrorism. In the interest of all of us, their identity and whereabouts must always be disclosed."<sup>1</sup> The above makes it plain that the obvious aim could only be to liquidate the *Amritdharis* or, broadly speaking, any Sikh youth who could be considered an *Amritdhari*; for no one was going to see the lists of those who were administered *Amrit*.

The plan was to shoot and kill *Amritdhari* Sikhs wherever and whenever possible. Thus a genocide of the Sikhs was committed in the midst of a rigid press censorship and a blanket ban against international pressmen entering the State. No record was kept of the figures and names of those killed in contrived or fake encounters. In this connection a few observations of the CFD are note worth) : "There is no dearth of men who are ready to identify *Amritdharis* and disclose their whereabouts. One such *Amritdhari*,s presence in village Sadu Lal, Amritsar District was reported to the Army. Sohan Singh (32) of Longowal village of Gurdaspur -a small agriculturist had gone with his wife and small daughter to look after the land of his father-in-law who had fallen sick. "Some army men suddenly came to my father's house when we were sitting down to eat and asked my husband if he was an *Amritdhari*. He said he was a religious Sikh. The army men were abusive, they pulled his beard, opened out his turban and said Sikhs are *badmashes* (scoundrels)," my

1. *Oppression in Punjab*, PP. 29-30;  
*Indian Express*, September 30, 1984;  
For details see Annexure IV.

husband said, "I am a small peasant, it does not matter if people think bad of me." At that those men threw him on the ground and began to beat him badly, then they dragged him out of the house and took him in their jeep."'' The statement was made by his wife.

"Bhajan Partap Singh of village Tarseka, Amritsar District, who was in the lock-up next to the room where Sohan Singh had been put told us what had happened there, "I could hear him cry and ask for water, I think an employee perhaps was going to give him some water when I heard someone abusing him, "Is he your *Sala*?" Others who were in that camp used to hear him shriek and one day everything was quiet. We came to know that Sohan Singh 's eyes had been gouged out and every joint of his body had been broken with the steel rods. Later when his body was handed over to his widow and his elder brother Baldev Singh, they found that the eyes were not there, the body was just pulp without joints and it had become unusually long; the Army had handed it over to the S.H.O., Jandiala. District Amritsar, who had entered the case as one of suicide, and before giving the body to them, the police made the widow sign a statement that it was a case of suicide; there was no post-mortem report to prove that the man had died of torture; Sohan Singh's body was brought to his village Longowal and cremated there."''

There had been cases where *Amritdhari* Sikh soldiers were asked to remove their Kirpans. When they refused to do so they were harassed, ill-treated, charge-sheeted and produced before the officers to punish them for disobedience of orders, The contents of the circular spread alarm in the Sikh community, A petition was filed in the Punjab and Haryana High Court by some prominent Sikhs to get a directive issued to the army authorities to withdraw the Batchit Circular in question as suggestions given therein were not only detrimental to the Sikh religion but were also responsible for inflaming communal passions among the Hindu soldiers to kill the Sikhs in Punjab. The High Court examined the case and issued

1. *Oppression in Punjab*; PP 29-30.

2 Indian express, September 30, 1984.

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an order asking the army authorities to withdraw the Circular.<sup>2</sup> Evidently the order of the High Court for the withdrawal of the Circular could hardly undo the impression indelibly registered in the minds of the soldiers who had received the earlier instructions and acted on them.

For months after the assault on Darbar Sahib, it was undeclared martial law in Punjab, the wrath of which fell only on the Sikhs. Any Sikh youth who wore a yellow or blue turban or had a kirpan on his person was captured, humiliated and harassed. Flag marches by the army were carried on to strike terror in the Sikh populace. Terror was let loose on unarmed citizens in the name of curbing 'terrorism'. Invariably, the entire male population of a village was ordered to come out with hands up and made to stand in the scorching heat of the sun for hours at a stretch, without allowing them to answer the call of nature. Public flogging of Sikh youth was done on the slightest suspicion. The extreme humiliation of youngsters in and out of police custody produced a deep-seated revulsion against authority. The stark brutalities inflicted on them forced them to leave their houses and live underground. It was reported that more than 8000 people were either missing from their houses or were detained during the Army action in Punjab.<sup>1</sup>

The CFD reported : "It was an undeclared, unilateral and ruthless war against hundreds of innocent defenceless men and women in far-away tiny villages of Punjab from where their voices do not reach the rest of India. Though many of these villagers were on bail and some had come out of jail only a couple of days before they met us, they showed amazing self-control and fearlessness and without any hesitation told us their story mentioning the names of police officers who had tortured them and had demanded and in several instances accepted huge bribes, if they wanted their women not to be molested or their sons and brothers not to be killed in encounters'. In the name of curbing terrorism, unabashed state terrorism has been unleashed on the Sikhs branding them as criminals. Arbitrary arrests and Me Carthy style witch hunt, sadistic torture of *Amritdhari* Sikhs and cold-blooded shooting down of

1. *Indian Express*. **October 15**, 1984.

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youngmen in false encounters, are common occurrences; even village women are not spared, they are being harassed and beaten up, dishonoured and taken away to Police Stations or to unknown destinations and kept there, sometime for more than a month. It is all male-police, there is no sign of women-police in the villages. The demand is that the women must produce their missing or absconding husbands and sons; women after women came to meet us from different villages to tell us what they had been facing for the last one and a half year; fields are not cultivated, the police whisk away the servants, cattle is not fed. crops cannot be harvested; a woman saddled with children with no man in the house to help and all the time the police-fear haunting her is a common story in the villages... Swinging between hope and hopelessness, afraid of the police, in many villages women have locked up their houses and have disappeared; in Verka village, for instance, houses were not even locked -they were lying empty, deserted. For months, the civil authorities had almost ceased to function. It is only under a military dictatorship that army officers could drag a Sarpanch to the Army camp and order him to produce some weapons which he was suspected to possess and, when he could not, he was made to stand in a deep pit and earth piled inside till it reached his neck. We found that the Army was hated not only by the common villager but by their own retired Havaldars and Captains, for in several cases they, being *Amritdhari*, were the targets. To-day the image of the Army is of a communal, corrupt, cruel and a grossly insensitive force."<sup>1</sup> The Christian Science Monitor, Boston, which made a coverage of Government actions in Punjab reported : "The pattern in each village appears to be the same. The army moves in during the early evening, cordons a village and announces over loudspeakers that everyone must come out. All males between the age group of 15 and 35 are trussed and blind folded, then taken away. Thousands have disappeared in the Punjab since the Army operation began. The government has provided no lists of names; families don't know if sons and husbands are arrested, underground, or dead."<sup>2</sup>

<sup>1</sup> *Oppression in Punjab*, PP. 9-12.

<sup>2</sup> *Christian Science Monitor* (U.S.A.); **October** 15, 1984,

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The CFD reported: "The President of India had given awards to our brave army in appreciation of their dangerous mopping up operation. Buildings once tall and imposing stand like so many haunted houses, eerie and empty with bombed out walls, mangled girders and gaping wounds -mute witnesses to wanton destruction. Though we had been told in Delhi that the Army had been withdrawn, the Army was there in Amritsar, even 8 months after the Operation Blue Star. The convoys still rumble along. Big Brother stands fully armed, using constant vigil on all who enter or leave the Temple Complex, himself almost invisible"

The C.F.D. further noted: "Before evening falls every passing vehicle is searched, passengers are hauled out, luggage is examined, creating an artificial atmosphere of danger impeding normal life. Sikhs, in particular are insulted -Professor Virk of Guru Nanak University was slapped during checking."<sup>1</sup>

How sheer living had become hazardous and insecure in Punjab during those days was explained to the CFD by Narinder Singh, Sarpanch of Kala Sangha : "If any body objects to the illegal actions of the Police, he is at once arrested and falsely implicated in an Arms Act case. Innocent persons are tortured. We cannot describe the extent of lawlessness of the police. For two months the wife and aunt of Tarsem Singh were taken away by the police. They want money -as much money as they can extort/<sup>2</sup>

CFD recorded the comments of one Kirpal Singh. who said; "When General Dyer killed people in Jallianwala Bagh. the bodies had been given back to their relatives but strangely our own Army killed our own people and did not return the bodies to their relatives. There after'a reign of terror was let loose in this area. Any Sikh youth who wore a yellow or blue turban or had a kirpan was captured, humiliated and shot. I had given a memorandum to Major General Jamwal, who was the Army Commander at that time here. Those Army men are the same who had been served by the Punjabis.

1. *Oppression in Punjab*, PP. 19-20.

2. *Ibid.*, P. 20.

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especially by the village people -in the battle field, with *lassi* and *paranths* which they carried on their heads."<sup>1</sup>

The CFD heard a frightening story from Gurmeet Singh of Khanna Chamara village, how Army Officers interfered in people's private lives. He reported : "A Christian girl was getting married and there was a party in the village. Being falsely informed that there-were terrorists, the army came in the village in three vans, surrounded the village and a drunken Major entered the house of the bride with a few of his men; he ordered all male guests to come out with hands up and the women guests to dance. The ladies were made to dance all night under threat; we men were blind-folded, vilely abused and taken to the military camp and kept there for two nights, then we were handed over to the police. At the police station we were insulted, humiliated, beaten without any charge sheet: it was only after the Panchayat came with the villagers to the police station and pleaded with the authorities about our innocence that we were released/<sup>2</sup>

Sixty year old Boota Singh of village Pagthana Baardwala said, "My son Ajit Singh (20) is untraceable since Army action in June; my house has been raided 10 times during the last eight and a half months and my three other sons and myself have been arrested five times, taken to a CIA staff, kept there, tortured for one month, then released for a couple of weeks, then again taken, again interrogated, again tortured, then released again for a few days. Time and again it is because of the intervention of the Panchayat that we are released; I was released only yesterday (May 5. 1985) My son Pritam Singh is still in custody. We are very much harassed. We are never produced before a magistrate but continuously ordered to produce my missing son Ajit Singh."<sup>13</sup>

Boota Singh said in anguish. "We have no desire to live. About 100 Army msn suddenly raid our houses in the night, pounce upon

1. *Ibid.*, 31.
2. *Ibid.*
3. *Ibid.*, P. 32.

our sleeping sisters and ladies and small children. We are not even allowed to harvest. Death is better than this life."1 Young Raj want Kaur of Shahpur Guraiya was alone in her house with two of her small nephews -her brother had gone to Golden Temple and had not returned since June Army action; her old sick father, who could not even sit up had been taken away at least ten times since December. On May 4, 1984, at night my sister-in-law and her one year old baby were taken away, I do not know where. For the last six months our crop is not being allowed to be harvested. The labourers were threatened and they have all left; there is none to look after the land or the cattle."<sup>2</sup>

CFD was critical of the Government for acting in a partisan manner. The report said that "soon after the Operation Blue Star the Government inducted a number of CRPF and BSF officers from outside Punjab to deal with the terrorists. The Sarpanch of village Haruwal bitterly complained that the D.I.G., S.P., A.S.P., even the S.H.O. are all Hindus and everyday they are arresting only Sikhs. Recently Inspector Kirpal Singh of the B.S.F. came on leave to my village and he was arrested. When I went to the police station for his release, the S.H.O. threatened to arrest me. It was only after badly insulting Kirpal Singh that they released him. I feel so harassed that I have no desire to live. Daily I have to go to the Police Station for the release of innocent persons from 7 a.m. in the morning till late at night; death is better than this sort of situation and constant harassment."<sup>3</sup>

For months after the Blue Star holocaust it was undeclared army rule in Punjab. That the civil authorities had ceased to function will be clear from the following incident reported by the C.F.D : 'An accused with eyes tightly bandaged was produced before the Chief Judicial Magistrate, Shri Cheema. The Court ordered the bandage to be removed. The orders were obeyed; after hearing the case the Court ordered that the accused should be sent to jail and

1. *Ibid.*
2. *Ibid.*
3. *Ibid.*, P. 33.

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not returned to Army custody; at once a Junior Commissioned Officer in the Army entered and clearly told the Magistrate in Hindi. "Goli Khayega or remand dega" -in the retiring room the order of the court sending the accused to jail was torn up and replaced by a remand order. Cheema complained to the Sessions Judge and the District Magistrate who brought the matter to the notice of the Brigadier, who expressed regret but the matter remained there."<sup>1</sup>

The above narration is based on the disinterested evidence and conclusions of singularly public spirited and prominent Indians from outside Punjab. It reveals unmistakably the objectives of the masters who planned and ordered the genocide and the officials and men who faithfully executed it without any abatement in their sadistic, malignant course of military duty. It gives a peep into the feelings and sentiments of the people who suffered the genocidal oppression. Such has been the fate of the Sikh masses at the hands of their own 'democratically elected masters' who are supposed to protect their human rights and their "national army" which is supposed to secure their safety against external aggression. One cannot help noticing the contrast between the approach and thinking of those who not only systematically planned these operations and supervised their malevolent execution and, on the other hand, the reaction and the feelings of men, women and children in the rural areas who had not just heard the stories from a partisan press or a communal demagogue but those bleeding limbs had either suffered the tortures or witnessed with tearful eyes the death, destruction and molestation of their near and dear ones. The sophisticated understanding, planning and approach of those who over a long period planned the process present a sharp contrast to the reactions, feelings, perceptions and thinking of the mass of the Sikhs who became the human objects of that policy and process.

The reaction of the two communities to the attack on the Golden Temple presents another note worthy contrast. On the one hand was the entire Hindu community supporting the action either through the press or their representatives in democratic institutions or

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spokesmen of Government or Administration or arm chair academicians and on the other hand was the mass of the Sikh community, literate or illiterate, sophisticated or unsophisticated, urban or ruralite condemning the action with one voice. Still another contrast is between the thinking of those persons who issued instructions about the considered criminality of *Amritdhari* Sikhs as the targets of their plan of persecution and elimination and the heroic resurgence of the Sikh youth since it invoked in them the glorious memories of the Sikh tradition created by the Sikh Gurus and the unprecedented valour shown by the Sikhs in struggling to supplant the Mughal administration that had repeatedly issued orders for the elimination of every Sikh. It is the same contrast of outlook that it would seem never contemplated the spontaneous revolt or reaction of the Sikh soldiers in the Indian army at what they thought to be deeply immoral stab at their faith.

Drastic steps in history have often been the result of miscalculation at the highest level i.e. those who are inexcusably ignorant of the realities of the context. Such steps have been seen to have jeopardised the fate of empires. The Jallianwala Bagh massacre ordered by Dyer was a grievous blunder which shook the very foundations of the Empire but the men at the top tried to retrieve the position by cashiering Dyer and O'Dwyer and appointing the Hunter Commission. But in this case, though the event was of a much greater magnitude than the Jallianwala Bagh episode, the executors were decorated and rewarded, only to add fuel to the fire.

### **Seizure of the Golden Temple :**

After the carnage, it would seem that the Government itself started feeling the repulsive horror of the gory drama it had staged. For days, no one other than the occupation Army was allowed to enter the sacred premises which lay spattered with blood, dead bodies and destruction. The stink of decaying flesh and blood did not disappear for the corpses were too many to be cleared, disposed of and cremated in just a few days. The only visitors allowed were the President on June 8, 1984, and the Prime Minister on June 23, 1984.

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Just as one He leads to more lies to cover it. the Government's anxiety increased to hide the truth of the plan they had executed. Accordingly they refused to vacate the premises and thought of clearing the place and reconstructing the demolished part of the Golden Temple and the Akal Takhat, so that the tragic scene and its evidence should not remain permanently recorded in public memory.

Accordingly, the Golden Temple, the heart of Sikh religious life which gave solace and peace to millions of Sikh souls was kept in military occupation. While it would seem that the Government felt the inevitable necessity of continuing the tragedy few people realised the enormity of the pain and injury it was continuing to cause to the lacerated hearts of the entire Sikh community, especial K when there was not a word of regret or protest from any notable public man of the other community. In fact, there were visible rejoicings, justification, approbation and the decoration of those who had staged the tragedy. It is during these months that every Sikh felt the contrast in the approach of the Indian Government and that of the British colonial Government after the Jallianwala Bagh tragedy. Even some Sikhs, who were later rewarded, were brought on the public platform to justify the attack. Subsequently, the Government brought one Santa Singh<sup>1</sup> on the sacred premises and associated him with the reconstruction of the demolished building which the Government sought hurriedly to do through a Government contractor Tejwant Singh. Santa Singh was a person of known anti-Sikh and anti-SGPC antecedents. President Zail Singh, when he was the Chief Minister of Punjab, had associated him in a public procession which he had organised on the Guru Gobind Singh Marg. Santa Singh "s associates were released from the prison and he was presented an imported car and an escort to move about. Acknowledging this honour, Santa Singh called him a '*Param Sikh*'.<sup>2</sup>

The reconstructing of the Akal Takhat and other buildings of the Shrine was started by the Government through Santa Singh in violation of the Sikh tradition. Santa Singh was ex-communicated

1. ~ *Indian Express*, July 18, 1984.

2. *The Telegraph*, July 29, 1984; *Ibid*.

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by the Jathedars.<sup>1</sup> He received wide spread condemnation from the Sikh masses, who looked upon the *Kar Seva* under him, without the involvement of Sikh *Sangat*, as *Sarkar Seva*. The Sikh tradition is very clear on the subject. It records the story of the Mughal emperor Jahangir who first persecuted the Sikh Guru Hargobind but later tried to appease him. The Emperor is said to have offered to complete the building of the Akal Takhat. The Guru is reported to have declined the offer stating, "Let me and my Sikhs raise this throne of God with the labours of our own resources. I wish to make it a symbol of service and sacrifice done by my Sikhs and not a monument of a king's generosity."<sup>2</sup>

Santa Singh defied the order of ex-communication and continued the job at the Golden Temple which was under the possession of the army and where free entry to the pilgrims, as noted above, was not allowed.<sup>3</sup> In fact, the very question of a pilgrim going there could not arise since the place had become just a reminder of a continuing tragedy and desecration. Santa Singh was paid Rupees one lac a day to keep himself and his men doing the allotted task assigned to him by the Government."

In order to condemn the Government tactics, the Jathedars convened a World Conference of Sikhs on September 2, 1984.<sup>5</sup> It evoked an overwhelming response from the Sikhs. Despite a ban, lacs of Sikhs gathered to protest against the continued desecration and occupation of the Golden Temple. Giani Zail Singh and Buta Singh were ex-communicated and declared *Tankhaiyas* (religious' offenders) by the *Sarbat Khalsa*.<sup>6</sup> The Jathedars with the approval of the *Sangat* decided to undertake a people's March on October 1, in order to liberate the sacred Shrine from the control and possession

1. Sandhu, Kanwar; 'Confounding the Contusion' in *Indian Express*. August 11. 19X4.
2. Teja Singh and Ganda Singh; *A Short History of the Sikh* (Bombay, 1950), P. 41.
3. *Indian Express*, July 23, 1984, August 11, 19X4, October 15, 19X4.
4. Tully, Mark and Jacob, Satish; *op. cit.*, P. 215.
5. *The Tribune*, September 3, 1984.
6. *Ibid: Indian Express*, Septembers, 1984.

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of the Government<sup>1</sup> and the torment which it was causing to the mind of every Sikh. On September 25, just six days before the proposed Sikh march, Prime Minister Indira Gandhi announced the withdrawal of the Army and handed over the control of the Shrine to the, SGPC.<sup>2</sup>

In human affairs and affinities, the depth of the emotional wound is proportionate to the vengeful contempt and callousness with which injury is inflicted. For persons outside the community it is not easy to understand the almost irreversible gap between the communities and the injured alienation and deep disillusionment which the Blue Star, the Wood Rose and the subsequent events connected with the possession of Darbar Sahib have caused.

1. *Indian Express*, September 3, 1984.
2. Tully, Mark and Jacob, Satish; *op. cit.*, P. 216.

## A WHITE PAPER ON A HEDIOUS RECORD

*'The White Paper does little to repair the government's impaired credibility, everything to destroy it'. A. G. Noorani*

On July 10, 1984, the Government of India released a document titled 'White Paper on Punjab agitation' dealing with the events of the past three years, with its focus on a few aspects of the Dharam Yudh Morcha (1982) launched by the Akali Dal. The Paper is full of half truths, distorted versions of events and misrepresentation of facts. The Dharam Yudh Morcha cannot be taken in isolation to what happened in Punjab over the past few decades. No record of 'Punjab agitation' as such can be considered complete without tracing the genesis of the multi-faceted problem. The very title of the White Paper betrays a clear attempt on the part of its authors to white wash the black record of the government in the Punjab. No account is given of the mass-scale agitations, conducted in the most peaceful manner, in which lakhs of people participated so enthusiastically in support of the politico-economic demands of the Akali Dal. Obviously it is the fear of consequences of dissemination of information on the unresolved issues that has led to this glaring omission on the part of the government. Participating in a discussion on the White Paper in the Lok Sabha, Madhu Dandvate said, "It is my firm opinion that the White Paper is the white cover to conceal all the failures of the government to bring about the settlement of the Punjab problem."<sup>1</sup>

The preamble to the Government White Paper gives two grounds for the attack on the Darbar Sahib. It says that (a) "the consequences of this determined assault on society cannot be measured simply in terms of the number of people killed and injured"<sup>2</sup>

1. Samiuddin, Abida (ed.); *The Punjab Crisis : Challenge and Response* (Delhi, 1985), Appendix I.
2. Government of India; *White Paper on The Punjab Agitation* (New Delhi, 1984), P. 23.

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and that (b) 'the whole thrust of extremist violence was to fragment the people of Punjab and destroy their common culture',<sup>1</sup>

We shall examine the rationale or validity of both these grounds separately. It is essential not only to ascertain the validity of these statements but also to find out whether the measures that were adopted and the effects thereof, in any manner, are related to them and justify the results obtained.

The first point to ascertain is whether the Akali agitation was responsible for creating any division among the communities. It is a well known fact that while the post-Independence history of the rest of India is filled with large scale and repeated communal and other riots involving the loss of thousands of lives and property and police shooting of hundreds of rioters, there has hardly been single communal riot in Punjab, despite half a dozen Akali agitations. On the other hand, open communal attacks, as already indicated, took place at Panipat in Haryana,<sup>2</sup> Himachal Pradesh and Punjab including the desecration of the replica of the Golden Temple and the photo of Guru Ram Dass at the Railway Station, Amritsar.<sup>1</sup> And it has been noted that the persons involved in the desecration at Amritsar were mostly found to be the proteges of the Congressmen and the B.J.P. leaders.<sup>4</sup> Hence nothing could be more untrue than the assertion that the agitation was, in any manner, creating a Hindu-Sikh divide.

The major issues were purely territorial or economic in nature which affected the economic interests of every Punjabi whether Hindu, Sikh, Christian or Muslim. In fact, the assertion was that the Congress was being communal because admittedly Punjabi speaking areas which were Hindu in population were allotted to Haryana. And, even though international experts had forcefully

1. *Ibid.*

2. *The Tribune*, February 20-21, 1984.

3. *Harinder Kaur; Blue Star Over Amritsar* (Delhi, 1990), PP. 150-151: *The Tribune*, February 15, 1984.

4. *Ibid.*

recommended that the use of Punjab river waters in Punjab would be far more productive and beneficial than its wasteful and expensive use in the distant desert areas, the Government allotted over three fourth of available Punjab waters to the non-riparian states of Rajasthan and Haryana. Actually, it would seem that it was a virtual marvel and creditable for the Akali agitation that it never provoked Hindu-Sikh rift to result in a communal clash. In fact, the repeated charge was the other way, that since the Akali demands were rational, constitutional and logical and the Centre's policy discriminatory, the Government found no other way to justify its illegal and indefensible stand except by creating the communal rift so as to win the feelings and sympathies of the rest of Hindu India.

The ill conceived policies of the Government have had a direct bearing on the crisis in Punjab and the resultant tensions and conflicts. A Government which dragged its feet in hammering out a fair and equitable solution to an essentially political problem has much to answer for.

Instead of referring the water and hydel power issue to the Supreme Court, it withdrew the case from there and later attacked the Golden Temple, intensifying the crisis still further. Responsible public leaders had openly stated that an attack on the Golden Temple would be no solution and instead would be ruinous to communal relations. This was what Rajiv Gandhi spoke as late as March 23, 1984, "I think we should not enter the Golden Temple. The police can enter the temples, but it is a question of what is good balance. To-day as we see it, it is not as if Sikhs are against the Hindus, and we should do nothing that separates them."<sup>1</sup> Thus, the Government was not unconscious of the fact that an attack on the Golden Temple would create a communal divide. Yet two months later, it was not the police but the army that entered the Temple leading to a communal divide of the worst kind. It was not a handful of Sikhs who were affected, as claimed by the Government. It was the entire mass of the Sikh community which felt hurt, humiliated and alienated.

1 Noorani, A.G.: 'A White Paper On A Black Record' in Samiuddin. Abida; *op. ch* Appendix I, PP. 227.

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Participating in the discussion in the Parliament on the White Paper, Inderjit Gupta of the C.P.I, said, "In respect of all those Sikh masses to-day, I regret to say that there is no use saying here, 'No. no. Only a handful of people have been affected'. It is not the truth. Let us be objective. We are living in India, we are not living in some other country, in a vacuum. We are living in a country, in a society where religion and religious sentiments and religious feelings and prejudices are a most powerful and potent factor. Now I am speaking I say all glory to you all good men of religion as an atheist. I am saying and I will understand. I should not be able to understand, you should be able to understand better that to-day a vast mass of the Sikh community, after what happened in Amritsar, in Golden Temple, has become so bitter, angry and hostile. Is it not a great pity? It will take a long long time to assuage these feelings... Tomorrow, if the Army goes into a mosque or mandir, the same kind of reaction would go on among the Hindus and Muslims, you cannot avoid it."<sup>1</sup>

The second part of this matter is whether the attack could or did in any way help to maintain cultural or religious amity. That the result of such a step would be disastrous was the repeated warning of Sikh and non-Sikh publicmen. That its results have in even manner been horrendous and destructive are too evident to be denied now. It is true that the Blue Star attack directed against 'divisive forces' resulted not in controlling but in aggravating the process of communal polarisation and hardening of attitudes on both sides. Unbridgeable gap was created between the two communities. For, after the Blue Star attack, while the whole Sikh community mourned over it, the Hindus welcomed it and rejoiced over it. This was confirmed by the President of India, Zail Singh, himself, "The two communities have wept and smiled together. But the time came when one community wept and the other smiled. This had never transpired before."<sup>2</sup> Who can deny that the assassination of the Prime Minister and the massacres of the Sikhs were the direct result of the attack on the Golden Temple which the White Paper claims was made to rectify

1. Samiuddin, Abida; *Ibid.*, PP. 644-45.

2. *Ibid.*, P. 682.

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the cultural division which the Akali agitation had been creating. In this context it was both cruel and callous for the White Paper to state that the Blue Star attack was made to remedy the cultural divide the extremists were creating.

Besides Durbar Sahib, there were as many as 72 other Gurdwaras in Punjab and even outside Punjab which were simultaneously attacked by the Indian armed forces. The White Paper gives no list of these Gurdwaras. The people have a right to know the rationale for attacking these Gurdwaras, especially when there was no resistance from inside them.

Next we come to the point of violence detailed by the White Paper. Unfortunately, the Paper has irrelevantly clubbed together the alleged violence in the Akali agitation and the clash between the Nirankaris and a group of Sikhs. We have already dealt with the Nirankari issue, which was considered to have been created by the Government as a part of its diversionary tactics so as to hide its denial of justice to Punjab on the economic issues. And, as to the conflict between the Akhand Kirtni Jatha-cum-Bhindranwale group and the Nirankaris on the Baisakhi day at Amritsar, when the latter paraded a procession involving derogatory references to Guru Granth Sahib, the fact is that two Nirankaris were killed and thirteen of the other group were shot dead. Later when Bhindranwale was arrested in connection with the murder of Lala Jagat Narain, an off-shoot of the Nirankari tangle, he was profusely interrogated and found unconcerned with any violence or murder. The White Paper mentions that Bhindranwale was arrested but leaves out the fact that he was released soon after.

Calendar of violence given in the White Paper takes no note of the routine crimes and killings in the State. The State Government at one time circulated among the journalists a document making a comparative study of the crime figures in different states. The document stated that 'Violence is endemic to UP, Bihar and West Bengal and even such states as Karnatka and Andhra Pradesh, not to speak of north-eastern states where insurgency defies solution, and in comparison Punjab is still one of the most peaceful states of

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India.<sup>1</sup> The document said that there were 5,422 murders in 1980 and 5,068 in 1981 in UP while in Punjab there were 620 murders, in 1980 and 544 in 1981.<sup>2</sup> According to Kuldip Nayar, "between 20 March, 1981 and 2 June, 1984, incidents of violence had taken a toll of 386 lives in Punjab."<sup>3</sup> However the White Paper states that 410 persons were killed in Punjab in the phase of violence from August 4, 1982, when the Akali Morcha was started upto June 3, 1984.<sup>4</sup> As to the marshalling of long list of violence in the White Paper, Government figures do not identify separately as to how many Sikhs and Hindus were killed. Finance Minister Parnab Mukerjee's figures given for the period from 1982 to 1984 are more specific saying that out of nearly 300 persons killed in Punjab, the majority were of the same community (Sikh).<sup>5</sup> Our calculation from the White Paper reveals that 181 Sikhs and 127 Hindus were killed.<sup>6</sup>

As regards the alleged 'close connection' between the Akali agitation and violence, it must be pointed out that a demand for judicial enquiry into incidents of violence continued to be voiced throughout the period by the Sikh leadership. Sant Longowal on June 20, 1983 challenged the authorities that if an enquiry was conducted by a Supreme Court Judge into all incidents of violence, the complicity of the government would be proved in most of them/ In an interview given to a B.B.C. correspondent in Amritsar on July 6, Longowal reiterated the same charges and demanded a judicial probe into all acts of violence in Punjab and Haryana.\*

On August 8, addressing a big gathering of the Sikhs, to commemorate the release of 16 Sikh prisoners (including Amrik Singh, the A.I.S.S.F. President) the Akali Dal chief demanded the

1. Nayar, Kuldip and Khushwant Singh; *Tragedy of Punjab* (New Delhi. 1984), P. 10.
- 2.. *Ibid.*
3. *Ibid.*, P. 88.
4. *White Paper*, P. 32.
5. Finance Minister Pranab Mukerjee's press statement given at Calcutta on June 23, 1984 is quoted in editorials of *The Tribune* and *Indian Express* of July 1, 1984.
6. *White Paper*, PP. 110-162.
7. *The Tribune*, Chandigarh, June 21, 1983.
8. *The Tribune*, Chandigarh, July 7, 1983.

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resignation of the state government on 'moral grounds' as it had failed to prove any charge against the Sikh detenus. He, once again, repeated his demand for the constitution of a judicial commission to investigate acts of violence and expose those responsible for them.<sup>1</sup>

After the dismissal of the Darbara Singh government and the imposition of President's rule in Punjab, the Akali legislators demanded an open enquiry by a sitting judge of the Supreme Court into the 'role and responsibility of the outgoing Congress(I) ministry in actively promoting communal tension'. The resolution adopted by them stated that 'if the government has any proof against any one for having committed any offence under the law of the land, it should bring him to book and try according to the normal procedure and allow the law to take its own course'.<sup>2</sup> Some dissident Congress legislators admitted that the Darbara Singh government had a hand in engineering communal violence. Later on, President Zail Singh, in his nationwide broadcast on June 17, 1984, pointedly referred to the failure of the civil administration and categorically stated that 'those in charge of the administration of Punjab cannot be absolved of responsibility in this matter'. It is well-known that Darbara Singh and Zail Singh worked at cross purposes and propelled the state to the brink of disaster. In a letter to P.M. a group of Punjab Congressmen complained that Giani Zail Singh was creating problems in the Government led by Darbara Singh.'

In November 1983, the Akali Dal again adopted a resolution 'and demanded a judicial investigation by a Supreme Court judge into the incidents of communal violence in Punjab and accused the government of complicity in various acts of violence. The party Chief Longowal asserted that the nefarious attempts of the government to engineer communal violence in order to give the Akali agitation a bad name must be foiled.'<sup>4</sup>

1. *The Tribune*, Chandigarh, August 9, 1983.
2. *The Tribune*, Chandigarh, October 11, 1983.
3. *Punjab Kesari*, Jaalandhar October 8, 1981.
4. *The Tribune*. Chandigarh, November 30, 1983.

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The government paid no heed to the persistent Akali demand for a judicial enquiry into the communal violence. On July 14, 1983, some members of Parliament (Non-Akalis) urged the government to prepare a White Paper on violence in Punjab. The members said that in order to fight the extremist forces they needed clear facts which the government should provide in the form of a comprehensive White Paper.<sup>1</sup> But the demand was spurned by the government. Home Minister P.C. Sethi stated in Parliament that there was no need for a White Paper, as all the facts relating to violence in Punjab were well-known.<sup>2</sup> It suited New Delhi's designs to link the acts of communal violence with the Sikhs in order to malign the Akali agitation. The term 'Dharam Yudh Morcha' was deliberately misinterpreted in the White Paper to mean 'a religious battle', whereas, in the Sikh parlance, the term signifies nothing more than a fight for righteousness.

Despite New Delhi's campaign of finding links between the Akali agitation and violence, there were periodic reports to dispel any such link. In July, 1983, G.S. Chawla informed the E.N.S. that the authorities were trying to link the rise in the crime rate in the state to 'extremist activity' in order to 'cover their failure on the general crime front'<sup>3</sup> Sube Singh, a senior superintendent of police, is on record for having vouched that the 'Sikh extremists' were not involved in the spate of bank robberies in the State in 1983. He said, "Sikh extremists are not involved in the spate of bank robberies committed in Punjab during the past few months. Some gangs of robbers from Delhi and other states which had links in Punjab committed bank robberies as the police had been busy in dealing with the Akali agitation and other acts of violence'.<sup>4</sup> PS. Bhinder, the D.G.P. also absolved the Akali Dal of links with violence. He told newsmen in Amritsar that 40 'extremists', held in the State after the imposition of President's rule on October 6, 1983, were

1. *The Tribune*, Chandigarh, July 15, 1983.
2. *Ibid.*
3. *Indian Express*, New Delhi, July 3, 1983.
4. *Indian Express*, New Delhi, October 2, 1983.

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being interrogated to confirm their involvement in various incidents of crime. 'When asked if any clues pointed towards any political party, he replied in the negative.'<sup>1</sup>

An Editors Guild team, consisting of senior journalists K.C. Kulish and B.G. Verghese, which visited Punjab in mid-February 1984, in its report, decried the tendency to ascribe all violence to 'Sikh extremists'. 'The Press must be wary of such stereo-types. Many crimes, robberies and murders have little to do with the current political scene', said they.<sup>2</sup> The White Paper's claim that 'not only did the Akali Dal disapprove the merciless killings of those who did not agree with the objectives and the methods of murder, arson and loot, it persistently refused to acknowledge the close connection between its agitational programmes and the violence which was engulfing the state'<sup>3</sup> is altogether baseless and mischeivous. The Akali Dal did not acknowledge the so-called connection between its agitation and violence, as no such connection ever existed. It is ridiculous to expect the aggrieved Akali Dal to be self critical. Both Bhindranwale and Longowal minced no words in condemning the murders of innocent Hindus. Both of them expressed a sense of shock over the killing of D.I.G. Avtar Singh Atwal and Prof. V.N. Tiwari but it didn't suit New Delhi's strategy to give coverage to their statements. Bhidranwale viewed Atwal's murder as a conspiracy to sabotage the Akali agitation. He said, 'The Sikhs do not believe in violence. The murder of Avtar Singh Atwal was the result of a pre-planned move to sabotage the Dharam Yudh Morcha. It was designed to pave way for entering into the Golden Temple. The incident deserves to be condemned absolutely. It was a deep conspiracy hatched by the government to denigrate the sanctity of the Golden Temple and malign the Morcha launched by the Akali leaders.'<sup>4</sup>

'Calender of main events of violence', given in the White Paper

1. *The Tribune*, Chandigarh, January 2, 1984.
2. *The Tribune*. Chandigarh, March 10, 1984.
3. *The White Paper*, P. 24.
4. Dharam, S.S.; *The Only Option For Sikhs* (Jaipur, 1984), P. 148.

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is not only selective and biased but also gives a distorted version of events. Perfectly peaceful political activities of the Akali Dal are included in the category of violent incidents. Here are a few examples:

1. "The Shiromani Akali Dal(L) organised a World Sikh Conference at Amritsar and laid stress on the alleged discrimination against Sikhs" (26-7-1981)

2. "April 13, 1982 : A World Sikh Convention was organised by the Shiromani Akali Dal (Talwandi group) to consider the Anandpur Sahib Resolution and that Sikhs were a separate nation."

3. "April 24, 1982 : The Shiromani Akali Dal organised a 'Nehar Roko' (block the canal) agitation".<sup>2</sup> (Roko could, of course, be translated as 'block', but in this case it clearly meant stalling the proposed digging of the Satluj-Yamuna Link Canal and not the blocking of any existing canal).

4. "May 24, 1982 : The Shiromani Akali Dal again organised a 'Nahar Roko' agitation".

5. August 4, 1982 : The Shiromani Akali Dal launched its intensified morcha calling it a Dharam Yudh. Shri Bhindranwale called off his morcha to coincide with this".

The White Paper refers to as many as 1200 violent incidents. The inflated number includes government actions like "Shri Bhindranwale was released from custody (October 15, 1981)". "The Dal Khalsa and the National Council of Khalistan were declared, as unlawful associations under the unlawful activities (Prevention) Act, 1967 (May 1, 1982) President's rule was promulgated in Punjab (October 6, 1983), Punjab was declared a disturbed area under the Punjab Disturbed Areas Ordinance, 1983 (October 7, 1983). etc. etc. A careful reading of the calendar of violent incidents clearly exposes the hollowness of government claims in regard to violence.

A deliberate misrepresentation has been made with a view to

1. *White Paper*, P. 113.

2. *Ibid.*

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inflate the number of incidents of violence. Some examples are as follows. :

1. "Ornaments worth Rs. 15 Lakh looted from a jewellery shop in Karol Bagh, Delhi (20-11-1983),
2. An attempt was made to set fire to the Gurdwara of Churu (Rajasthan). Some damage was caused to the gate (November 26-27, 1983).
3. Rs. 3000 were snatched from a merchant in Amritsar at gun point (6-10-83)".

The intention of the authors of the White Paper to malign the Akali agitation seems to be quite obvious. The following incidents given in the Calender had absolutely no link, direct or indirect, with the Akali agitation. Even the acts of violence, committed by the police or the Hindus are also bracketed to-gether to defame the Sikhs:

1. "September 13-14, 1981 : The police went to Chandukalan to arrest Shri Bhindranwale in connection with the case relating to the murder of Lala Jagat Narain but Shri Bhindranwale had already left. There was subsequent violence when some followers of Shri Bhindranwale fired upon the police party. There was an exchange of fire and incidents of arson occurred".

(There is absolutely no evidence to prove that Bhindranwale's men resorted to firing and there is no report in the newspapers of any damage on account of the alleged firing. Rather there are authenticated reports of house to house search of the Sikh inhabitants of the villages and the looting of their valuables by the police.' There are also reports of burning of two buses of the Dam Dami Taksal containing a number of copies *Sirs* of Guru Granth Sahib in the incidents of arson mentions in the White Paper).

2. "April 27,1982 : Granth Sahib was reportedly set on fire in gurdwara at ChaurastaAttari, District Amritsar".

1. *The Tribune*, September 14, 1981.

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3. "May, 1982 : During the month a number of incidents of desecration of gurdwaras and Hindu temples occurred especially in Amritsar district".

4. "July 19, 1982 : Bhai Amrik Singh, President, AISSF was arrested at Amritsar in connection with the case relating to the attempt on the life of Shri Joginder Singh Shant. Shri Bhindranwale left Gurdwara Gurdarshan Prakash along with his followers and came to Amritsar. He announced a Morcha with the courting of arrest by volunteers in front of the Deputy Commissioner's residence".

5. "October 11, 1982: A violent demonstration was held by the Shiromani Akali Dal in front of Parliament House on the conclusion of a mourning procession which came from Anandpur Sahib to Gurdwara Rakabganj, New Delhi, carrying the ashes of the victims of the railway accident of 11th September.

6. "April 4, 1983 : During the 'rasta roko' (block the roads) agitation organised by the Akali Dal, demonstrators indulged in violence and arson and attacked the police. Two executive Magistrates and 175 police officers and men received injuries. To control the violent mob the police had to use force including lathi charge, tear gas shells and firing. 21 persons died, (identity of dead victims who were all Sikhs, has not been mentioned. A Parliamentary Committee comprising opposition leaders which made an on-the-spot study reported that it was the unwarranted high-handedness of the police which resulted in the killing of 21 peaceful Akali demonstrators".

7. "February 8, 1984 : "Punjab Bandh" was observed by the Shiromani Akali Dal" (Newspaper reports reveal that it was the most peaceful Bandh with no reports of any violent incidents from any part of the Punjab).

8. "February 14, 1984 : The Hindu Suraksha Samiti and others organised a Punjab Bandh. Violent incidents took place. 11 persons died (5 in police firing and 6 by others)". (This Bandh was organised by the Samiti with the deliberate aim of sabotaging the Tri-partite

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talks going on in New Delhi : The Bandh, marked by incidents of violence seemed to have been organised with the connivance of the government just to wriggle out of the so-called negotiations in which opposition parties were also involved. The White Paper does not reveal the identity of the victims who all were Sikhs. Isn't it ridiculous to blame the violent incidents in Haryana on the Sikhs).

9. "February 15-20, 1984 : As a reaction to the incidents in Punjab, some violent incidents took place in Haryana on February 15, 18, 19 and 20, 1984, at Karnal, Kaithal, Panipat and Jind respectively. The police used tear gas, lathi charge and firing to control the violence. In the incidents at Panipat, Kaithal and Jind, 11 persons lost their lives. "(The incidents of February 15-20, 1984 are linked and are in continuation with February 14. The total number of persons killed from February 14-20 were 11, who were all Sikhs. The number has been repeated deliberately).

10. March 12, 1984 : "The *granthi* of gurdwara Ravidas, Phagwara was assaulted by miscreants who also removed '*rumalas*' of Guru Granth Sahib". (The miscreants in this case must have been either Hindus or some mischievous elements connected with the government policy).

11. "March 17, 1984 : At the Akali Conference held at Anandpur Sahib, Ropar, Sikh masses were exhorted to observe "Panth Azad Week" from April 2, to 7, 1984, by burning Article 25 of the Constitution in large numbers. The programme was later withdrawn." (The White Paper fails to explain as to how the proposed protest and also subsequent withdrawal could be connected as an incident of violence).

12. "March 21, 1984 : Shri Ajit Singh *granthi* of Gurdwara Malanwala, District Ferozepur, was shot dead in the Gurdwara". (It is ridiculous to link the incident of the killing of a Sikh *granthi* to the Akali Morcha).

13. "April 3, 1984 : In violent incidents which occurred when the funeral procession of late Shri Harbans Lal Khanna was taken

out, 8 persons were killed and 9 injured. (Persons killed in this incident were reported to be indulging in acts of arson and violence, while participating in the funeral procession of Harbans Lal Khanna. They were killed when the police resorted to firing to control the violent mobs).

14. "May 31, 1984 : The Guru Granth *Bir*, along with *rumalas* and *palki* was set on fire at Patiala. (It is again erroneous and misleading to associate this act even remotely with the Akali agitation).

The White Paper takes no note of the acts of state violence. It gives only one-sided account of the acts of violence in Punjab totalling 50 pages. According to Akali Dal sources more than 250 Sikhs had been killed in firing or in fake encounters by police or security forces before the army action.<sup>1</sup> Clubbing together every kind of violence under one heading in the White Paper is unfair. The Paper is guilty of misrepresentation as it includes as many as ten incidents of violence that took place in Haryana, Delhi and Rajasthan just to inflate the number of violent incidents without showing how these were linked with the alleged extremist activities. It is well known that in all these acts of engineered violence the victims were Sikhs. The Government justified its attack on the Golden Temple by publicising the figure of 410 persons killed in a period of two years, whereas in the Bombay-Bhiwandi violence of May 1984 more than 3 00 Muslims were killed within a few days.<sup>2</sup> The Government's ambivalent attitude on the issue is no secret.

The burden of the Government White Paper is to prove that the attack on the Golden Temple was necessary to curb the violence created by the Akalis. If one were to look into the track record of the Akali Dal since its inception in 1920, one has to admit that Akali Dal conducted all its agitations, which were peaceful by any standards. We have quoted figures from the White Paper and public

1. Sinha, Sachchidanand, Sunil! et. al; *Army Action In Punjab* (New Delhi, 1984), P. 37.

2. *The Tribune*, editorial, July 1, 1984.

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statements to find that before the Blue Star attack 127 Hindus were alleged to have been killed by the extremists. It is evident that so as to curb this violence, the Administration killed first 181 Sikhs and later attacked the Golden Temple killing more than 5000 Sikhs during the Blue Star and Wood Rose operations, as stated by Kuldip Nayar.' These included pilgrims, SGPC employees, including the *ragix* and *granthis* and peaceful Akali agitators who had collected to court arrest in the Dharam Yudh Morcha. In addition, Sikhs were killed while they were marching to protest against the attack on the Darbar Sahib. A number of Sikhs were killed during the course of attack on other Gurdwaras. The subsequent killings of thousands of Sikhs in different parts of the country in November 1984 violence is also the consequence of the Hindu-Sikh tension and rift that had been created following the ironic statement of the Government White Paper that the attack on the Golden Temple was necessary to remove the cultural divide which the extremist Sikhs were creating in Punjab.<sup>2</sup> It appears the Government was conscious that it was using a sledge hammer to kill a fly. That is why it wrote: "The consequences of this determined assault on society cannot be measured simply in terms of the number of people killed or injured."<sup>3</sup> The arithmetic of killings of the Sikhs by the state was far too much weighed against the rationale which has sought to justify it on the basis of violence by the extremist Akalis.

The narration of events of violence in the White Paper highlights all such incidents in which the victims of violence are Hindus or Nirankaris, whereas it tries to minimise and suppress information regarding violence against the Sikhs. Blatant acts of state repression and unwarranted police atrocities are justified in the name of restoring law and order. For example at the time of the Sikh gathering at Chowk Mehta when Bhindranwale was arrested (September 20, 1981) eighteen Sikhs were killed by police firing as per newspaper

1. Nayar, Kuldip and Khushwant Singh; *op. cit.*, P. 124.
2. *White Paper*, P 23.
3. *Ibid.*
4. *VirPartap*. September 22-23, 1984; *The A/it*, September 21-22. 19 X 1.

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reports.<sup>4</sup> No official was reported as killed or seriously injured, but the White Paper gives the number of Sikhs killed in this incident as eleven.<sup>1</sup> Similarly, government's own narration in the White Paper regarding the peaceful Rasta Roko agitation on April 4, 1983 mentions that the police used lathi charge, tear gas shells and firing with the result that "21 persons died"<sup>2</sup> though the number given by the press was 24.<sup>3</sup> On the official *side*, no one died or received grievous injury. In the subsequent attack by Congressmen at Panipat, Jind, Jagadhari, Karnal, Kaithal and elsewhere in February 1984, eleven Sikhs were killed, Gurdwaras were desecrated and burnt and women molested. This happened in spite of the forewarning given to the Principal Secretary to the Prime Minister by Harkishan Singh Surjeet, a member of the Politburo of the C.P.I. (M) that much trouble would erupt in Haryana towns on February 19.<sup>4</sup> No follow up action was taken by the Government as it was "not interested in restoring peace in the two strife-torn States."<sup>5</sup> In addition scores of Sikh youths were eliminated in the so-called police encounters<sup>1</sup> and during the police custody, including thirty four Sikhs in one incident. Reckless killings by the police became a key factor in the creation of crisis in Punjab.

If one goes to the essence of the crisis in Punjab with equanimity and objectivity, one comes to the inevitable conclusion that violence in the State raised its head under grave provocation. The Government failed to realise that 'when political problems are allowed to fester, government's monopoly of violence is bound to be challenged by counter-violence'.<sup>6</sup> Bullets, cannon balls and rockets are not the answers to the political problems.<sup>7</sup> Demands that are politically and

1. *White Paper*, P i 11 .

2. *Ibid.*, P. 118.

3. *The Tribune*. April 10, 1983; *India Today*, April 30, 1983.

4. *The Tribune*, February 21, 1984.

5. *Ibid.*

6. Kothari, Rajni and Deshingkar. Giri, 'Punjab : The Longer View'<sup>1</sup> in Samiuddin. Abida; *op. at.*, P. 626.

7. *Ibid.*

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judiciously irresistible cannot forever be allowed to be converted into law and order issues. By and large, media maintained a guilty silence over the enormity of injustice done to Punjab. Rather it provided legitimacy to the Government policies, justified repression and demanded even more stringent policy, para-military and military actions.

As to the Dhillwan killings, which was the start of communal angle, Sant Harchand Singh Longowal repeatedly- asserted that a judicial enquiry should be held and that he would provide documentary evidence to prove the connivance of Congress leaders, including a Centre Minister and a State Minister in these killings and even later incidents of violence.<sup>1</sup> And yet the Government never held an enquiry into such a serious affair. The burden of Longowal "s assertion was that Hindu killings were the result of Government policy to malign the Akali agitation for Punjab's rights as a communal agitation. In fact the real assertion was that Punjab was being discriminated against because it was a Sikh majority area and there was no Hindu-Sikh tension or problem in the state.

There are several misrepresentations and distortions of facts in the calender of events of violence in the White Paper. The Punjabi Tribune brought to light three concrete cases where contradiction is glaringly obvious and the White Paper is so palpably guilty of misrepresentation :

(i) The Calender in the White Paper describes an incident on February 23, 1989: "Shri Rameshwar Rishi Dev. his son and a child aged 18 months were murdered in village Khandoli. PS. Rajpura. One woman was seriously injured."<sup>2</sup> But the Senior Superintendent of Police stated, on February 28, that Sulti Rishi Dev of Purnea (Bihar) was arrested in connection with the crime and had confessed having committed it.<sup>3</sup>

(ii) Another incident of May 13, 1984 is described in the

1. *Army Action In Punjab*, P. 39; Dharam, S.S.; *op. cil.*, P. 70.
2. *While Paper*, P. 134.
3. *The Punjabi Tribune*. July 24, 1984.

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Calender as follows : "Shri Pawan Kumar. a cloth merchant of Adalat Bazar, Patiala, was shot at and injured."<sup>1</sup> But the Patiala SSP said on May 14, that Pawan Kumar's death was caused by sonic unsharpened weapon and not by a bullet, according to the medical report.<sup>2</sup>

(iii) The Calender describes another incident of May 29, 1984 : "Jewellery worth some lakhs of rupees was looted at pistol point from the shop of Shri Basu Dev. a goldsmith at Patiala."<sup>1</sup> The SSP of Patiala revealed that the alleged theft had occurred at 2 or 3 a.m. and the case was registered with the police by the owner at 10 a.m. After inquiry, the SSP found that the case was a fake one.<sup>4</sup>

Thus the Government attributed every outrage, explosion, theft, dacoity, robbery or routine criminal acts to the Sikh extremists. The way these incidents began to be projected by the Government and the media fitted well with the Government design to set the stage for the gory drama. The policy of the Government was to malign the Sikhs and to frustrate their peaceful movement in its efforts to get socio-economic justice for Punjab.

In fact, as the realities are, the White Paper and the subsequent unfortunate and eventful years to which the Government policies and violence have led, hardly justify the attack on the Golden Temple on any rational or even administratively sensible basis. There is no ground, whatsoever, why the Government failed to solve the economic and even constitutional demands of the State for two scores of years. That the entire gory exercise was undertaken only to sidetrack the issues by creating a communal opinion in the country that should cloud its vision to see the truth as evident enough. But, in retrospect, the tragic consequences of those tactics and policies have been too destructive to be justified on any plea of the interests of the country or its people,

1. *White Paper*, P. 152.
1. *The Punjabi Tribune*, July 24, 1984.
3. *White Paper*. P. 159.
4. *The Punjabi Tribune*. July 24. 1984.

Later when the kid glove was removed and Mr. Riberio was appointed as Director General of Police and Secretary for internal security and was given a "free hand"<sup>1</sup> in Punjab to pursue a policy of repression, he was blunt enough to announce that he would follow a policy of 'bullet for bullet' and would destroy those whom he considered to be guilty because the courts failed to convict them.<sup>2</sup> On May 25, 1987, Ribeiro told a newspaper that there were only 100 armed terrorists left in Punjab. Three weeks later, on June 16, he stated: "In Punjab, the police has killed or captured 338 terrorists in the last 14 months. In one month since President's rule, we have killed or captured 404 terrorists."<sup>3</sup> How 100 terrorists increased to 404 reveals the killing of innocents in fake and contrived police encounters. In a candid interview given to the 'Times of India' in Bombay Ribeiro expressed the view that "fighting terrorists was only a part of fighting terrorism and that in the hurry to root out terrorism the biggest effort to win the hearts and minds of the Sikhs had gone by default."<sup>4</sup> Ribeiro's unabashed disregard of the law and the courts was worse than medieval in its approach and tactics. He also admitted that he had introduced his men to do spying and killing and justified it on grounds of its being an accepted norm of state policies. And yet, after three years of his unbridled pursuit of state violence and the existence of the TADA which eliminates the right to life, he virtually threw up his hands with the observations that the problem could not be solved by the bullet and repression since the issues were basically political and could be dealt with as such alone. The reading of the events clearly shows that the real reason was a persistent reluctance to solve the economic and political issues constitutionally, justly or fairly and instead to camouflage them and mislead the public into believing that the problems related to the law and order. The distinguished policeman K.F. Rustamji also emphasised the same thing when he wrote: "Our policy has been based on political imperatives which urge that terrorism is a

1. Bobb, Dalip, Badhwar, Inderjit et. al; 'The Spectre of Terrorism' in *India Today*, July 31, 1982.
2. *India Today*, October 31, 1986.
3. *Ibid.*, July 31, 1987.
4. Narayanan, V.N.; 'If hindsight can help...' in *The Tribune*, July 20, 1989.

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scourge that must be wiped out at once, with any measures that would speed up the end-and that without dynamic political initiatives. A few innocent persons may suffer in the process. A few cases of injustice may occur. But in the wider interest of the nation that would have to be the price we pay for saving the republic from disintegration. The end, it would appear, justifies the means. We have heard this type of nonsense time and again, and now it seems to have become the accepted policy of a forceful political group like the B.J.P. What it wants is a surge of violence, even if there is no danger at all of disintegration. A fact that they will not accept is that the extremists may try their tactics for 100 years and yet there would be no break up."

The above is the story of state violence used to restore peace but resulting in mounting escalation of violence and the political issues becoming increasingly tangled and unresolved. Who can deny that when the Government publicly accused the alleged extremists of a community for killing some Hindus and in reply attacked the holiest shrine of the Sikhs, killing in the process thousands of them there and all over the State and thereafter without a word of regret in Parliament or elsewhere decorated those who had committed the excesses, the mobs of the majority community interpreted this as a clear message to them. No wonder they translated it into revengeful massacres of thousands of Sikhs at the capital and all over the country in the same year at the very first opportunity. And it is not a coincidence that the violence was the greatest from where the message had emanated.

The White Paper does not address roots of the problem in Punjab. It merely focuses on the law and order problem, while ignoring a careful examination of issues that led to it. It is silent about the fall-out of the army action, about the problems raised by the action and about what the government proposes to do in future. It has not a word of criticism, about the immense harm done by the government policy of discrimination and drift. That the government has no clear policy for Punjab is apparent from the way it continues to treat the problem as only a law and order problem, even more than a decade after the army action.

1. Rustamji, K.F; 'Revenge not the answer' in *The Tribune*, February 20, 1992.

## 12

## THE MASSACRE OF SIKHS

*"When the history of Human Rights in India of our half-century comes to be written the most blood-stained pages will be reserved for the three deadly November days in the life of the nation... Where is law? Where is justice? What is the truth? Lying dead in the streets of Delhi's democracy? Where are the guilty? Untouchable and unapproachable in high offices? How can the highest in the executive and members of the Summit Court ever command the confidence of those who have concern for fundamental freedoms when mass casualty of human lives and rights remain a poignant interrogation?"* Justice V.R. Krishna Iyer

After the attack on the Golden Temple, the ferocity of the Wood Rose 'operation' in the rural Punjab continued unabated for several months. A reign of terror was let loose in the name of curbing terrorism. The army which had so far remained apolitical and aloof from regional, linguistic and communal considerations was assigned a task which really lay outside its area of operation.

As noted already, the real aim of the Government in staging the Blue Star attack and then giving a free hand to the armed forces to torture and harass simple village folks was to crush the sense of Sikh identity and to sap its source of strength. For, it helped the Government to shift the focus of public attention from the real issues to the question of law and order and thereby to camouflage its discriminatory policy against the Sikhs. But it was not realized that, in the long run, this policy was bound to prove self-defeating for the Indian state. For, the opinion openly expressed by most of the public men outside India was that the attack would ultimately rebound on the nation.

We have already stated that, till 1984, there was no problem of either subversion or separatism. Even Bhindranwale, the so-called extremist, never demanded anything beyond the autonomy as envisaged in the Anandpur Sahib Resolution, which had been

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promised by Pt. Jawahar Lal Nehru as far back as 1946 and which the Sikhs had unanimously demanded in 1949. In May 1984, Bhindranwale's talk with Dr. Ravi, an emissary sent by the Prime Minister, showed that he was out for a compromise which would be in the interest of both India and the Sikhs. Kuldip Nayar wrote. "When the agitation began nearly two years ago, it was led by reasonable demands, and at least three times there were prospects of agreement at a negotiating table but each time Prime Minister Indira Gandhi sabotaged the 'agreement'."<sup>1</sup> In his mediatory role. Nayar had put forward a formula (May 1984), which according to Home Minister P.V. Narsimha Rao 'could form a viable basis for settlement' but at the last minute, Indira Gandhi dragged her feet as she had other intentions.<sup>2</sup> His statements clearly indicated that the Government was never inclined for a solution of the problem. Its objective was certainly different from the so-called suppression of alleged subversion which had never existed. Even, the statement of the Director General of Police, Punjab, made in January. 1985. says that "there was no definite organisation behind it (Khalistan). The number of persons apprehended by police in this connection is not substantial. No definite evidence has been found so far to establish whether there is any foreign hand behind extremist activities in Punjab. Most of the arms and ammunition seized from the extremists were country made. Though there is a lot of hue and cry about training camps of extremists being held in Pakistan but there is no 'authoritative information' available with the government."<sup>3</sup> He called extremism "only an expression of anger of some misguided persons."<sup>4</sup> This clearly means that the aim of combating alleged subversion and separatism, the avowed object of the Blue Star and the Wood Rose 'operations' was merely a slogan, a myth. On the one hand, it was used to pursue unabated the policy of repression

1. *The Illustrated Weekly of India*, July 22, 1984.
2. Nayar, Kuldip and Khushwant Singh; *Tragedy of Punjab* (New Delhi, 1994). !!! 86-87.
3. *Indian Express*, January 8, 1985.
4. *Ibid.*

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which even the Government knew would create frustration and angry reaction. But this did enable the Government to pursue undeterred policies of continuously draining Punjab of its natural wealth. As most outsiders apprehended, the Government policies of attack and seizure of the Golden Temple were bound to create problems of law and order and extremism instead of solving them. Hence, the question before us is whether the aim of the Government policy was ever to curb extremism under the cover of maintaining law and order or to , enfeeble Punjab economically, socially and politically and to destroy the morale of the Sikhs in their struggle for constitutional and legitimate rights. It is in the above context that we shall try to assess the future course of events in the Punjab and the country

The ugly turn of happenings proved beyond doubt that the army action instead of solving the problem, deepened the crisis still further. A patriotic community, with a unique record of service and sacrifice for the nation, stood alienated. What was just a domestic problem only some time back, became the focus of national and international attention. The community started becoming more and more receptive to slogans of extremism or Khalistan.

Army could never be a harbinger of peace. There were numerous instances of Sikh youth entering the camp of militants or going to Pakistan either to save their skin or to seek revenge for the death and disgrace of their near and dear ones. Summing up the Sikh mood, the 'Probe India' observed : "Punjab seethes, it still simmers with anger, which frequently erupts in violence. Many Sikhs in their agony and anguish over the defiling of the temple no longer consider themselves Indians and are boiling for revenge against the Indian Government's oppression."<sup>1</sup> After the Blue Star, a large number of young Sikhs were reported to have taken a vow to avenge the desecration of the Darbar Sahib and the atrocities committed on the community during the mopping up operations, called Wood Rose. F.I.R. No. 241, lodged at the Tughlaq Road police station after Indira Gandhi's assassination states that," as a result of this operation (Blue Star) religious feelings of the members of the Sikh community

1. *Probe India, July, 1984.*

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were greatly offended." It further states that the four accused persons (Beant Singh, Satwant Singh, Kehr Singh and Balbir Singh) were provoked to \* retaliatory action against the decision of the Government to take army action in the Golden Temple Complex.<sup>2</sup> It was after the army action that the Bhakra Canal was breached twice, in order to stop the waters from going to the non-riparian areas, and twice the planes were hijacked to Pakistan. State terrorism increased centre's problems manifold, including violence by the disgruntled youth who had been harassed by the army on mere suspicion of their being terrorists. Criticising the Government policy in the Lok Sabha, the BJP leader Atal Bihari Vajpayee observed: "Terrorism has acquired a new dimension. The Bhakra Canal has been breached twice. A plane has been hijacked even after the army action. I can not say whether terrorism has increased or decreased in Punjab."<sup>3</sup> Similar views were expressed by Khushwant Singh, while discussing the Punjab problem on the floor of the Rajya Sabha, "Could any action which alienated the feelings of 14 million fellow citizens who form the backbone of our defence forces, provide more than half the food for *the* country and live on the sensitive border facing Pakistan be ever justified? ...It is evident that despite what you have done, you have not broken the back of terrorism. It continues. There is hijacking, breaching of canal banks and looting of banks. It is also evident from the fact of the enormous security precautions that in this free country you have to provide for our President and the Prime Minister. We are living in the midst of fear. You also know that you cannot keep the army in Punjab for ever. You cannot keep a people down with bayonets for too long."<sup>4</sup> Dipankar Gupta also observed that the Blue Star attack aggravated the crisis still further: "If Operation Blue Star was designed to smash communal extremism, nothing could have been a greater failure. Secular and regional issues went

1. Gurmit Singh; *History of the Sikh Struggles*, Vol. III (New Delhi, 1991), P. 299.

2. *Ibid.*

3. Samiuddin, Abida (ed); *The Punjab Crisis : Challenge and Response* (Delhi, 1985), P. 642.

4. Khushwant Singh; "The Brink of the Abyss" in Malik, Harji and Patwant Singh (ed.); *Punjab the Fatal Miscalculation* (New Delhi, 1985), P. 132.

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into the shade and Sikh opinion consolidated as never before behind its religious ramparts."<sup>1</sup>

In August 1985, the Citizens For Democracy published, after on the spot enquiry, a report on the police atrocities in Punjab after the army action. According to its findings, "it was a terrible tale of sadistic torture, ruthless killings, fake encounters, calculated ill-treatment of women and children, corruption and graft on a large scale. It is also a story of the bravery of a people, particularly of the women-folk. A large number of *Sarpanches* of village *Panchayats* distinguished themselves by openly siding with people against the lawless police and the army. The story also shows that although the relations between the Hindus and the Sikhs in Punjab are not as cordial as before, the basic unity between the two communities has not been disrupted. Despite all the oppression of the Sikh community, there was no incident of a communal riot even in villages where the Hindus were in a hopeless minority. The story also shows that the Sikhs of Punjab are hardly affected by the slogan of Khalistan."<sup>2</sup> V.M. Tarakunde pointed out that, as a result of police atrocities, a form of state terrorism had developed in Punjab and that it had been counter-productive as it had led to the growth of terrorist activity.<sup>3</sup>

We have mentioned that the unrest and violence, including mob attacks on public places and police stations in Punjab before the Jallianwala Bagh incident, were far greater than before the Blue Star attack and the Wood Rose, and yet the colonial Government, on the one hand, punished both General Dyer and Lt. Governor O' Dwyer, and, on the other hand, appointed the Hunter Committee associated with Indian public men, to enquire into and reveal the facts of the tragedy. But the policy of the Indian Government despite Indira Gandhi's repeated talk of 'healing touch' was that the Wood Rose was ordered and continued, without even caring to know the truth of the killings of innocent pilgrims and wanton desecration

1. Gupta, Dipankar, 'The Communalising of Punjab, 1980-1985', *Ibid.*, P. 218.
2. Citizens For Democracy; *Report to the Nation : Oppression in Punjab* (Bombay, 1985), P. 2.
3. *Ibid.*, P. 4.

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and destruction done at the Golden Temple. Instead, the army officers in charge of the attack were rewarded and decorated. Euphemism apart, since there were lacs of people in the State who had experienced the official reaction to the massacres, in Jallianwala Bagh in 1919 and at the Golden Temple in 1984, the contrast of Government policies, approaches and motives in the two cases could not fail to register itself deep down the nerves, emotions and sensibilities of the people, especially the Sikhs. The striking irony was that the Sikhs had contributed the largest in blood for India's independence and in that struggle had suffered the Jallianwala Bagh massacre, and, now in their agitation for securing constitutional rights for Punjab, they were subjected to another massacre at the Golden Temple by their own Government. The contrast between the approach of a colonial Government to the massacre and that of the Delhi Administration to a much more gruesome event in 1984 became obvious to every Sikh and every perceptive viewer. But it is so unfortunate that the Administration that planned the attack in 1984 and later exhibited studied callousness completely failed to anticipate what the inevitable reaction of the commonest Sikh and the community would be to the ghastly event. It is indeed unpardonable that even after the above event the men in Delhi remained blind to the feared and tragic course of future events for the country that was plain to every seasoned public man outside India and to every farsighted person in the State.

Just as the Jallianwala Bagh event became a milestone in Indian history, the June 1984 episode, too, became a milestone in the history of modern India. The most tragic fall out of this episode was the assassination of the Prime Minister Indira Gandhi and its violent aftermath which became yet another blood-spattered milestone along a self-destructive path.

The attitude of suspicion and hostility against the Sikhs generated by the policies and propaganda of the Congress and the press, especially over the past one decade had built up an anti-Sikh wave across the country. The anti-Sikh violence of February, 1984, organised in Haryana and elsewhere was simply a curtain raiser

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which provided a glimpse of the plans and mind of the ruling party that had conducted a rehearsal for the bigger drama that was yet to be enacted.

Following the unfortunate assassination of the Prime Minister on October 31, 1984, the carnage in Delhi and the other parts of the country, especially in the Congress ruled states, was unprecedented both in its calculated manner and magnitude. It was illustrative of the enormous extent upto which the vendetta of the majority community could go even after the army action in the Golden Temple and the Wood Rose operation. It has been established beyond doubt that attacks on the Sikh community in Delhi and elsewhere were far from being a spontaneous expression of 'madness' and of popular 'grief and anger' at Indira Gandhi's assassination. Some very prominent Congress leaders played a decisive role in planning, instigating and executing the heinous deeds of murder, loot, rape and arson. No doubt, there was shock and grief but the large scale violence that followed was the handiwork of a determined group which was organised and inspired by altogether different motives.

The role of the media also became a factor in inciting violence. It tried to project the assassination as that of a Hindu Prime Minister killed by two Sikh assassins. The 'Times of India'<sup>1</sup> chose to give the front page provocative headline : "Indira Gandhi shot dead : Sikh security men pump bullets in chest, abdomen."<sup>1</sup> Again, "The Times of India' in a front page editorial on November 2, 1984 wrote : "India is ablaze with hate and anger. The situation is too grim to admit of evasion and euphemism. It would be dishonest to say that the hatred is directed only or even mainly against the Akalis, the secessionists and the extremists. The exercise would also be futile. In city after city from one corner of the country to the other, enraged mobs have gone and are going about systematically burning and looting Sikh properties and assaulting Sikhs without discrimination. The people know the truth. They do not depend on newspapers to tell them the facts. It will be equally dishonest to say that only anti-social elements are engaged in these activities. These elements are

1.' *The Times of India*, November 1, 1985.

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doubtless active but others have also joined them. Those who shouted "blood for blood" on Thursday in front of Teen Murti House, New Delhi where Mrs Gandhi's body lay in state were mostly educated people and not denizens of the underworld. The anger against the Sikh community is sweeping large sections of the Indian Community."

Another calculated move was to float provocative rumours that drinking water in Delhi had been poisoned by the Sikhs, that armed Sikhs were moving in the streets to attack the Hindus and that train loads of dead bodies of Hindus had arrived at the old Delhi station from Punjab. Yet another rumour was that the Sikhs were expressing jubilation over the Prime Minister's death by distributing sweets. To make the matters still worse, Doordarshan allowed the broadcast of highly inflammatory slogans like *Khoon-Ka-Badla-Khoon* (Blood for blood), *Indira Gandhi Zindabad* and *Hindu-Hindu bhai bhai* -by members from the mourning crowd at Teen Murti where the Prime Minister's dead body was kept for 'darshan'.

The Delhi based human rights organisations, People's Union For Civil Liberties (PUCL) headed by Rajni Kothari, an internationally known political scientist and People's Union For Democratic Rights (PUDR) headed by Gobinda Mukhoty, a leading human rights activist, took the lead in investigating the massacres in Delhi and brought out an investigative report entitled 'Who Are The Guilty?' The report held the important ruling party men responsible for the anti-Sikh violence. It was revealed that whereas violence broke out only in those areas which were under the Congress administration, the non-Congress areas remained comparatively undisturbed.<sup>1</sup>

The Report of the PUCL pointed out that "the attacks on the members of the Sikh community in Delhi... far from being spontaneous expressions of "madness" and of popular "grief and anger" at Mrs. Gandhi's assassination, as made out by the authorities,

1. *Who Are the Guilty?* (New Delhi, 1984), P. 1.

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were the outcome of a well-organized plan marked by acts of both deliberate commission and omission by important politicians of the Congress and by authorities in the administration."<sup>1</sup> The Report further claimed that 'the police all over the city uniformly betrayed a common behavioural pattern marked by (i) a total absence from the scene, or (ii) a role of passive spectators, or (iii) direct participation or abetment in the orgy of violence against the Sikhs.

"2

Another commission of inquiry known as the Citizens' Commission headed by S .M. Sikri, the former Chief Justice of India also prepared an investigative report, 'Delhi : 31 October to 4 November 1984 -Report of the Citizens' Commission.' This report is based on the first hand information regarding the planned and organised anti-Sikh violence in Delhi. The other members of the Commission included Govind Narain, a former Governor, Rajeshwar Dayal, a former Foreign Secretary, Badrudin Tayabji, a former Commonwealth Secretary and T.C.A. Srinivasvardhan, a former Union Home Secretary. The findings of this report tallied with the conclusions drawn from the first report: It was stated that "the heinous act of the Prime Minister's assassination was seized upon as an opportune psychological pretext by those bent on exploiting the tension for political and material gains, to trigger off a massive, deliberate, planned onslaught on the life, property and honour of a comparatively small, but easily identifiable, minority community. The violence was particularly heavy in Delhi but occurred in other parts of the country as well."<sup>3</sup>

Another report entitled 'Truth About Delhi Violence', prepared and published on behalf of the C.F.D. confirmed what the other two reports had already revealed. It came to the following four conclusions :

"(i) The violence was not spontaneous but was organised by

1. Ibid, PP. 2 and 4.
2. Ibid., P. 4.
3. Citizens Commission; *Delhi: 31 October to 4 November 1984* (New Delhi, 1985), P. 12.

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members of Congress-I.

(ii) It was not a communal riot although it has endangered communal amity as its aftermath.

(iii) It was primarily meant to arouse passions of the majority community -Hindu chauvinism -in order to consolidate Hindu votes in the coming elections.

(iv) It was the old colonial 'divide and rule' policy setting one religion against another. The State had forgotten its role of the protector. Instead, it became the collaborator of violence against a minority."<sup>1</sup>

In the absence of an authoritative statement giving the official version of the violence, one cannot blame historians of the future, if they draw liberally on these reports for reconstructing the bloody events of 1984. P.R. Rajgopal, a retired Director General of CRPF observed : "The contents of these documents (three reports) cannot be just wished away. Some of the citizens who have associated with these three different and independent efforts had not just been ordinary administrators of rules and laws. Some of them have been the custodians and interpreters of the nation's ideals, its hopes and aspirations. Their painstaking efforts at research and their verdict on the said events would therefore, stand on a pedestal of their own eminence and would not suffer detraction simply because they have ceased to be the pre-eminent government functionaries, they once had been. The facts that these three groups have assembled, the analysis that they have subjected the facts to and the considered comments and conclusions they have arrived at, understandably carry with them their maturity and experience. What these groups have put out in the form of reports have already become household documents of citizens generally and Sikhs in particular."<sup>2</sup>

The attacks started simultaneously and the pattern and method

1. Quoted by Noorani, A.G., '*Probing the Delhi Pogroms*' in Amrik Singh (ed), *Punjab in Indian Politics : Issues and Trends* (Delhi, 198J), P. 278.
2. Rajgopal, P.R.; 'A moral imperative' in *Indian Express*, **March** 7, 1985.

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of violence were identical. It has been revealed that the ruling party played a direct and decisive role in planning and organising the orgy of violence. The report, 'Who Are The Guilty?' mentioned Minister of State (Information and Broadcasting) H.K.L. Bhagat and four Congress members of Parliament, Sajjan Kumar, Lalit Maken, Dharam Das Shastri and Jagdish Tytler as having been involved in instigating and protecting the alleged criminals. The report also mentioned the name of a number of Metropolitan Councillors, members of Municipal Corporation and some police officers for abetment or participation in violence. Although on October 31, an anxious crowd had gathered outside the All India Institute of Medical Sciences (AIIMS), where the doctors made a desperate bid to save the Prime Minister's life, yet there was no tension. There were a number of Sikhs in the crowd, their faces showed no fear or apprehension, although everyone knew that a Sikh had assassinated the Prime Minister. It seemed that the Sikhs nursed no suspicions against the Hindus. They did not show any traces of nervousness of any kind. The non-Sikhs in the crowd did not seem even to notice the presence of the Sikhs and took their presence there as normal.<sup>1</sup> It was reported that at about 2 P.M., two truck loads of men were brought to the AIIMS from the neighbouring villages. The trucks were followed by a tempo full of lathis and iron rods. As men dismounted from the trucks, they were instigated to raise the fiery slogan 'Khun Ka Badla Khun' (we will avenge blood with blood) by a Congress Corporator from the trans -Yamuna area, who was one of those who had masterminded violence in this area. The gang soon went towards Naroji Nagar, INA market, Yusuf Sarai and South Extension and began to stop all vehicles driven by the Sikhs. Even President Zail Singh's motorcade was stoned by the unruly crowd despite security. Every Sikh who came in their way was beaten and burnt to death. Sikh shops in these areas were first looted and then burnt. Vichitra Sharma, who visited the AIIMS wrote : "It was at 6 P.M. that I learnt from the hospital staff arriving for the evening shift duty that the vehicles driven by Sikhs were being stopped at the main traffic junction outside the hospital, that they were being

1. *Who Are the Guilty?* Annexure -11.

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dragged out from buses too and beaten severely. I ran across the emergency unit of the hospital to find it packed with Sikhs with bleeding skulls and clothes torn in shreds."<sup>1</sup>

The first organised attacks in residential areas began between 9 A.M. and 10 A.M. on November 1. Almost everywhere the attackers came with lathis, iron rods, knives, *trishuls*, swords, gun powder, petrol and kerosene. A few instances of the use of revolvers were also reported. 'A fairly standard' method of killing was adopted all over the city and in fact, in almost all the towns where violence took place. The victim would be stunned, immobilised into helplessness with lathi blows or stabbed. Kerosene, petrol or diesel would then be poured over him and he would be set on fire while he was still alive. There was hardly any case of the burn victims to have survived. One particularly heinous form of torture which was extensively and uniformly used in Delhi was what the fiendish crowds styled as 'the bear dance.' The victims were made to wear old car or truck tyres soaked in petrol and then subjected to burning torches. The killings were brutal. "One Sikh was pushed in a car, which was then set ablaze. Others were hit, thrown on the ground doused with kerosene and set on fire. A pregnant woman was stabbed by the rioters and some women were reported to have been raped."<sup>2</sup>

The reports revealed that Jats, Gujjars and other hired hooligans came from the populous resettlement colonies and from U.P. and Haryana villages around Delhi which had been cultivated as vote banks and political bases by the Congress over the last decade or so. People from these areas were habituated to hiring out their services to the ruling party for its rallies and processions. Their gang leaders were said to be on the regular pay roll of the party. That was how the Congress leaders could, in a matter of hours, mobilise thousands of hoodlums for the orgy of violence which they had planned and executed.

It was alleged that Congress leaders were fully equipped with voters lists and ration-shop records to supply to the attackers the

1. Sharma. Vichitra; 'Recalling those Days' in Amrik Singh (ed); *op. cit.*, P. 225.
2. *Who Are the Guilty?* P. 27.

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addresses of Sikh families in each locality. The attackers, though outsiders, had a clear knowledge as to which houses and shops belonged to the Sikhs. They also knew which Sikh house owners had Hindu tenants and which Hindu house owners had Sikh tenants. In such cases, instead of burning the whole house, only the Sikhs were killed and their property looted, so that no harm could come to Hindus.

The violence indulged in by the mobs was marked by brutal atrocities of the worst kind. Women survivors told the investigative teams how their children were ripped apart, their husbands and sons made to cut off their hair, beaten up with iron rods and then burnt alive. In some areas the women were abducted. Congress leaders and their followers were seen moving in jeeps and other vehicles personally supervising the arson, looting, murders and rapes, instructing the mobs, providing kerosene and pointing out Sikh homes and shops. 'Standing on rooftops it looked as if Nadir Shah was again on rampage,<sup>1</sup> said an eye witness. Brutalities of this kind were unworthy of a civilised nation. Sikhs were pulled out of cars, buses and trains and burnt alive. Organised violence of this nature and on this scale had no place in free India.

Non-official investigations into the incidents have revealed that the entire state and government machinery, the Delhi administration and the police took no action to prevent violence. There is sufficient evidence that policemen and police officers "stood by and watched arson, rape, looting and murder, without making any attempt to intervene to protect citizens belonging to the Sikh minority, without attempting to dissuade the attackers to call for reinforcements or other support, or even to inform the fire brigade."<sup>2</sup>

An I.P.S. officer told a member of the investigative team that the orgy of violence had been allowed 'to teach the Sikhs a lesson.'<sup>3</sup> Prime Minister Rajiv Gandhi's own statement on this occasion made

1. *The Illustrated Weekly of India*, December 23, 1984.
2. *Who Are the Guilty?*, P. 27.
3. Gurmit Singh; *op. cit.*, P. 274; *Ibid.*, P. 14.

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at a Boat Club rally on November 19 was an implicit justification of violence : 'When a big tree is uprooted, the earth is bound to shake'. Years of vicious propaganda in media and otherwise had generated among the Hindus a feeling of suspicion and hostility against the Sikhs. Though the assaults on the Sikhs in Delhi and elsewhere could not be described as a spontaneous mass upsurge against the Sikhs, 'the Hindu public, by and large, appeared to be in a mood to sanction such assaults'.<sup>1</sup> However, there were a few instances of Hindu neighbours coming to the rescue of the Sikhs, even after facing grave risks to their own lives.

On October 31, when tension had just started building up with the crowd of miscreants shouting inflammatory slogans and brandishing weapons, Delhi Administration was warned of the impending trouble, but it failed to take up the necessary steps. On November 1, when almost the entire Delhi was aflame, an opposition member of the Parliament rang up Shiv Shankar, a Minister in Rajiv Gandhi's new cabinet and the Home Minister P. V. Narsimha Rao to inform them about the situation in the city and the need for army action. He was reportedly assured by the Ministers that the army was about to be called and that curfew would be imposed soon.- But, despite the city being aflame, there were no signs of either curfew or army. On the afternoon of November 1, when several citizens including some retired senior Government officers approached President Zail Singh and apprised him of the situation, he was reported to have said that the Government was still considering whether to call out the army. Here it is significant to note that, placed in an identical situation, President R. Venkaraman, who hails from Tamil Nadu, did not allow any harm to come to a single Tamilian, following Rajiv Gandhi's assassination by the LITE on May 21, 1991.

It was unfortunate that acts of arson, loot and murder were taking place right in front of the police pickets. There were instances of the police coming to disarm Sikhs who tried to resist attackers,

1. *Who Are the Guilty?*, P. 14.
2. *Ibid.*, P. 7.

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using whatever arms they had. The police deprived them of their right to self-defence. More Sikhs died as a consequence of this type of police intervention than they would have, had the police just kept away. There were reports of Sikhs having gone to seek help from the police but instead of help they were handed over to the mobs. An eyewitness account revealed that a Sikh who was being pursued by a mob attempted to save his life by climbing into a police jeep but was thrown by the police to the attacking mob and was killed on the spot.<sup>1</sup> On November 2, crowds of hooligans who had reportedly multiplied in numbers and looked more defiant, were seen roaming all over, killing, burning, looting and raping at will. Although the newspapers that day announced three official measures namely, the clamping of an indefinite curfew, shoot-at-sight orders, and the deployment of army from the afternoon (2 P.M.) of the previous day, the Sikhs were intrigued to find that the reports were misleading. Even the opposition parties failed to rise to the occasion. On November 3, when following the carnage at Trilokpuri, some concerned people approached the Janata party leader Chandra Shekhar to lead them in a deputation to Teen Murti and appeal to the Prime Minister for help, he is reported to have expressed his inability to do so : I cannot do it. I don't want to be accused of ruining the late Prime Minister's funeral."<sup>2</sup>

Orgy of loot and plunder, murder and mayhem let loose on the Sikhs continued with full fury, with the connivance of the Administration till November 4. Even M.J. Akbar, known for his close links with the Congress observed : "Sikhs were sought out and burned to death. Children were killed, shops looted, cars burnt, markets destroyed, houses gutted. Trains were stopped and Sikhs were picked out and murdered."<sup>3</sup> Later some policemen were said to have told the miscreants, 'We gave you 36 hours. Had we given the Sikhs that amount of time, they would have killed every Hindu'. November 2 and 3 were the bloodiest days in the history of Delhi.

1. *Manushi*, November-December, 1984.
2. *Who Are the Guilty?*, P. 14.
3. Akbar, M.J.; *India : The Siege Within* (London, 1985), P. 7.

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The Sikh population of whole colonies was wiped out. Thousands were killed in the senseless massacre. There was no count. Even the Sikhs with Congress affiliations were not spared. Charanjit Singh, a Congress M.P. from Delhi suffered a loss of Rupees ten crore when his Pure Drink factories were burnt down. Narrating his experience, he said, "I telephoned the Lt. Governor and the police several times, telling them that mobs were burning our factories. I was told that the force would be arriving but it never happened."<sup>1</sup> Even when orders were issued to send in the army "there seems to have been a deliberate plan to keep the army ineffective until the murderers and arsonists had done their job."<sup>2</sup> Even though the army jawans had moved into most parts of Delhi by the evening of November 3, yet the deployment reached full strength only after the troops and vehicles reserved for the funeral were made available for controlling the communal violence. The myth that the army was 'above politics' was shattered. Around 360 Sikh officers and men in uniform were done to death in the presence of non-Sikh soldiers, who stood as silent spectators.<sup>3</sup> A decision was taken to shift or transfer all Sikhs personnel employed at sensitive posts. All Sikh police officials from the rank of D.I.G. downwards were ordered either not to come on duty or disarmed soon after the assassination. They were not trusted or permitted to take part either in the funeral rituals or the post-assassination restoration of peace. As a result of the withdrawal of the Sikh policemen and army jawans and officers from duty, murderers, looters and arsonists could act with impunity and greater assurance that no one would check them.

According to a report, 117 Sikhs died in U.P. at Ghaziabad and Lucknow, while 60 died in Haryana at Panipat, Faridabad, Gurgaon, Rewari and Sonapat. Two hundred deaths were reported from Bihar at Bokaro, Bhagalpur, Daltaganj, Dhanbad, Hazaribagh, Muzzafarpur, Patna, Ranchi and Jamshedpur. Eighty seven Sikhs

1. *The Statesman*, November 10, 1984.
2. *Manushi*; November-December, 1984.
3. Thapar, Ramesh, 'Our Non-Working Parliament' in *Economic and Political Weekly*, February 27, 1987.

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were killed in Madhya Pradesh at Ratlam, Rewa, Sagar, Satna, Sahore, Seoni, Shandol, Shajapur, Shivpuri, Sidhi, Surguja, Tikamgarh, Ujjain, Vidisha, West Nimar, Balaghat, Bestal, Betul, Bhind, Bhopal, Bilaspur, Chhatarpur, Chindwara, Demon. Dewas, Dhar, Rajgarh and Rajanandgaon.<sup>1</sup> While the Government admitted only 65 deaths in anti-Sikh violence at Kanpur, PUCL report gave the names and addresses of more than double this number.<sup>2</sup> According to official figures in Haryana 19 Gurdwaras were burnt and 115 houses destroyed. In addition, 134 shops and 42 factories were burnt. Fifty nine vehicles were also set on fire. The total loss, according to the State Government's estimate, has been Rs. 132 crore, while the police recovered property worth Rs. 43.51 lack from the rioters. However, according to unofficial sources-'certain intelligence agencies confirmed that-the number of Sikhs killed Haryana was more than 700.'<sup>3</sup>

The striking similarities in the manner in which violence was pursued against the Sikhs in Delhi and elsewhere was a clear indication of the co-ordination carried out at the highest levels of the ruling party. 'India Today' wrote : "Three days of violence and loot and murder left the national capital dazed, reeling from an unprecedented holocaust. The pattern was nauseatingly repeated everywhere : spontaneous arson and destruction at first taken over by criminally led hoodlums who killed Sikhs, looted or burnt their homes and properties while the police twiddled their thumbs"<sup>4</sup> However, it was not possible for individuals to count the number of persons killed, as the span of the area was too large and it was an organised violence by the Congress from the highest levels. Most conservative estimate of the Sikhs killed is some where between ten to twenty thousand and those wounded nearly one lac.<sup>5</sup> Property of thousands of crores of the Sikhs was either burnt or looted. An

1. *India Today*, November 30, 1984.

2. *Sachetna Monthly*, November 15 to December 14, 1984.

3. *Dignity*, December 23, 1984.

4. *India Today*, November 15, 1984.

5. *The Spokesman*, November 15, 1984; *Dignity*, January 26, 1985.

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obnoxious feature of this occasion was that "for the first time in the history of mob violence in India, a systematic attack was made on places of worship. Of about 450 Gurdwaras in Delhi, some three quarters were reported to have been damaged or destroyed."<sup>1</sup> Nearly 100 schools of Sikhs were burnt down or badly damaged. More than 60,000 Sikhs were rendered homeless in Delhi alone and became refugees in their own country. They had to seek shelter in the Gurdwaras or refugee camps, mostly run by some volunteer organisations. For some the stigma of being a refugee was used for a second time in their life. The scene of the refugee camps was reminiscent of the Partition days, "We started from the foot paths after 1947, now we get back to it in our old age," wept an old couple; they had been deprived of all their belongings and also a young son."<sup>2</sup> There were some reports of assaults on the volunteers who started to help the victims long before the government did. There were reports that some Congress politicians even filed police reports against a few such volunteers.<sup>3</sup>

Following large scale violence in Delhi, the Union Government, in a swift and sudden move, announced the appointment of M. M. K. Wali, till then the Secretary in the Home Ministry, as the Lt. Governor of Delhi, in place of P.O. Gavai who proceeded on leave. The Administration started a massive cover up operation. Official refugee camps were closed down prematurely. From most of them, inmates were dispersed forcibly. When a member of the Citizens' Commission asked the refugees how the camps were 'forcibly closed, they replied that water supply had been cut off.<sup>4</sup> The army had clear instruction not to allow any one to photograph the camps.<sup>5</sup> Ramesh Thapar observed: "The evidence of the holocaust was sought to be scattered. A battered people were sent back despite their fears and traumas.

1. *Report to the Citizens' Commission*, P. 17.
2. Sharma, Vichitra; *op. cit.*, P. 235.
3. Kumar, Dharm; 'A Voice From the Rest of India' in *The Times of India*. November, 15, 1984.
4. *Report of the Citizens' Commission*, P. 17.
5. *Who Are the Guilty?* P. 25.

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And the new Lt. Governor of Delhi M.M. Wali, the same who presided over a paralysed Union Home Ministry, spent his active hours minimising, what had happened and criticising 'exaggerated accounts'.<sup>1</sup> George Mathew noted, "Wali's attitude to the victims and those sections of the society which responded to the miserable plight of the victims was one of indifference if not hostility."<sup>2</sup> It was reported that hundreds of Sikh children rendered orphans in the violence were sent to Christian missionary orphanage in Calcutta run by Mother Teresa. The step was a part of the cover up operation to destroy all evidence of the bloody carnage. Jathedar Rachhpal Singh, chief of the so-called Master Tara Singh Akali Dal, known for his pro-Congress stance, was called to execute the plan. The Sikhs living abroad sent large quantities of food, clothing and medical aid for the afflicted people but on account of the apathy and callousness of the Administration, these could not be delivered in time.

The situation called for imagination and sympathy but unfortunately the Administration tried to minimise the gravity of the situation. Even President Zail Singh, in his presidential address, instead of indicting the Administration for its dereliction of duty, said, 'stern and effective action was taken to control the situation within the shortest possible time'.<sup>3</sup> The remarks evoked strong protest from Khushwant Singh, who himself had to leave his home and seek shelter elsewhere in order to save his life.<sup>4</sup> As a result of the anti-Sikh violence in Delhi, about 6000 families comprising 28000 members migrated to Punjab in the month of November, 1984. Many Sikhs from other parts of India also left their hearths and homes in search of safety and migrated to Punjab. It is estimated that a total of about 50,000 Sikhs migrated to Punjab following the anti-Sikh violence all over the country. The relief centres set up by the SGPC

1. Thapar, Ramesh; 'When State Collapses' in *The Illustrated Weekly of India*, December 23, 1984.
2. Mathew, George, "The Victims' in Amrik Singh (ed.); *op. cit.*, P. 263.
3. Gurmit Singh; *op. cit.*, P. 281.
4. *Ibid.*

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provided assistance to over 1800 families in Amritsar and over 5460 families in Ludhiana.<sup>1</sup>

The Sikhs were bitterly disappointed when they heard that the Prime Minister Rajiv Gandhi was still raising the accusing finger at the Sikhs and talking of subversion by the outside forces. For, as the facts were, the real danger was from his own policy and from his own Administration. On November 7, when a deputation of Namdharis met him to condole Indira Gandhi's death, Rajiv Gandhi was reported to have told them that "subversive forces, after having failed in Punjab, made Delhi their target and organised violence in which people belonging to various communities had suffered. We have to be extra cautious about such elements and the Sikh community particularly will have to take a bold stand to crush such forces."<sup>2</sup> According to another report (UNI), Rajiv Gandhi said that extremist elements had assassinated Indira Gandhi and then attempted widespread communal violence to create disorder and division in the country.<sup>3</sup> This explanation is, indeed, so irrelevant and unconvincing that it is almost a reluctant admission of Government's own responsibility. With the national elections looming large on the horizon, it also suited Rajiv Gandhi to appeal to the communal sentiments of the Hindu voters. Obviously, his statements failed to carry conviction with anyone, much less inspire confidence among the Sikhs. The impartial observers did not fail to note that the anti-Sikh violence was manipulated by the Congress as a part of its political functioning. P.L. Mehta, a former Inspector General of Police in Delhi observed : "The inactivity of the police during the holocaust in Delhi following the assassination of Mrs. Indira Gandhi could not have taken place without political signals... The very fact that a judicial enquiry has not been ordered is a pointer."<sup>4</sup> Ramesh Thapar's comments in this context are worth noting : "Even those who are cynically unconcerned about that ghastly event should be,

1. *Ibid.*, P. 37.

2. *The Hindu*, November 8, 1984.

3. *The Telegraph*, December 3, 1984.

4. *The Statesman*, April 1, 1985.

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for, as one experienced observer of the collapse of the police force put it. "To-day it is the Sikhs. To-morrow, it will be looting irrespective of community."<sup>1</sup>

While the authorities turned a blind eye to the massacres of the Sikhs in Delhi and elsewhere, a news black out was imposed so that reports about atrocities perpetrated on the Sikhs may not reach Punjab. The press in Chandigarh had been put under strict censorship for three days. Night curfew was clamped in Amritsar and Jalandhar. Police continued intensive patrolling and picketing not only in the cities of Punjab but also in the rural areas. Ironically, the situation in Delhi, which required prompt action, was allowed to go from bad to worse, with no curfew and no police patrolling for three days. Blue Star attack on Darbar Sahib, too, was undertaken in the midst of a strict news black out. It is well known that, on both the occasions, violence was not allowed to erupt in Punjab due to heavy presence of troops and strict vigilance of the authorities. Obviously, the Government had two different sets of policies, one to deal with the Sikhs and the other to deal with the rest of the Indians. No wonder, the Sikhs began to ask themselves : 'Do Indians still regard us as one of them?' No Congress leader condemned the carnage in Delhi and other parts of the country. Nor did the Parliament care to express its regret over the massacre or sympathy with the victims. Even a demand for an enquiry into the violence was turned down by Rajiv Gandhi on the plea that 'it would not be in the interests of the Sikhs'. In December, 1984, the then Additional Commissioner of Police, Ved Marwah, was asked to hold an independent enquiry into the conduct of the police. But before he could complete his investigation, a Deputy Commissioner of Police, Chander Parkash, obtained a stay from the Delhi High Court on the same ground on which the Jain-Banerjee Committee had been negated. Thus, due to the sabotage by the Congress, the men guilty of the anti-Sikh massacres could not be punished. Credible reports published by PUCL, PU DR, CFD and Citizens' Commission were also dismissed by the Government as these exposed the role of the Administration and the ruling party

1. Thapar, Ramesh; '**Our** Non-Working Parliament', *op. cit.*

in instigating, aiding and abetting terrorism against the Sikhs.

The Organisations, which conducted investigations into the mindless violence, consisted of former judges, senior advocates, journalists and former civil servants with impeccable record of service. Their aim was not any political gain. All of them were men of high personal integrity, great competence and unquestionable reputation. As responsible citizens, they reflected genuine concern with the mindless terrorism perpetrated on a minority community. P.R. Rajgopal, a retired Director General of CRPF observed : "The most generous interpretation that can be put on the government's reluctance to move the matter of a judicial probe into the sad events, after a lapse of nearly four months, may be that it had already come to the conclusion that with regard to these riots, the Delhi administration has been guilty of something infinitely worse than mere incompetence and that a fresh judicial probe is not likely to say anything more than restating the conclusions already arrived at the government level. Even such a stand would amount to a smooth evasion of a harsh reality. What is worse and far more injurious to the health of the nation in the long run is the suspicion and distrust with which an average Sikh citizen views the motives of the government in not ordering a judicial probe. Going through the reports (PUCL, PUDR, CFD and Citizen's Commission), it is difficult to resist the conclusion that during those fateful days, murder had become meaningless, deaths were reduced to mere statistics, and the mind could not have grasped the enormity of the cruelty indulged in by a section of the people."<sup>1</sup> It was a ruthless massacre, the like of which no eye had seen, no heart conceived and no human tongue can adequately tell. Report of the Citizen's Commission gave a detailed account of the brutalities inflicted on the innocent victims. Thousands were roasted alive. Before being burnt, some had their eyes gouged out. Sometimes, when a burning man asked for water, a man urinated on his mouth.

The government dragged its feet in regard to the appointment

1. Rajgopal, P.R.; *op. cit.*

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of an enquiry, as it was a clear case in which its culpability could not possibly remain uncensured. As A.G. Noorani noted, "The Government of India's wilful refusal to appoint a Commission of Inquiry into the Delhi pogroms for six months despite the fact that specific charges had been levelled against leading members of the ruling party was a breach of an established tradition and an abject confession of failure (or guilt?) by the Government of India."<sup>1</sup> The Government was no doubt caught in a dilemma of its own creation and followed a policy of alibis and evasion. But the issue continued to pose a big challenge to the Government's moral authority. Opposition leaders, social organisations, human rights groups and important public men and citizens of Delhi time and again, demanded that the Government should prove its bonafides and justify its stand in regard to the charges of political and administrative collusion in the ghastly violence.

The press, by and large, toed the line of the Government and was reluctant to take up the demand for a judicial probe. Even a local newspaper like *The Tribune* could not feel the pulse of the people. Prem Bhatia gave his tacit support to the line chosen by the Prime Minister in regard to the appointment of a judicial Commission. However, he welcomed the timely institution of a judicial enquiry into the assassination of Indira Gandhi and praised Rajiv Gandhi for not wasting any time in appointing a commission for this purpose. In regard to the ordering of an enquiry into the anti-Sikh violence his ambivalent attitude was reflected in an editorial: "The Prime Minister had to take a decision after balancing the advantages and disadvantages of ordering an enquiry which would have to be at the level of a High Court or a Supreme Court Judge, serving or retired. The course he had chosen shows that he would rather let sleeping dogs lie than take the risk of stoking up communal hatred and arousing afresh the anger against the Sikh community that followed the killing of Indira Gandhi."<sup>2</sup> *The Tribune* did not, for eight full days, say a word about the "innocence" of victims. It

1. Noorani, A.G.; *Proving the Delhi Pogroms* in Amrik Singh (ed); *op. cit.*, P. 227.
2. *The Tribune*, February 21, 1985.

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wrote between November 1 and November 7 editorials daily, focussing on the assassination and its aftermath but not once did the newspaper say that the victims were innocent. On the other hand Prem Bhatia, in his writings emphasised the "naturalness" of the anti-Sikh violence. He wrote : "That the people of India should be gravely upset over the loss of a national leader is not difficult to understand. The public sense of outrage was only to be expected."<sup>1</sup> In yet another editorial Bhatia observed: "The mourning over Indira Gandhi's death, especially because of the circumstances in which her life was ended, represents the deep sorrow of the people of India. The popular reactions over the tragedy are, therefore understandable."<sup>2</sup> A disaster of this magnitude should have evoked from the paper a more rational response or an appeal in the form of fund raising for the relief and rehabilitation of the victims and forceful pleas for the punishment of the guilty.

It is significant to note that whereas the Thakkar Commission to go into the assassination of Indira Gandhi was instituted swiftly on November 5, 1984,<sup>3</sup> it was only on April 25, 1985 six months after the tragic events, that the Rajiv Gandhi government announced its decision to set up a one-member Justice Ranganath Mishra Commission of Inquiry. It was the mounting public pressure that ultimately compelled the Government to take the decision. The terms of reference of the Mishra Commission were as follows: "To enquire into the allegations in regard to incidents of organised violence which took place in Delhi following the assassination of the late Prime Minister Indira Gandhi and to recommend measures which may be adopted for preventing the recurrence of such incidents."<sup>4</sup>

These terms of reference were unlike the terms of reference given to similar commissions of enquiry. In all those cases, the accent was on trying to unearth the facts, to enquire into "the causes and course of the disturbance which took place."<sup>1</sup> The terms of reference

1. *Ibid.*, November 3, 1984.
2. *Ibid.*, November?, 1984.
3. *Ibid.*, November 6, 1984.
4. Noorani, A.G.; *op. cit.*, P. 281.

of the Commission of Inquiry to go into Indira Gandhi's assassination explicitly required Mr. Justice M.M.P. Thakkar to answer the query ' whether any person or persons were planning the assassination and whether there was any conspiracy in this behalf and, if so, all its ramifications'. Why did not the Government set up a Commission to secure a clear verdict on the conspiracy theory as regards the massacres of the Sikhs, in spite of a clear evidence in this regard collected by highly responsible investigating bodies?

The Mishra Commission's efforts were severely handicapped by the terms of reference set for it. In a departure from the precedent set by similar inquiries in the past, the Commission was not asked to probe the causes and course of the events, the adequacy of measures to control them and the identity of those responsible for perpetrating the crimes, in other words, he who alleges anything would have to prove his case. The job of the judge would not be to inquire but to arbitrate. Thus the terms of reference of the commission were curtailed and changed in so far as the burden of the proof lay upon the individual, who deposed, in contrast to other commissions which were directed to inquire into the causes and course of events. Originally the Mishra inquiry was to be limited to Delhi. However, as a result of the Rajiv-Longowal Accord (1985), the Commission's jurisdiction was extended to Kanpur and Bokaro.<sup>2</sup> For the probe in Kanpur, the terms of reference were amended so as not to inquire into allegations, but to inquire into the disturbances as such.<sup>3</sup> It is rather strange that the same Commission should have been given different guidelines to inquire into the same problem in two different cities. Such an obfuscating approach by the Government gave the public reason to doubt whether the authorities were trying to facilitate the Commission's work or to cloud and to confuse Justice Mishra's efforts.

It was reported that out of a total of about 3000 affidavits

1. *Ibid.*, P. 283.
2. Malik, Baljit; 'The Cry For Justice' in *The Illustrated Weekly of India*, February 16, 1986; Government of India; *Punjab Settlement* (New Delhi, 1985), Clause 3.
3. **Malik, Baljit; *Ibid.***

which were filed, only 600-700 were from those who were directly affected by the violence.<sup>1</sup> A number of affidavits filed by the Sikhs carried allegations against two Central Ministers H.K.L. Bhagat and Jagdish Tytler and many other Congress leaders. Many affidavits were also filed by non-Sikhs in defence of these leaders. The job of the Commission was only to cross-check the evidence coming in through affidavits and not to go out in search of fresh, hitherto unreported, clues and evidence. "There were reports that the police tried to pressurise the complainants not to file affidavits against erring officers and politicians who had aided and abetted the killings. Those who lodged their complaints with the Commission were also harassed and intimidated. Justice Mishra found himself on the horns of a dilemma : should he cave in to partisan considerations for political expediency in the "national interest"<sup>2</sup> or go ahead in search of truth, however unpalatable it might be. Thus the task of the Commission was foredoomed to failure. Its outcome was not going to be anything that could carry conviction or inspire confidence.

The Mishra Commission report was submitted on February 23, 1987. It indicted the Delhi Police. But, as was the objective of the doctored terms of reference of the Commission, it failed to pronounce any positive finding about organisation of the hoodlums. Obviously, the victims of the violence could only describe their plight and could have no clue as to how the groups had been organised to attack them. Circumstances and the uniform manner of attack could only be the base for inferring organisation of the attacks. Hence the negative findings of the Commission, even though it could not avoid saying that "19 Congress workers were involved in the attacks."<sup>3</sup> It noted that there was abundant evidence before the Commission that the police on the whole did not behave properly and failed to act as a professional force. Even the emergency telephone number 100, which should result in immediate police assistance, did not respond at all during the period. It deplored the behaviour of most policemen

1. *Ibid.*

1. *Ibid.*

3. Gurmit Singh; *op. cit.*, P. 39.

in the sense that they allowed people to be killed, houses to be burnt, property to be looted, ladies to be dragged and molested. It made critical references to several police officers including the then Commissioner of Police, Subhash Tandon, former additional Commissioner of Delhi range, Hukam Chand Jatay, former DCP of East Delhi Sewa Dass and the former South Delhi DCP Chander Parkash. The Commission blamed the Lt. Governor for delaying the decision to call out the army.

The Commission recommended the setting up of two more committees -one committee to investigate the role of the police and another to inquire whether the cases registered after the violence had been properly investigated. The Delhi Administration appointed Dilip Kapoor-Kusum Lata Mittal Committee to probe the role of the police. The two members radically differed in their approach which caused dissensions at the very outset.

Kapoor did not begin the work in the right earnest and could not accomplish the allotted task. He submitted a lopsided report giving a historical perspective of major riots the world over. He could not expressly investigate the police role in the 1984 violence. Kusum Lata Mittal, a retired Secretary to the Government of India submitted a more detailed report. She indicted 72 police officials and recommended their dismissal, without an inquiry, under Article 311 (2) of the Constitution. It was felt that despite its apparent authenticity, there was a glaring omission in the Mittal report -the then Commissioner of Police Subash Tandon was not indicted, although he was the man in charge then. People felt that "this could be deliberate omission, for indicting him would lead the inquiry upwards to the role of the politicians themselves."<sup>1</sup> Mittal completed her report, but it was returned by the Delhi Administration which asked for a joint report. However, this Committee was again revived during the V.P. Singh Government on January 23, 1990. The Committee submitted its report in November, 1990. but no action, was taken on it. According to a report, of the seven senior officers

1. Sukhmani Singh; 'Special Report : The Anti-Sikh **Syndrome**' in *The Illustrated Weekly of India*, March 21-27, 1992.

indicted by the Mittal report four were already promoted. Heading the list was H.C. Jatav, the erstwhile Additional Commissioner (Delhi range) during the violence, in-charge of east, north and central Delhi. He was transferred to Tripura on promotion as Inspector General in 1985. Five years later, in December 1990, he was again promoted, this time to Commandant General-Home Guards.<sup>1</sup> Subash Tandon who totally escaped all wind of blame enjoyed a six year extension and subsequently served in the Rajasthan Public Service Commission. Even the indicted officials knew that they would in all probability escape punishment. An indicted official was reported to have said, "The Government is anxious to serve charge sheets. With this, they will be able to wash their hands of the episode. Their concern is publicity, not what happens latter."<sup>2</sup> This belief was borne out by the fact that three Inspectors charge-sheeted by the disciplinary police authority were able to obtain stay orders from the Central Administrative Tribunal within a day after they were issued. A senior police officer remarked, "Every day we dismiss constables on grounds of corruption and other petty offences, here they are getting stays for watching people bum in front of them."<sup>3</sup> Thus the police officials directly or indirectly involved in the carnage were allowed to go scot free. Paradoxically, many were promoted rather than punished.

An anti-Sikh bias also crept into the functioning and recruitment of the Delhi Police. It was reported that the percentage of Sikhs in the Delhi Police, which was earlier 10 per cent was now reduced to less than 3 per cent.<sup>4</sup> The downward trend was most noticeable in 1987, when just nine Sikh constables were recruited in a batch of 2000.<sup>5</sup> A senior police officer is said to have remarked. "You are always told that there is danger to VIP security from subversion within the force. So If you can't post Sikhs anywhere, it is pointless

1. *Ibid.*

2. *Ibid.*

3. *Ibid*

4. *Ibid.*

5. *Ibid.*

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to recruit them." Delhi police's unspoken anti-Sikh bias is aggravating matters in perpetrating more and more injustice to the community. As one police officer remarked, "After Nathuram Godse's assassination of Mahatma Gandhi, were all Marathas condemned? Why should the Sikh community carry the collective burden of guilt? On those grounds, Tamils too should be distrusted. That will break up the whole of India."<sup>1</sup> Sunil Sethi observed that the results of the carnage were also visible in more mundane matters like the difficulties of a Sikh family seeking temporary accommodation in Delhi. Those who are unwilling to welcome Sikh tenants may not be anti-Sikh but 'just fearful that their houses may not be burnt down in some dreadful new burst of politically organised violence.'<sup>2</sup>

The Government's ambivalent attitude in punishing one set of people and absolving the other could be seen in its true colours, when on 10th and 11<sup>th</sup> May, 1985 bomb blasts took place in Delhi, Haryana, Rajasthan and U.P., resulting in 82 deaths.<sup>3</sup> It was presumed that the blasts were the handiwork of the Sikh militants as a part of the retaliation to the November 1984 carnage. On mere suspicion, without ascertaining the facts and without identifying the culprits, the police arrested hundreds of Sikh youth and subjected them to extreme tortures, leading to death in many cases. A.G. Noorani observed that 'amongst other things, one lesson that they (police) wanted to drive home was that any one who dared to depose against them (due to their role in November violence) would have to face the consequences.'<sup>4</sup> A repressive piece of legislation known as the Terrorist and Disruptive Activities (Prevention) Bill was the direct offshoot of the May incidents. The bureaucrats in Punjab recommended that the Akali leaders should be re-arrested.<sup>5</sup> Many dispassionate observers took note of this ambivalence. Ramesh

1. *Ibid.*

2. Sethi, Sunil; 'Wages of Fear'<sup>1</sup> in *Indian Express*, March 1, 1992.

3. Tully, Mark and Jacob, Satish; *Amritsar : Mrs. Gandhi's Last Battle* (New Delhi, 1985), P. 221.

4. Noorani, A.G.; *op. at.*, P. 283.

5. Tully, Mark and Jacob, Satish; *op. cit.* P. 221.

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Thapar noted : "When hundreds of Sikh youth are rounded up on suspicion of being terrorists, what prevents an organised effort to get at the hoodlums of 1984? They still flourish in the *mohallahs* with police and political protection. Ask the widows and children who survived."<sup>1</sup>

The savage violence against the Sikhs in Delhi and other parts of India was a culmination of the policy of terror to cow down the minorities into submission. It was tragic that politics of the Congress descended to the lowest level of hooliganism. The year 1984 marked the point of no return for the Sikhs.

*Conclusion* : The November massacres of the Sikhs rendered a fatal blow to the secular and democratic professions of the Congress. The party burnt all bridges with the Sikhs. As the massacres took place mostly in the Congress ruled states, the party stood exposed in its true colours. The reports of the investigative Committee headed by the former Chief Justice of India and other committees clearly revealed the connivance of party leaders in organising violence. Communal polarisation reached its peak. M.J. Akbar observed : "Another chapter in the history of Punjab had come to an end. But the question was, what twist would the story now take? The relationship between the Sikhs and the Hindus had been fundamentally altered: the brotherhood was over."<sup>2</sup> The carnage was without any parallel in the history of post-Independence India. It is noteworthy that at the time of the assassination of Mahatma Gandhi, the Maharashtrians were not attacked nor were the Tamillians killed after the murder of Rajiv Gandhi.

As explained earlier, the Centre continued to discriminate against the Sikhs, who naturally protested and even conducted peaceful agitations for giving them rights which had been granted to other regions and states. The Centre backed by the media continued to misrepresent these demands as separatist, even though they were

1. Thapar, Ramesh; 'Our Non-Working Parliament' in *Economic and Political Weekly*. February 17, 1987.
2. Akbar, M.J.; *op. cit.*, P 209.

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just, legitimate and constitutional. So much so that each time the Akali Dal pressed for its demands, Indira Gandhi could not conceal her bias and would say, time and again, as to what would happen to the Sikhs in the rest of the country. Such warnings were not issued when other linguistic or regional states were demanded or when Rajmanner Report was adopted by the Tamil Nadu Assembly. The foregoing analysis proves that just as there was hardly any excuse for the army attack on the Darbar Sahib on the martyrdom day of the fifth Guru and the killing of thousands of innocent pilgrims, there were even lesser grounds for the massacre of thousands of Sikhs in Delhi and elsewhere in the wake of the Prime Minister's assassination.

Nothing could be more preposterous, but revelatory of the mind of the majority community, than the reluctance of the Administration to condemn or regret it in Parliament or even to hold an enquiry. After twelve years of mockery of justice, S.N. Dhingra, Additional Sessions Judge, Delhi has recently pronounced a judgement, awarding terms of imprisonment to 89 persons. Punishment of seven months to five years compared to the enormity of the crime is nothing but a cruel joke. That it took 12 years to bring to book some of the guilty is a reflection of the lack of earnestness on the part of the prosecutive agencies, which in sharp contrast, showed remarkable zeal in punishing the killers of Indira Gandhi.

The callous attitude of successive governments in the past 12 years to both the victims and the perpetrators of violence is as grave a crime as what the hoodlums did at the behest of their political masters. However, Dhingra's judgement is noteworthy in many respects. The judge minced no words when he said that the police were a party to the killings, that the Administration was 'interested in the non-prosecution' of the perpetrators of violence and that those who 'engineered the riots and who made these people (convicted by Dhingra) their tools are still at large.'<sup>1</sup> Who will catch hold of the 'real culprits' whom the long arm of the law has not yet been able to reach? When the people of one community can be rounded up on

1. *The Indian Express, The Hindustan Times and The Tribune, August 28, 1986.*

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mere suspicion and sent to prison under TADA, why can't the same law apply to the criminals in the top echelons of the power structure? Don't the criminals in power deserve to be hounded out of public life and made to suffer the punishment they deserve? Why should they be allowed to escape social, administrative and political accountability? Dhingra has rightly observed : "A society which is not based on justice and the rule of law is on the path of destruction."<sup>1</sup>

*Ibid.*

## 13

## SIEGE OF THE SIKHS : STATE TERRORISM IN PUNJAB

*"If there are 25 Anti-Terrorist statutes and blood-thirsty militia, if human rights are constitutionally murdered by the validation of Emergency, if a policeman may legally shoot an innocent and no court remedy exists, then that country is savage, not civilised... No law justifies spraying of police bullets except genocidal justice. And yet 'police encounters' are invoked as if it were a defensive talisman. And unspeakable tortures in lock-ups are so common that they make no news and reports of such barbarity are shrugged off with a 'can't help' sop..... Portions of Punjab are currently out of bounds for human rights and social activists... three thousand Sikhs, men, women and children incinerated or otherwise extinguished in the streets of Delhi did not rouse the Rajiv regime to register even a "First Information Report."*

*Justice, V.R. Krishna Iyer.*

There are few parallels in history when the people of a state have been subjected to such humiliations, horrors and persecutions as the Sikhs in India-and that too by a home government. A sort of total war is being waged against them, in which their sons are being butchered and their children are being orphaned. It is a sordid tale of sadistic torture, ruthless killings, fake encounters, 'disappearances', calculated desecration of the Sikh shrines and defilement of the Sikh tenets and traditions.

### **Tyranny of Articles :**

In fact, the encroachment on civil liberties and democratic rights has been a striking feature of the Indian polity ever since independence, especially in relation to Punjab. At the time of independence, the Constituent Assembly was given the mandate to replace colonial laws by a constitution fit for a free people, but some provisions in the Constitution show that this mandate was not fulfilled. Detention without trial, the banning of peaceful protests

and curtailment of civil liberties and the freedom of the press have all been practised in the most unscrupulous manner, not worthy of a democracy. This encroachment has been sanctioned by the Indian Constitution itself.

For instance, the rulers in New Delhi are empowered by the Constitution to remove from office the democratically elected state governments on the flimsiest of pretexts and to impose presidential rule, which means the curtailment of civil liberties. The provisions for this are found in Articles 352 to 365 of the Constitution. It was under these articles that Indira Gandhi rode rough shod over all democratic norms and proclaimed Emergency in 1975. It is the most misused power under the Constitution. Blatantly partisan use of these articles for purely extraneous political considerations is a slur on the name of the Indian democracy. The 'Operation Topple' began in Pepsu in 1953 and since then has continued unabated. Akali governments in Pepsu and Punjab have invariably become its tragic victims. It is well-known that New Delhi has never allowed any duly elected Akali government to complete its full term.

The most pernicious provision in Article 356 is that President's rule may be extended upto three years. In Punjab, President's rule continued for as many as 57 months before the Congress Government led by Beant Singh, which came into power through a fake election, took over on February 24, 1992. Governors appointed by the Centre often act as mini despots and serve as agents and appendages of an omnipotent and omnivorous Centre. For the last so many years, the governors sent to Punjab have been persons with either the police or the military background.

The Constitution is heavily loaded in favour of creating an omnipotent centre. Article 3 enables Union legislature to alter the name or the boundaries of a state unilaterally without reference to the concerned state legislature. Article 302 empowers the Centre to impose restrictions on inter-state trade. Arbitrary use of these powers by the Centre has often given way to outright political blackmail. These powers have often been used to destroy or dilute the very self-identity of a state in such a way as to undermine the ethnic.

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linguistic, religious and cultural homogeneity of a minority inhabiting that state. Article 249 empowers the Centre to encroach on the state list and make inroads into the sphere of the states. Similarly Article 302 empowers the Centre to impose restrictions on inter-state trade. This is blatant interference in the affairs of the states and erodes the autonomy of the states.

Besides this, Article 22 of the Constitution provides the framework for the enactment of a preventive detention law. Bakshi Tek Chand and some other members of the Constituent Assembly had opposed the inclusion of this provision in the Constitution, but Jawahar Lal Nehru had assured that it would not be enacted. This assurance was given in January 1950 and the first Preventive Detention Act was passed in February 1950. During the most peaceful Punjabi Suba agitation, the Punjab government under the provision of this Act took into custody hundreds of Akali leaders and workers who, according to the pre-conceived notions of the Government, were about to act in a manner prejudicial to the peace and law and order in the state. Master Tara Singh, the veteran Sikh leader was detained without trial on a number of occasions. A ban was also imposed on the raising of the Punjabi Suba slogan. The whole vernacular press, in sympathy with the cause of the Punjabi-speaking state, was closed and banned. Their premises were occupied and their entire staff was put behind the bars on several occasions. The remaining press of the Punjab and of outside was conditioned, misled, or controlled into a more or less complete blackout of the true state of affairs prevailing in the state. Constitutional gymnastics, in the form of repeated amendments of the Constitution (more than 80), have left the Sikhs flabbergasted.

Instead of settling the water and linguistic issues according to the law of the land, these were made the bone of contention between Haryana and Punjab, with New Delhi actively and overtly becoming a party against Punjab. Unilateral, illegal, arbitrary and high-handed decisions were imposed on Punjab. The Punjab river water issue, referred to the Supreme Court by the Akali Dal, was withdrawn. Then Congress (I) Chief Minister of Punjab was coerced to opt for

a 'political solution'. A wholly illegal and extra-constitutional 'agreement' was imposed on Punjab, on December 31, 1981, which was subsequently sought to be further strengthened through the cleverly manipulated Rajiv-Longowal Accord. No effort was made to undo the distortions mischievously introduced in the Punjab Reorganisation Act (1966).

No fair-minded person could fail to see through the gameplan of New Delhi. When the justice-loving Sikhs resisted and opposed the arbitrary, iniquitous and unconstitutional awards and agreements, when they pleaded for the restoration of the democratic process, the government launched a full-scale war on Punjab, arrested, tortured and killed thousands of political activists by branding them terrorists.

### **Statutory terrorism : Black laws**

Draconian laws enacted during the past few years have reduced Punjab to a tyrannical police state and high degree of fascism. These laws are violative of the basic fundamental human rights enshrined in the Indian Constitution. These are reminiscent of the despotic ordinances of the Middle Ages. Even the repressive enactments which during the British rule used to be condemned as charters of slavery by the Indian leaders were not as stringent as the present laws.

The government of free India has armed the police aggression through scores of terrifying laws like the Maintenance of Internal Security Act, 1971; The National Security Act, 1980; The Punjab Disturbed Areas Ordinance, 1983; The Armed Forces (Punjab and Chandigarh) Special Powers Act, 1983 and Terrorist and Disruptive Activities Act (TADA) also known as Special Courts Act passed in 1984. These Acts along with a whole host of similar Acts have virtually given the police a license to kill.

The minorities are completely exposed to the mercy of the government of the majority community and the misery it may choose to inflict on them on any pretext, as and when it desires. The way the entire gamut of legal and judicial systems has been changed to persecute the Sikhs leaves no doubt about it.

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Under The National Security Act, a person is liable to be jailed without disclosure of reason, without trial and without redress for two years in Punjab. His detention can be extended from time to time for an indefinite period. The grounds for detention may fall within any of the wide rubrics such as maintenance of public order, the maintenance of supplies and services essential to the community, the security of the state or of India etc. This kind of judicial terrorism practised under the guise of adjustment to exceptional situations would remain a blot on constitutional justice in India. In the long run, it may aggravate the malady and discredit the so-called remedy. The custodians of state power in India have much to answer for before the bar of world opinion. India has been evading the Human Rights Committee of the U.N. and other organisations connected with the protection of human rights. F.S. Nariman, a leading legal luminary of the Indian Bar, wrote in an article in the Indian Express:

"Distressing news-but there is more. Recently, in the Readers Column of this paper and other national newspapers, persons from abroad have been politely but consistently enquiring about the whereabouts of unreleased detainees, the reason for their continued prolonged detention, as to why many of them have not been brought to trial, again no response from the concerned Ministry, no information, only silence."

After the army action, the N.S.A. was amended to provide for extended periods of detention and to make some of its provisions even more draconian. The procedure for submission of the case of a detenu was amended in such a way that he could be kept in jail for a period of six months' without obtaining the opinion of the Advisory Board' if the detainee was prone to act prejudicially' in any disturbed area'. Thus the person was liable to be in jail for two years simply because the executive believed that he was likely to act in a prejudicial manner.

Another important amendment brought about by an Ordinance. Section 14(2) of The National Security Act, laid down that on the revocation or expiry of a detention order, a fresh detention order can be made even if no fresh facts have arisen. The amendment had

very serious implications. It provided, in effect, that if a detention order was held invalid by a court of law, the detaining authority could revoke the said order and could make another detention order. The new amendments brought about 'to meet the Punjab challenge' have led to the complete erosion of civil liberties. Justice Krishna Iyer observed, "The power of detention without trial, when vested with the Executive, is an enemy of civil liberties and has been an imperial weapon to hit below the belt whenever open justice has been processual nuisance for authoritarians."<sup>1</sup>

### **T.A.D.A.: Confiscation of human rights**

Another draconian act, Terrorist and Disruptive Activities Act (T.A.D.A.), violative of Article 21 of the Constitution, was passed in the form of Presidential Ordinance on 14th July, 1984. The essence of administration of justice is a fair trial in an open court. But under T.A.D.A., justice was dispensed in camera, in far off places and mostly in jails. The definition of the term 'terrorist' was deliberately kept vague and wide and could easily be applied to various forms of dissent, of which it made a mockery.

'Who is a terrorist' Section 2(h) defines it, and widely worded and widely interpreted it includes any person holding an 'opposition' point of view; any worker or striker or peasant agitator, may well be a 'terrorist'<sup>1</sup>, definitionally speaking, even if he does not kill or turn violent. A group of students damaging some property and thereby putting another group of persons in fear or affecting their harmony may well be terrorists.<sup>2</sup>

The Act made gross departures from the ordinary notions of public trial. The identities of the prosecution witnesses were not disclosed to the accused. Even the Special Court was not to disclose the identity of a prosecution witness in its judgement. Hence, the antecedents or veracity of the witness could hardly be questioned or examined. Anyone disclosing the identity of a prosecution witness

1. Iyer, Krishna; *Human Rights and Human Wrongs* (New Delhi. 1990). P. 126.

2. *Ibid.*, P. 123.

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was liable to be punished under the Act. The prosecution witness could be examined in the absence of the accused. The accused supposedly had the right to recall him for cross-examination, but as he did not know who he was, this 'right' became meaningless. Thus a dreadful combination of procedures, personnel and prosecution praxis could easily spell guilt and punishment on any one who could then be marched blindfold into a secret place of hearing where nameless witnesses testified and cross examination was rendered impotent.

Appeals against the decisions of the Special Court could only be made to the Supreme Court and not to the High Court even though the punishing court was normally of the status of district judge. Possibility of granting bail was the rarest of the rare. 'Bail, not jail' is the general rule which has been adopted in the criminal trials which began with the presumption of innocence in favour of the accused. But in Punjab, the rule was changed into 'jail not bail.' Usually such courts held their sittings inside the jails or outside the state of Punjab at far off places where the accused could hardly conduct his defence meaningfully. It virtually meant a denial of the right of defence. The Indian Evidence Act was drastically amended to make the presumption of innocence in most cases a dead doctrine and the presumption of guilt an easy prospect. According to the amended version, the onus to prove his or her innocence was on the accused. The right of anticipatory bail was also denied to him. This was in clear violation of Universal Declaration of Human Rights which states, " Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to a law in public trial at which he has had all the guarantees necessary for his defence. The Act came to be seen as more atrocious than the Rowlatt Act. Observations of Justice Krishna Iyer are noteworthy in this respect: "The Rowlatt Act is far fairer and whatever the situation in Punjab, a pan Indian criminal procedure prescribed by this special legislation must shock the conscience of those who hold humanist values of justicing inalienable."<sup>1</sup> He further states, "Prima facie, the anatomy of the Special Courts Act is incredibly terrorist in operation.

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Legal terrorism is not an answer to illegal terrorism, and if the hit list tactic of the extremist is horrendous, the police operated and politically fuelled hit list of the executive extremist may be doubly deadly. It wears the garb of law and has, therefore, a *mareecha mien* of jurisprudence. Secondly, the people who are clawed by this law are larger in number, weaker as victims and have no remedy under the law since the law itself turns lawless."<sup>1</sup> Justice V.M. Tarkunde, former President of the People's Union For Civil Liberties described the law as ' a savage law which no civilised country would tolerate.' A leading human rights lawyer observed, "The procedural provisions of the TADA are unjust and unreasonabale not only in regard to the accused, but in regard to the society as a whole. In the first place, the TADA provisions lead to unjustified arrests of innocent persons, their detention in police and judicial custody for long periods and their conviction even when they may be innocent. The injustice so caused leads to intense dissatisfaction among the relations and friends of the person accused and tried under the TADA and thereby swells the ranks of terrorist gangs. The arbitrary powers given to the police by TADA are justly described as amounting to state terrorism which is clearly counterproductive because it feeds the flames of terroism."

The repressive legislation, unprecedented in its ferocity, was fraught with danger because it could treat as terrorists all those who would normally come under the category of dissenters. The law soon came to be used by the ruling party for narrow political ends. Any kind of protest or demonstration was construed as an act of terrorism and could land the demonstrators in the authorities' net and then in the Special Court. The police could present a challan in a period upto one year.

All forms of democratic protests were crushed. A number of Special Courts came up in Punjab and more then 1/4th work of the regular courts was transferred to these Special Courts. These came to be overworked as even petty offences began to be tried by them. A report of the People's Union for Democratic Rights (PUDR) wrote: "19,286 persons were accused under TADA, including 7, 969 in

1. *Ibid.*

Punjab alone.... The Government introduced TADA by citing the transistor bomb blasts in May, 1985, in Delhi and the five accused under the Act - K.S. Narang, Mohinder Singh Khalsa, Mohinder Pal Singh, Jagdish Singh Narela and Daljit Singh-were tortured to death. In Delhi, during elections to the Delhi Gurdwara Parbandhak Committee, the Act was used to detain Akali Dal Secretary Bir Bahadur Singh in order to force the 69 year old leader to support the then Congress (I)-backed Barnala group in the D.G.P.C. elections. Soon after, when President's rule was imposed in Punjab in May, 1987, Prem Singh Chandumajra, a cabinet minister in the Barnala Government, became a victim of the Act. Chandumajra was hung upside down and beaten"<sup>1</sup> TADA was overtly a law and covertly a tool of police and politics. It gave the golden chance to the police and the politicians to quench their religious and personal prejudices. Official figures given by the Home Minister in March 1993 put the number of people then held under TADA in Punjab at 14, 457. But according to unofficial sources, several thousands more were held without trial under TADA and preventive detention laws in force in Punjab. More than 1000 TADA petitions, some of them challenging the constitutional validity of the Act, were kept pending in the Supreme Court for a number of years. In July, 1992, Jagmeet Singh Brar, a Congress M.P. told the Parliament that sweeping powers under TADA given to the police in Punjab were being grossly misused and that the government should repeal this law. After a lot of hue and cry, TADA has been withdrawn but those already detained under the Act are still languishing in jails.

The Armed Forces (Punjab and Chandigarh Special Powers) Act gave the army power to fire, use force and arrest the suspects without warrant. The security forces could shoot to kill and were given immunity from prosecution.

### **Murder of democracy : Indian Constitution defaced and defiled**

The 42nd Constitution Amendment did immense harm to civil liberties, independence of the judiciary and freedom of the press. It

1. *The Tribune*, Chandigarh, Nov. 18, 1989.

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gave immunity from criminal prosecution in normal courts, to the Prime Minister, President, Vice-President and the Speaker of the Lok Sabha. Nothing could be more derogatory to the concept of equality before law.

State brutality in relation to Punjab touched new heights with the 59th Constitution Amendment Act (1988). The proclamation of Emergency (1975) by Indira Gandhi had led to a lot of uproar in the country but this obnoxious Amendment was a virtual reversion to the Emergency ghastliness. The only difference was that this time the application of the proclamation of Emergency was confined to Punjab only, the alibi being escalation of violence. All the terrifying consequences of the proclamation were to be visited only in Punjab. The right to move any court for enforcement of any fundamental right, including the most precious right to life and liberty stood suspended. The policeman or any other officer could shoot and kill, torture and detain, arrest, incarcerate or otherwise inflict mayhem without any legal procedure whatsoever and without any fear of challenge in court of the illegality of the action. It was a matter of shame for the custodians of power that as far as the Sikhs were concerned, the right to life, under Article 21, was 'more honoured in the breach than the observance'<sup>1</sup>. No Judicial authority could question this proclamation or strike it down as ultra vires. It made a farce of the democratic set up. The situation was reminiscent of Nazi dictatorship under Hitler.

The entire country stood as a mute witness to the Emergency imposed on Punjab through this deprivatory legislation. Members of the Indian Parliament would have opposed it, if it had covered the whole of India, but they voted for its passage as Punjab alone was singled out for its application. The opposition parties which had hailed the Akali Dal as the last bastion of democracy acquiesced in the Emergency as it was going to be applied only to Punjab. The Sikhs who had led the country in respect of the 'Save Democracy Morcha' launched against the infamous 1975 Emergency felt betrayed, shocked and alienated.

The havoc wrought with the Constitution through hammering it with repeated strokes of questionable amendments have changed not only the complexion but even the substance of the original

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Constitution making the position of the minorities all the more vulnerable. The 65th and 76th Constitution Amendment Bills passed by the Indian Parliament have further reduced Punjab to a mere colony. There is no denying the fact that India stands constitutionally partitioned between Punjab and India. There are different sets of laws for Punjab and the rest of the country. While the Sikhs can be shot by the police and the paramilitary forces on the vaguest suspicion without any process of law, the holiest of their holies can be subjected to a brutal army action, those guilty of the massacre of the Sikhs in New Delhi enjoy all immunity from law.

The United Nations in its report brought out in February 1991 indicted India for human rights violations and state repression on the Sikh community in Punjab. Taking exception to the frequent amendments in the Indian Constitution the report observed that whereas in the 213 years since its declaration of independence, the United States of America amended its constitution only 12 times, India had done so with its constitution 64 times (The report was prepared before the 65th amendment was passed). The report further observed that not a single Hindu had been detained under the draconian laws introduced in the state (Punjab). The report went on to ask: "Is there one law for the minorities and another for the Hindu majority?" "Can a Hindu never be a militant, terrorist or secessionist under Indian Law? Is the mass murder of Sikhs, rape of Sikh women and pillage of Sikh properties in the post-Indira Gandhi assassination riots to remain unpunished under India's secular laws? Will the international community never speak out against these outrages?" The report further noted: "Under this climate it is not, therefore, surprising that Sikhs have lost out entirely in the propaganda war which the government of India has been waging relentlessly as a cover up for its dastardly record on human rights and to malign a brave community."<sup>1</sup>

#### Reign of terror : Post Blue Star scenario

After acquiring arbitrary powers, the army and the paramilitary forces swept through the Punjab countryside throwing over eighteen

1. International Human Rights Organisation, *Indo-US Shadow over Punjab* (Ludhiana, 1992) pp. 17-18.

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thousand 'suspected terrorists' into jails, without the right of bail. For the first three months no one was put up for trial. A group of 39 children, between the ages of two and twelve were picked up from the Darbar Sahib complex and lodged in Ludhiana jail, and graded under three categories of 'terrorists': very dangerous, dangerous and potentially dangerous. All this was being done in the name of wiping out terrorism. The children faced the charge of breach of peace and violating prohibitory orders under section 144. They were subjected to long intimidating sessions of interrogations by the C.B.I, and the I.B.<sup>1</sup> The children cried and begged to be sent home but the authorities did not show any regard to any civil liberties or laws protecting kids and babies.

Under The Children Act 1960 or The East Punjab Children Act 1976, boys younger than sixteen years old and girls below the age of eighteen cannot be detained either at a police station or in a regular jail but the authorities paid no heed to these laws. A C.B.I, officer confessed, "These are all fine ideas for newspapers and preachers. We had on our hand suspected terrorists and would be terrorists."<sup>2</sup> Human rights organisations brought these acts of inhumanity to the notice of senior most Administrators, including the Governor and yet no relief was granted till Kamladevi Chattopadhyya, the well known social worker, finally approached the Supreme Court, which ordered their release.<sup>3</sup> However, there were more children in the Ludhiana jail than Kamladevi knew about and got released. To avoid knowledge about their illegal detention, the Superintendent jail transferred them to the Nabha jail, where already a few such children had been kept, thereby increasing their number to eight. They remained unrescued.<sup>4</sup>

Hundreds of detainees languished in the Jodhpur Jail for several years, without trial and without any charge against them. They were, almost all, either pilgrims or employees of the

S.G.P.C. and were

1. Thukral, Gobind; 'Atrocities on Sikh Children' in *India Today*. September 30. 19X4.
2. *Ibid.*
3. *Ibid.*
4. Kumar, Ram Narayan and Sieberer, Georg; *The Sikh Struggle* (Delhi. 1991), p. 291

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picked up from the Golden Temple after the army action. When they were released, some of them had become physical and mental wrecks.<sup>1</sup>

Brahma Challaney of the Associated Press (AP) of America was charged with sedition under the Special Courts Act. He was a journalist who had the boldness to report about the Blue Star atrocities. But the case against him was dropped because it reopened the debate about what exactly had happened during the bloody army action at the Darbar Sahib.<sup>2</sup> It also raised issues fundamental to the freedom of the press and brought into question the controversial Act, which had been passed specifically to deal with "terrorists" in the Punjab situation.<sup>3</sup>

It would be interesting to compare the tactics by the Government of India in Punjab and Kashmir with the complete equanimity and pacifism displayed by it towards the United Liberation Front of Assam (ULFA). The ULFA even professed secession from the Union. The Government of India is also well aware of the fact that ULFA's secessionism is there only to hoodwink oppressed ethnic groups in Assam which have lost all confidence in the Government and that ULFA is only the representative of the upper caste elite that under another name, the AGP (Assam Gana Prashid), is their ally. This group has already killed hundreds of people who have politically opposed it and also many others on a communal basis. According to ULFA, it is necessary to "liquidate colonisers and exploiters" and liberate Assam from the clutches of the Indian State. The ULFA has, in fact, been preaching Assamese nationalism quite openly. One of its recurring statements is that Assam was never a part of the Indian mainstream. It has extorted billions of rupees and it has kidnapped for ransom hundreds of people, including high Central Government functionaries. And yet, there is no TADA, no NSA, no NSG, no curfews, no blasting of villages, no torture-not a single extra-ordinary step from our Central Government.

1. Citizens For Democracy; *Oppression in Punjab* (Bombay, 1985). pp. 76-77.
2. Rahul Singh; 'The Strange Case of Brahma Challaney' in *Indian Express*. January 21, 1985.
3. A bdi, S.N.M.; 'Rising Militancy'<sup>1</sup> in *The Illustrated Weekly of India*. Bombay, October 10. 1991.

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When upper caste Hindus do it against the Muslims, it seems things are quite different. The same attitude is reflected by the other all India parties, whether right or left. D.R. Goyal summed up this policy in a leading article in the Tribune. He wrote, "It is only the political Hinduism of the RSS that discriminates between religions on geographical basis which tantamounts to cultural imperialism, a sure prescription for separatism. And here too they have heirarchy. Kashmir, with a Muslim majority, is to be tackled differently from Punjab with a Sikh majority. In the former, people have to be fought with the help of armed "RSS workers" whereas in the latter case it is enough to prevent "outside interference" by handing over the State to the Army. None of these suggestions have been mooted in regard to Assam where ULFA and AASU have been indulging in identical rhetorical and military extremism. Is it because the Assam militants are Hindus and are trying to drive away Muslims?"

Satyapal Dang, an important communist leader of Punjab, wrote a series of articles suggesting to abandon the political approach in Punjab and instead introduce draconian laws followed by iron fisted methods. He even went to the extent of asking the Government for the suspension of the right to life guaranteed by Article 21 of the Constitution of India. He wrote, "The security forces require special powers to deal with the situation. A terrorist is caught. He has killed ten people. The law requires the police to produce him before a magistrate within twenty four hours of his arrest. The courts are so afraid of these terrorists that they immediately let them out on bail. No one comes forward to give evidence against them. All are afraid. Now, one answer in such a situation would be to just bump them off. That would be, no doubt, illegal. So I suggest, instead of doing illegal things, amend the law."<sup>2</sup> The attitude of ambivalence on the question of tackling the Sikhs and other communities shows that secularism in the country is a myth. Scratch a communist or a Congressite in the country, you will find that his commitment to secularism is just skin deep. He comes out in his true colours, when

1. Goyal, D.R.; 'Kashmir : BJP's new theme song' in *The Tribune*, Chandigarh. October 10, 1991.
2. Kumar, Ram Narayan and Sieberer, Georg; *op. cit.*, p. 286.

it is a question of dealing with the Sikhs or other minorities.

Here it is significant to note the discriminatory attitude of the Government in applying these draconian laws to different communities with narrow communal considerations. In one of its issues, the *Spokesman*, Delhi wrote. "If T.A.D.A arrests are examined throughout the country it will probably be found that most of the detainees belong to what we like to euphemistically call 'minority communities'. If this is not a good enough reason for a review of this very dangerous law it is hard to think what it is. To come back, however, to 1984, why is it so difficult for a few of our Delhi killers to be detained under TADA? At least then we would know that our government's secular little heart is in the right place."<sup>1</sup>

To prove the point of view, it gave more evidence of the application of TADA in other States : "There are 228 TADA detainees in Rajasthan. But, what is very interesting is the religious composition of these people. Out of these, 119 are Muslims, 96 Sikhs and a mere 13 Hindus. The Muslims and the Hindus were arrested after communal violence in Jaipur and Kota but the administration- and it is important to remember that we then had a secular Congress-I government- seemed to feel that the Muslims were guiltier than the Hindus. As is usual with our communal riots it was the Muslims who lost more property and it was more Muslims who got killed but nevertheless it was more Muslims (many, many more) whom the police seemed to think were guilty. Among the 119 Muslims detained in Rajasthan, three are boys under the age of 16 and some are old men over eighty years of age."<sup>2</sup>

Similarly, there are more than 13,500 persons at present detained in Punjab under the TADA<sup>3</sup> and similar draconian laws. They are amongst the "luckier" ones, who have not been "dealt" with so far. It is ironical that a state which claims to be the votary of peace, professes to abide by the Gandhian ideal of non-violence and

1. **Tavleen Singh; 'The law that strikes terror' in *The Spokesman Weekly*, October 28, 1991.**
2. *Ibid.*
3. *Indian Express*, **March 31, 1992.**

calls Gandhi the Father of the nation, should enact laws as repressive as those of South Africa against which Gandhi had started his non-cooperation movement. Through these enactments, the ruling elite has acquired more and more arbitrary powers to crush the fundamental rights and liberties of the people enshrined in the Constitution of India.

### **Brutal Methods of Torture**

Laws which granted to the security forces immunity from prosecution have often led them to use brutal methods of torture. Interrogation centres of Punjab Police present a pathetic scene of human misery. Some of the gruesome methods of torture are as under:

- a) Laying prostrate on the ground and moving a heavy roller *ghotna* over the body repeatedly till the muscles are crushed.
- b) Giving electrical shocks at different parts of the body particularly the genitals.
- c) Gouging eyes, pulling out fingernails, beating with wooden rods and rifle butts.
- d) Pulling out hair from the head and beard.
- e) Pulling apart the legs until the joints of the upper thighs come out of the sockets. Arms too are disjointed in a similar manner.
- f) Pushing wet cloth into the mouth and nostrils to induce suffocation.
- g) Poking heated iron rods into the body.
- h) Hanging the body upside down after tying the rope to it.
- i) Spraying chilly powder into the eyes, ears and nostrils and inserting the same into the rectum.
- j) Dipping the body in deep water after putting it into a gunny bag. This treatment is more excruciating on winter nights.

## k) Sexual abuse of women relatives in the prisoner's presence

The following is a statement from a Hindu doctor working in the rural areas of Amritsar district. "The police torture people very cruelly. Firstly, they begin by savagely beating them Secondly, they bend their hands and arms backwards and upwards towards the ceiling and tie them there (*Kachcha fansi* or half baked hanging). Thirdly, they then administer electric shock. In Tarn Taran an electrically generated belt is used. Fourthly, they use wooden weapons on the body and crush the legs. I see fifty to one hundred cases per year in such like condition within a five to ten kilometer radius. If a boy looks as though he is dying in the police station, they plan an encounter some kilometres or so away, the day before. It's very meticulously planned. Encounters are always 100% bogus."<sup>1</sup>

A commission of enquiry appointed by the government in November, 1985 under the chairmanship of Justice C.S. Tiwana of the Punjab and Haryana High Court described the interrogation centres of Punjab Police as torture chambers, where the worst kind of brutalities are inflicted on the prisoners. The Commission observed that torture was carried out to procure statements which would justify filing of criminal cases against men whose detention had been illegal in the first place.

India of Gandhi has miserably failed in the field of the human rights of the minorities. How many innocent Sikhs have lost their lives with police bullets? It requires volumes for the entire tale of killings and tortures to be told exhaustively. Government records in regard to these are either kept secret or manipulated or destroyed. The media information in this regard has been casual, censored, politically manipulated and arithmetically distorted. The government seldom releases the names and lists of the victims of state violence. For more than a decade a ruthless roller of repression has been in operation in which thousands of Sikhs have been brutally butchered and killed in fake 'encounters', hundreds of thousands more have been arbitrarily arrested and whisked away to undisclosed destinations or just made to disappear and yet more have been put

1. Pettigrew, Joyce; *The Sikhs of the Punjab* (London, 1995), P. 69.

to such tortures and tyrannies which put to shame the horror stories and make a mockery of the fundamental rights guaranteed in the Indian Constitution and enshrined in the Universal Declaration of Human Rights to which the Indian Government is a signatory.

Extra-judicial executions of the suspected militants and sympathisers were carried out as part of a deliberate shoot-to-kill strategy conceived by senior police and civil administration officials. In their efforts to find and kill the militants, the Punjab Police conducted massive search operations, frequently arresting persons who may merely have lived in an area known to be frequented by militant groups or who may have belonged to an organisation supporting the militants. In some cases the police recruited special agents to identify the victims and carry out the killings. Although there was little effort to disguise the nature of these executions, the police reports generally claimed that the victim was killed in an 'encounter'<sup>1</sup> or, occasionally that he committed suicide to avoid capture. In violation of Indian laws, the police usually performed perfunctory post-mortems and cremated the bodies in secret.

### **J.F. Ribeiro and Police High-handedness**

Even when the Akali government led by Surjit Singh Barnala came into power (Sept. 1985), Prime Minister Rajiv Gandhi foisted on Punjab Director General (Police), J.F. Ribeiro, a man known for his brutality to pursue an iron-fisted policy in the state. His predecessor B.S. Dhaliwal, known to be a very efficient officer, was pushed aside and asked to proceed on leave. Ribeiro declared his policy of 'bullet for bullet'<sup>1</sup> and virtually ruled the state with direct instructions from the Centre. Illegal detentions and non-judicial killings became the order of the day. The most unfortunate part was that the people at the Centre who were controlling the administration in Punjab were accountable to no one because on paper the reins of power were with the Akali government. For all outward appearances the democratic process had been restored but outside Punjab, few could know that Centre was ruling Punjab by proxy. Bhajan Lal who was a Union Minister at the centre at that time issued a directive

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to the security forces to 'kill Sikh terrorists rather than apprehend them and try them in law courts.'<sup>1</sup>

The government became increasingly aggressive not only against the Sikhs but also against the Sikh values. Expressing concern over the law and order situation in the state, the Home Minister, Buta Singh wrote to Chief Minister Barnala, "The *Amrit Parchar* campaign has also led to the deepening of communal and separatist feelings.'

Ribeiro, in his policies and programmes, recognised neither the Indian Constitution nor the State ministry. He declared that in Punjab 'police accountability is to itself He prepared a hit list of 38 'top terrorists' of A category and 400 of B category to be eliminated without due process of law. He issued an order to all district police superintendents promising financial rewards, ranging from Rs. 25000 to Rs. one lakh, for the liquidation of listed men described as 'terrorists'. The hit list prepared by him came to the notice of the Amnesty International and other human rights groups in India and abroad.

Ribeiro introduced entirely illegal and indefensible terror tactics. He openly inducted in the police force criminals who were reported to have indulged in murders, robberies, loot, etc. The heinous and ugly objectives of this practice were three-fold. The first, objective was to create public opinion against the militants and brand them as perpetrators of crimes. Second, it was to create in the rural, areas a class of individuals and families that should, apart from becoming unsympathetic to the cause of the militants, become hostile to them, thereby creating at the village level factional divisions, leading to further crime. It was a sinister design to undermine and discredit the militant movement. The third objective was to create at the village level informers who, out of a feeling of revenge, should supply information to the Administration, partly also serving their factional interests thereby. The chief object, however, was to break the barrier that had come to exist between the rural masses and the

1. *India Today*, May 31, 1987

Administration. Since truth came to be known gradually to the public, many persons, including officials objected to this illegal and unworthy activity of the Administration which, they felt, would be counter-productive.

Organisations like 'Black cats', Alam Sena or Vigilante groups were floated and under cover agents like Dalbir Singh and Santokh Singh Kala were made to operate in the garb of police. Initially the government continued to deny the existence of these sinister organisations. Earlier, Mohammad Izhar Alam, Senior Superintendent of Police, Amritsar, had vehemently denied the creation of such a force when reports of it had appeared in the press in 1986, since some police backed vigilantes were identified as being involved in a dacoity and murder in the Chowk Mehta area of Amritsar District, Vipul Mudgal, a correspondent of 'India Today,' who gave a lead story on these under covers, said that government was 'recruiting the policemen with criminal tendencies for a special task force to be constituted along the lines of the Dirty Dozen. .. And now, inquiries are pending against at least a dozen police-backed vigilantes, bounty hunters, undercover operatives and spotters over serious charges of corruption. The exclusive use of an unbridled police option in Punjab has succeeded, finally, it seems in creating Frankenstein monsters for which a terrible price may have to be paid."<sup>1</sup> The Hindustan Times also reported that under cover agents continued to operate in the state and were using weapons provided by the police to kidnap local people and extort money from them.<sup>2</sup>

Ribeiro set upon a reign of terror both by direct killings and introduction of criminal groups to commit murders, loot and crime. Some criminals being tried for murder were released and entrusted to carry out the killings The Punjab Human Rights Organisation (PHRO) revealed that 73 Sikh youths were killed in fake encounters between May 12 and August 22, 1987. Ribeiro declared that he was not accountable to anyone.

Police-supported vigilantes, according to Janardan Thakur, "consisted of a band of dismissed policemen and terrorists-turned

1. *India Today*, September 15, 1988.
2. *The Hindustan Times*, December 12, 1990.

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approvers. Their squads were let loose, no questions were asked. They were fully armed with arms and ammunition to match those of the terrorists. They started their own loot and plunder. The more they were killed, the more they were hailed, never mind whom they were killing. The cat came out of the bag when one of the dismissed policemen (Dalbir Singh) who had been given double promotion and free hand to do as he pleased was found raiding banks and looting money. He was summoned by the area S.P. and was presumably being asked either to declare or share his exploits when he picked up a revolver lying on the table and shot the S.P. (Baldev Singh Brar). The Senior S.P. (Sital Das) came running from the next door office. The man (Dalbir Singh) shot him too and then shot himself."<sup>1</sup>

After his dismissal from police. Dalbir Singh had been reemployed. He was known to have committed numerous crimes, including bank robberies, dacoities, murders etc. He became a favourite of Ribeiro, when he helped the police in nabbing some militants. He shot into prominence when he gunned down A' grade militant Surinder Singh alias K.C. Sharma in Chandigarh.<sup>2</sup> When hotly pursued by the Chandigarh police, who mistook him for a militant, he slipped into Ribeiro's house and sought shelter with him.<sup>3</sup> Dalbir Singh had been given two out-of-turn promotions, a jeep and two guards armed with stenguns. Unofficially a Maruti and a Fiat were also given to him. Posted in Patiala, with no official daily routine, his secret jurisdiction extended to the whole of Punjab and even nearby states. By his criminal activities, he had amassed wealth and properties in Patiala, Chandigarh and Mohali. ' I would kill myself rather than letting the police find out everything about me', he had reportedly told an associate.<sup>4</sup> Another notorious member of the vigilante outfit was Santokh Singh Kala, who mainly operated in Jalandhar area. Kala boasted of his mission being blessed by

1. Thakur, Janardan; 'Point of no return?' in *Free Press Journal*, August 10, 1991.
2. *India Today*, September 15, 1988.
3. *Ibid.*
4. *Ibid.*

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none other than the Prime Minister Rajiv Gandhi and the then D.G.P. J.F. Ribeiro. This has been corroborated by the Washington Times (April 5, 1988) and the New Hampshire Sunday News (March 13, 1988).

Even when the gruesome episode involving the killing of two senior police officers had exposed the vigilante squad, Ribeiro had no hesitation in justifying its creation. Referring to the practice of depending on under cover operatives, Ribeiro told 'India Today' : "Police all over the world take the help of under cover people. There is no doubt about the fact that we had also been using people like Dalbir... But for the unfortunate killing of two of our officers, this would not have come out in the press at all. <sup>m</sup> Ribeiro felt that Dalbir's death had created a vacuum that would be difficult to fill. Asked about the legality of such measures, he replied. "Don't governments use spy networks for collecting information? Is that legal? In fighting this undeclared war in Punjab what matters is success in tracking down killers." Ribeiro's statement reveals the reality about the unabashed practice of state terrorism. He believed in the existence of no law, no government and no human rights. When exposed. Ribeiro had the temerity to justify this indefensible and unconstitutional method on the plea that he was fighting a war. meaning thereby that just as in a war in a foreign territory, a soldier is a law unto himself, whose every activity of loot and murder is justified, he too was above the law. It was unfortunate that the police officials had the full liberty to give vent to their propensities of aggression without being accountable to anyone.

The killing of two police officers raised many controversies and questions about the functioning of the police in Punjab. The scheme of hiring criminals as vigilantes came under heavy attack even in the police circles. A senior DIG of BSF complained to Ribeiro that the police tactic was earning widespread discredit because the vigilantes were running amuck, looting and plundering innocent people. In one of the cases, a Congress leader of Amritsar, whose car had been snatched at gun point, recognised the robber at the police chiefs residence, where he had gone to complain about the

1. *Ibid.*

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robbery. It turned out later that the car snatcher was a member of the vigilante force. On instructions from the police chief, he returned the vehicle to the owner.<sup>1</sup> In another case, another vigilante man helped the police to take away a truck abandoned by alleged terrorists and sold it in another town.<sup>2</sup>

A further embarrassment to Ribeiro was that Dalbir Singh's vigilante activities in Jammu and Kashmir had resulted in Chief Minister Farooq Abdullah's imposing a blanket ban on Punjab Police's entry into his state.<sup>3</sup> Human Rights Watch and Physicians for Human Rights (PHR), who conducted investigations of human rights abuses in Punjab, also noticed that the Punjab Police employed undercover agents, known as 'black cats' in order to eliminate suspected militants. They interviewed a lady police officer whose husband worked undercover as a 'black cat' for the police. She said: "We lived in a civilian locality under undisclosed names. He had a van, and in addition to his official Mauser pistol, he was given four AK-47 guns that were captured from the militants and a bolt-action rifle. He and the others travelled dressed in civilian clothes and often had untrimmed beards to make them appear like Sikh militants. They kept their police identification with them, just in case they were accidentally picked up by the regular police. Once they got any information on militants, they would get verbal orders from the S.S.P. to abduct those persons if possible and bring them to the police station for interrogation and torture. If they were unable to abduct someone, then they had orders to shoot and kill. My husband assisted in the abduction of Satwinder Singh (Toto), Harpal Singh Babbar, Kanwaljit Singh (Waheguru). Among those he helped to kill were Bhinda Kamoke, Lakha from Malaikpur, Kashmir Singh (Maulvi) and Balwinder Singh."<sup>4</sup> In an interview, published in *The Tribune*, Ribeiro had to admit that "the police officers incharge had no control over those operating in this manner and they had got out

2. Ibid
3. ibid
4. ibid
5. ibid

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of hand... Members of these under-ground squads were indulging in looting and extortion of money."<sup>1</sup>

Thus the Indian government, instead of adopting positive measures to deal judiciously and constitutionally with the situation, set in motion a highly suppressive force and adopted measures that could not be justified against the civil population even in a war. It was not realised that violence and vengeance could be counterproductive and that the induction of criminal elements in the law enforcing authority would only make the matters worse. Chandigarh Police was reported to have arrested one Gurinder Singh, involved in a shoot out in Sector 3 8 in May 1985. Before he agreed to surrender in response to calls put out through public address system by the police, Gurinder reportedly wanted to meet the top Congress leaders of the Punjab. "The mention of the names of Congress (I) men by Gurinder was evidently intended to ensure that the police did not kill him in an 'encounter'.<sup>2</sup> The policemen who staged an encounter with Gurinder were really on the look out for one Surjit Singh alias Sita who had escaped from the police custody a few days ago. Sita had been arrested in connection with the murder of Hardyal Singh, President of D.C.C. (I), rural Jalandhar'. This gang is said to have been responsible for a murderous attack on R.L. Bhatia, General Secretary of the A.I.C.C. in Amritsar. Summing up the whole episode, *The Dignity* wrote : "But is the matter so simple"? It is now well known that Gurinder was protected by Santokh Singh Randhawa, his son Inderjit Singh Randhawa, former Chief Minister Darbara Singh, and a Congress (I) legislator, Gopal Krishan Chatrath. Gurinder is known to have led a gang of armed men to evict tenants and other poor people from Darbara Singh's family land at Kharar".<sup>4</sup> Further *The Dignity* wrote: \* Let Punjab Congress (I) leaders also reply to a few more questions. Is it a fact or not that

1. *The Tribune*, July 31, 1989.
2. *Dignity*, May 12, 1985 and June 9-22, 1985; Harminder Kaur, *Blue Star Over Amritsar* (Delhi 1991), P. 135.
3. *Dignity*, May 12-25, 1985.
4. *Ibid.*

the involvement of a top aide of Darbara Singh in the Hardayal Singh murder case was alleged and an enquiry was held some time ago? Is it also a fact or not that the wife of Mr. R.L Bhatia, a General Secretary of the A.I.C.C. (I) complained to the Centre against the alleged involvement of certain Congress (I) men of Punjab in the attempt to murder her husband? Is it also a fact or not that Bhatia himself recognises his alleged assailants?"<sup>1</sup> Such incidents provide insights into the dismal scenario witnessed in Punjab under Ribeiro.

### **Ray- Ribeiro Regime**

After the unceremonious dismissal of the Barnala Ministry on May 12, 1987 the administration of the state was entrusted to Governor Sidhartha Shankar Ray, a man notorious for the killing of hundreds of naxalites without the due process of law in West Bengal. Ray had also gained notoriety for his defence of the 1975 Emergency. Here it must be pointed out that Punjab witnessed a rapid transfer of Governors (some of whom did not stay even for a year). It was obvious that anyone trying to exercise any discretion or sense of responsibility could hardly be made to last in his official position. It is well-known that Governors like B.D. Pande and Nirmal Mukerjee were prevented from functioning successfully due to the stranglehold of the politicians at the Centre. With Ray-Ribeiro combine, Punjab came under the complete grip of the Centre. Kuldip Nayar's observations in this context are noteworthy: "Brutality which got embedded in the police set-up at that time (Emergency), knows no bounds now. The trend of arresting or releasing persons on political considerations has continued. The illegal use of power, to which the police has got used, is hard to defeat now. What is seen in Kashmir, Punjab, Assam or elsewhere in the country is a cumulative effect of unbridled authority given to the force. It does not know, much less care, about normal acceptable methods to deal with a situation. On the other hand, employing the police to the advantage of any political

1. *Ibid.*

party, started by Indira Gandhi, has now been a source of subverting the rule of law.<sup>1</sup> Even at the time of Emergency, S.S. Ray had subverted the rule of law and defended the 'right of legislatures to correct the judiciary.'<sup>2</sup>

The foremost task assigned to Governor Ray was to speed up the construction of the Satluj-Yamuna Link Canal for the supply of water to Haryana.<sup>3</sup> Ribeiro's hands were also strengthened. "I feel confident we will get results, more officers will join battle. Those who don't will be replaced. It would have been quicker if President's rule had come earlier,"<sup>M</sup> said Ribeiro. A new outfit called Punjab Bahini, like the Mukti Bahini of Bangladesh, was raised under Ray's direction. Criminality and corruption became the hallmarks of Ray-Ribeiro regime. The duo went berserk and, through the introduction of lumpen elements in the police, killed hundreds of innocent Sikhs with impunity.

It must be pointed out that the pleas of law and order and separatism were created problems to avoid the solution of the real Punjab problem and to divert public attention and sentiment to what the Government called terrorism. False encounters and state terrorism have been a part of government policies to convey an impression to the public that there was serious terrorism which they had to tackle. Two points needs to be emphasised clearly. First, that till June 1984, neither Bhindranwale nor any other person had ever conceived of a demand outside the framework of the Indian Constitution. Second, that no less a person than the D.G.P. Punjab had stated in 1985 that "There was no definite organisation behind it (Khalistan)... Though there is a lot of hue and cry about training camps of extremists being held in Pakistan but there is no authoritative information' available with the government."<sup>5</sup> Actually the Blue Star and the Wood Rose had created a state of oppression and even terror in the

1. *The Tribune, Chandigarh, June 24, 1992*
2. *The Hindustan Times, Sept. 15, 1975.*
3. *India Today, May 31, 1987.*
4. *Ibid.*
5. *Indian Express, January 8, 1995.*

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Punjab. After it the question of any group launching any serious agitation could not arise especially when the entire Sikh leadership, moderate or extremist, had been put behind the bars. Even small children were kept in jails and not released except by the intervention of Supreme Court. Hence the question of any terrorism which the state had to meet was a created myth. Thus so far as the situation of law and order was concerned, there was nothing serious about it except that the Government approach in the field in Punjab remained the same before and after the Barnala ministry.

Free hand given to the para-military forces had a similar impact on Punjab. Ruthlessness and anti-Sikh bias of these forces confirmed the worst fears of the Sikhs that the government had deliberately embarked upon a policy of eradicating the community. Brigadier R.P. Sinha of the armed forces who could not hide his communal frenzy openly threatened to decimate the Sikhs. Warning the village elders in Tehsil Ajnala he said, "If there is any militant violence in your villages, all male members will be killed and your women will be taken to army camps to breed a new race.<sup>1</sup> C.R.P.F. and B.S.F acted as rapidly communal forces and undertook large scale massacre of the Sikh youth in the countryside. At some places, the Hindus were encouraged to settle their personal scores with the Sikhs with the help of the C.R.P.F. 'India Today'<sup>1</sup> brought to light a few such cases :

a) In Chandigarh a Hindu lawyer had an altercation with a young Sikh client and started shouting that terrorists had come to kill him. The youth was shot.

b) In village Rupewal near Nakodar, a Harijan tried to filch some watermelons from a Sikh farm. He was thrashed by the farmer's son. The Harijan approached the C.R.P.F. and had the Sikh fanner and his sons shot as terrorists. The villagers were up in rage and the Punjab Police registered a case of murder.

c) Punjab Police in Amritsar openly accused C.R.P.F. of

1. **International Human Rights Organisation; 'Indo-U.S. Shadow over Punjab. (Ludhiana 1992), p.82**

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'murdering'<sup>1</sup> Harminder Singh Shammi, a small time Sikh leader. The prevalent communal cleavage affected Punjab Police and C.R.P.F. who openly clashed in the streets of Amritsar. The Punjab Police registered a case against C.R.P.F. for dacoity while C.R.P.F. lodged an identical First Information Report against Punjab Police.'

Reports of 'encounters' in which the security forces claimed to have killed wanted militants were viewed by the people with increasing scepticism and cynicism. In fact, the word encounter became a flexible term which covered deaths caused by security forces in a variety of ways and circumstances. 'India Today' recorded two such cases :

(i) C.R.P.F.jawans shot dead Sukhwinder Singh of Amritsar's Khyali village on November 21, 1986, his wedding day - because the taxi he was travelling in did not immediately respond when asked to stop. According to the driver, Sukhwinder Singh and his 18-year old friend, Ajeet Singh, were gunned down as they alighted from the taxi a hundred yards from a C.R.PF. picket. The police tried to pass it off as an encounter until angry villagers organised demonstrations and road blockades. Sukhwinder Singh's father Avtar Singh-whose written complaints to Ray and Rajiv Gandhi had gone unheeded - finally settled for a grant of Rs. 10,000. Sukhwinder's widow was paid a similar amount and his elder brother, Lakhbir Singh, was given a job as a peon in a government school.<sup>2</sup>

(ii) On August 23 last year (1987), in the very heart of Amritsar, Sardool Singh, a 35-year-old contractor travelling on a scooter, hit an old woman and failed to stop-it later turned out that she suffered no major injury, Unfortunately for him. Superintendent of Police Baldev Singh's car happened to be passing by. The officer's escort jeep overtook and overpowered the scooterist.

According to eyewitnesses, C.R.P.F. jawans beat up Sardool Singh with their rifle butts. In the melee a jawan accidentally pressed the trigger of his sten gun, killing a colleague. The enraged policeman

1. *India Today*, July 15, 1986.

2. *India Today*, April 30, 1988.

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vented his frustration by spraying Sardool Singh with a burst of gun-fire.<sup>1</sup>

The police claimed that Sardool Singh was a wanted terrorist who was carrying a country-made pistol and that he had killed the C.R.P.F. jawan. But this has been refuted in an inquiry headed by Sub-Divisional Magistrate, S.P. Mahajan, who found the contractor innocent.<sup>2</sup> Mahajan recommended that the widow of Sardool Singh, Kulwant Kaur, be compensated monetarily with an ex-gratia payment of Rs. 20,000 and that a member of the family be given a government job to enable the family to survive. S.P. Mahajan was, however, transferred from Amritsar after his report.

The scenario became dismal. Armed with laws that crush the right to life on vendetta or vicious suspicion or sadistic pleasure, if a policeman shot or broke the bones of anyone, he had only to use the alibi of a suspected terrorist. Amnesty International and other Human Rights Organisations often turned their critical lens on Punjab in relation to fake encounters and tortures but the Indian government continued to dodge impartial investigations into these charges.

The Anti-Repression Coordination Committee (ARCC) headed by Justice Ajit Singh Bains investigated the human rights violations in Punjab. It enquired into the shootings at Nakodar (March 19, 1986) in which four young Sikh students were killed and the shooting of nine persons in police firing on the eve of Hola Mohalla celebrations on March 29, 1986. Its findings were that the shootings at both the places were unjustified. The ARCC also inquired into the alleged encounter by B.S.F., on Aug. 30, 1986 in Dera Baba Nanak Sector of Gurdaspur district. It was the biggest killing of the so-called terrorists in any single action ever since Ribeiro had taken charge of the combined forces of the B.S.F. and C.R.P.F. deployed in Punjab. It was asserted that the 'encounter' took place when ten persons were trying to enter India from Pakistan crossing over the Ravi in Dera Baba Nanak Sector. ARCC after an on-the-spot investigation rejected the official version of the incident and came

1. *Ibid.*

2. *Ibid.*

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to the conclusion that the ten Sikh youths were already in the custody of the security forces when they were murdered by the B. S. F. Justice Bains said that ninety nine percent of the police encounter cases were bogus. 'Having failed to catch the real culprits,-the police more often than not, involved persons in encounters.'<sup>1</sup> said he. Justice Bains claimed that he knew at least two cases in which persons after they had written to the senior police officers about extra-judicial execution of their relatives were themselves killed in fake encounters. According to his findings, 73 persons in police custody had been killed in the district of Amritsar alone within a period of a little more than three months between May 12 and August 22. 1987. All these killings had been explained away as deaths in armed encounters between the militants and the security forces. Police excesses were often dismissed as militant propaganda and in some cases explained as a result of inter-gang rivalry.

Justice Sodhi Report<sup>1</sup> of February 1989 observed that during S.S. Ray's regime many of the 780 undertrials in the high security central jail at Amritsar, before their formal arrest, had been illegally detained by the police for a couple of weeks, tortured and money extracted from them. Several of them complained that they had been falsely implicated. They were apprehensive that even if the court granted them bail, the police would rearrest them in new fabricated cases. Many under-trials chose not to leave the jails as they could not meet the demands for money made by the police. Justice Sodhi observed that 'delay blurs the distinction between acquittal and conviction which is most unfortunate.'

Amnesty International, although it was not granted permission to visit Punjab, carried out a survey of incidents of 'armed encounters' reported during 1989 and 1990 in three English newspapers published in Delhi. During 1989, a total of 298 Sikhs were reported killed in 178 'armed encounters' as against only 16 members of the police and security forces. The figures for 1990 were very similar : 173 incidents were reported in which 346 Sikhs were killed as against no more than 25 policemen or members of the security forces. Had these incidents been genuine encounters with members of armed

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groups, as claimed by the police, the number of police casualties would certainly have been expected to be considerably higher than that recorded in press reports. Amnesty International could not probe hundreds of cases that were not reported in the press.

Among the several cases of false encounters reported by Amnesty International (March 1989 Report) was that of a university professor. An extract from the report is reproduced below :

"Rajinder Pal Singh Gill, an Assistant Professor in Horticulture at Punjab Agriculture University, Ludhiana, was reportedly arrested on 25 January, 1989 in Chandigarh, Punjab, by the Ludhiana Police. The Police refused to give information about the arrest or whereabouts until 15 February 1989, when the Ludhiana police announced that he had been killed in an encounter with the police, together with two others on the night of 26 January 1989 at Khehra Bet, Ludhiana . He had reportedly been seen in custody at Sadar Police Station on 25 and 26 January, 1989." The omnibus description of 'encounter deaths' covered a hundred brutalities on the part of the police.

The government sponsored hit squads intensified their activities during 1988. In the name of combating militancy they created terror, with a view to breaking the ties between militants and people. On March 31, 1988 heads of some militant outfits issued a warning to the people against the government outfits killing the Sikh families and advised their cadres to direct their energies against such groups. The very next day, April 1, 1988, thirty seven persons were gunned down in Patti and Tarn Taran sub-divisions, including eighteen of a family in Penhota village. They cleverly left behind a note on behalf of the KCF claiming responsibility for ghastly murders. The three militant outfits, the KCF, the BTFK and the AISSF (Gurjit) issued separate statements denying their involvement in any of these gruesome killings. They described these killings as "the handiwork of police touts."<sup>1</sup> By now government outfits had wiped out more than forty families in Gurdaspur and Amritsar districts.<sup>2</sup>

State terrorism unleashed by Ribeiro resulted not only in the

1. *The Telegraph, Calcutta, April 3, 1988.*
2. *Sangat Singh; op. cit, p. 408.*

liquidation of 'identified' and 'unidentified' militants in fake encounters but was also responsible for liquidating the families of the militants and their sympathisers. Their houses were set on fire. Their womenfolk were taken into custody and molested. Brutal torture at Batala of two young women, Gurdev Kaur and Gurmeet Kaur, by S.S.P. Gobind Ram with a view to force them to produce their husbands missing for several years, led to a lot of public outcry. The two women were rendered incapacitated. P.H.R.O. revealed that state-sponsored vigilante groups, who often operated in the garb of militants, were involved in several cases of molestation and rape of young Sikh girls and women.<sup>1</sup>

Such incidents tarnished the image of the police. Ribeiro ultimately came to realise that there could be no decisive battle against terrorism without a bold initiative to tackle the problem at the political level. He realised the futility of the policy of cold repression and <sup>1</sup> bullet for bullet<sup>1</sup> strategy. He said, in unequivocal terms, 'The police can only fight terrorism, not solve it.'<sup>2</sup>

#### K.P.S. Gill and reign of terror :

Ribeiro was made Advisor to Governor Ray. K.P.S. Gill an Assam cadre I.P.S. officer with shady antecedents, was made to take over as Director General of Punjab Police. This signalled the" unleashing of state repression on an unprecedented scale. Gill had already earned notoriety in Assam for his cold-blooded policies.

Under Gill, police and secret hit squads became the chief organs of the state and could indulge in any illegalities or brutalities without hindrance or criticism. All the conventions and subterfuges that usually veil the activities of the governments were torn aside and only naked force became the symbol of power and authority. Corruption grew to giant proportions. Gill asserted that a police officer's performance would be judged solely on the basis of his success in neutralising the militants Janardhan Thakur noted that with the arrival of Gill, 'the state terror got a shot in the arm. The

1. I.H.R.O.; *Indo-U.S. Shadow over Punjab*, (Ludhiana, 1992), P. 41.
2. *India Today*, Aug. 15, 1988.

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logic of Gill was that the police were dealing with people who did not believe in any laws and so unless the police too was lawless it could not really fight them."<sup>1</sup> Gill justified the policy of creating under cover squads. He said, "The security forces in Punjab can do nothing without special spotter's parties and there is no question of doing away with them."<sup>2</sup> He was reported to have prepared his 'elimination lists', with instructions from the I.B.

When a team of the Punjab Human Rights Organisation (PHRO) who had a long interview with Sumedh Singh Saini, Senior Superintendent of Police, Bhatinda, asked him to comment on the armed vigilante groups created in many districts of Punjab, he too is reported to have said, "What was wrong if they were organised to assist the state to neutralize terrorists?"<sup>3</sup> Besides vigilante squads, there were other squads also who were responsible for deadly intrigues and murders. In a revealing letter written to the Lok Sabha Speaker Rabi Ray, Simranjit Singh Mann, while submitting his resignation from Indian Parliament, drew attention to the other hit squads called the "Black Cats" and "Indian Lions", who were operating in the State in a clandestine manner and were responsible for murdering and pillaging." Mann complained that three members of the executive of his party, including Jagdev Singh Khudian M.P. were done to death by the "Indian Lions" outfit.<sup>5</sup> Mann regretted that even though the Justice Harbans Singh Rai Commission appointed by the government had indicted the Punjab DGP, K.P.S. Gill, in connection with the Khudian murder, yet no action was taken against him."<sup>6</sup> "The state is actively involved in killing and murdering Sikh leaders and I have been threatened by the "Indian Lions" which has several other names - 'Vaidya Commando Force' (VCF) and

1. Thakur, Janardhan; 'Point of no Return?'<sup>1</sup> in *Free Press Journal*, August 10 1991.
2. *India-Today*, September 15, 1988.
3. Kumar, Ram Narayan and Sieberrer, Georg; *op. cit.*, P. 389.
4. Mann, Simamjit Singh's Resignation letter to Speaker Rabi Ray, dt. October 10, 1990; *The Tribune*, October 9, 1990; *Aj-Di-Awaz*, October 10, 1990.
5. *Ibid.*
6. *Ibid.*

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"Lala Jagat Narain Tiger Force".' said Mann. The Tribune reported the formation of a secret militant organisation called the "Indian National Army" which recruited commandos to fight terrorists in Punjab. The report said, "Mr. Dayal Singh Chief General of the army said to-day that commandos were drawn from the Army, the BSF, the CRPF and the Punjab Police. He also introduced a commando to newsmen, who, he claimed belonged to the BSF."<sup>1</sup>

All India Hindu Shiv Sena also trained its own commandos to carry out clandestine activities. 'Current' weekly in its issue dated August 5-11, 1987, brought to light a story which described a camp "somewhere in Amritsar district", where the AH India Hindu Shiv Sena was training about 1,000 of its young followers in the use of arms and commando tactics. The boys let their hair and beards grow and assumed the appearance of Sikh youth. The Sena president Surender Kumar Billa managed the camp and told the reporter that the idea was that these young men would act as agent provocateurs, attack the Sikhs and thereby create an aversion among Sikhs for the militants. A group photograph of Surender Billa and his fake Sikhs was also shown in the Weekly.

There were reports of nine similar camps located all over Punjab. It is obvious that these camps could not have operated without the patronage of those in high places. These commandos indulged in looting and extortions. According to a Tribune report (August 13, 1991), "instances of miscreants, some belonging to the Hindu Suraksha Samiti, having written letters in the name of the Dashmesh Regiment demanding ransom from members of the minority community have come to light in Bhatinda district recently. In police records Surender Kumar Billa was shown as a man 'wanted' by the police but actually the government made no effort to nab him. He and his cohorts were allowed to go ahead with their mischievous plans.

'Frontline' reported (14-27 May, 1988) that 'in Punjab it is an accepted view that at least some of the death squads have been

1. *Ibid.*; *The Tribune*, December 17, 1992.
2. *The Tribune*, October 9, 1980.

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unleashed by the government.' This was a comment on a story reported by a freelance journalist that RAW was using imported AK 47s and RPG - 7 anti - tank rocket-propelled grenades in the Punjab in order to justify the 59th amendment to the Constituion, by which government can impose an emergency on the state and suspend the right to life.' Economic and Political Weekly' in a news report of April, 16, 1988, had asked 'Are all killings in Punjab the handiwork of the extremists ?' The report observed that 'strategic'<sup>1</sup> killings by officially planned agent provocateurs may help the government to precipitate further authoritarian control by assuming more military powers.<sup>1</sup> The intention was to create an atmosphere of anarchy and violence so that, out of frustration, the people absolve the state for its direct use of violence and other means of repression.

Such activities added an ominously new dimension to the tragic scenario and led to an atmomsphere of terror and insecurity. Chandan Mitra observed, "The police under-cover operations have added to the confusion over genuine and fake militancy."<sup>2</sup> The Washington Post reported that the Indian security forces conducted a highly realistic mock hijacking of an airliner that fooled many people into thinking that it was a genuine terrorist action by Sikh militants. The purported hijackers issued a number of demands in the name of a Sikh extremist group. The exercise ended peacefully at an airport in West Central India but not without spreading alarm throughout the country.<sup>3</sup> Such obnoxious tactics were used to blame and defame the Sikh community, to stoke up communal fires and to bring about reprisals in order to divert attention from the real issues.

In the above context we might refer to a tragic incident. An Air India Plane (Kanishka) (Flight-182) was blown up on June 23, 1985 killing 329 people off the coast of Ireland. The government of India gave out that the tragedy was the handiwork of terrorists. The object of this version was that the sympathy which the Sikh cause was having abroad should be dispelled and changed into hatred for them because of their alleged callous terrorism. It is over ten years

1. **Pettigrew Joyce;** *Sikhs of the Punjab* (London, 1995), P. 133.
2. *Hindustan Times*, Feb 4, 1992.
3. **Tavleen Singh;** *Terrorists in the Temple'* in Nayar, **Kuldip and Khushwant Singh** *Punjab Story* (New Delhi, 1985), PP 48-49.

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since the incident happened and yet the Canadian police has not yet found any Sikh to be guilty of the heinous crime. A book called 'Soft Target'<sup>1</sup> researched by Brian Me Andrew and Zuhair Kashmiri reporters of the two prestigious Canadian news papers 'Toronto Star' and 'Globe and Mail' appeared, which has concluded that the air crash was enacted by agents of the Indian Government to "destabilise the Canadian Sikh Community" with the primary objective of discouraging them in their support for the Sikh cause in Punjab. The book has been banned in India.

Planting of disinformation helped the police to make indiscriminate arrests and indulge in extra-judicial killings. The difference between suspicion and sure knowledge having been blurred by the catch-all provisions of the Terrorist and Disruptive Activities (Prevention) Act, the police often arrested and killed people to please their bosses-with the largest number of 'catches' or to settle old scores. Amnesty International reports 1988-92 listed innumerable cases of arbitrary and unacknowledged arrests, tortures, encounter killings and deaths in custody. A report presented to the American Congress, on January 19, 1993 contained a specific description of encounter killings :

"In Punjab there were credible reports that police in particular continued to engage in faked encounter killings. In the typical scenario, police take into custody suspected militants or militant supporters without filing an arrest report. If the detainee dies during interrogation or is executed, officials deny that he was ever in custody and claim that he died during an armed encounter with the police or the security forces. Afterwards the bodies reportedly are sometimes moved to distant police districts for disposal, making identification and investigation more difficult" (Unclassified U. S. State Department document, January 19, 1993).

The above was only one aspect of state terrorism. Over the years the government evolved new modes of custodial Killings There were numerous reports giving instances of the kind, where encounters and cross-shooting were alleged to have taken place but the only person dead or injured was the so-called terrorist, who was found with duly implanted ammunition and weapons. Sometimes the injured or the escaped person was the one who had been held hand-cuffed

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by the police. Reports of killing of "unidentified" terrorists also became quite common. New modes of explaining custodial deaths were evolved. These included 'death by cyanide'; 'killed by other militants', 'unidentified militant found dead'<sup>1</sup> or 'escaped from custody

The *Amritdhari* (baptised) Sikhs were the special targets of the paramilitary forces. Torture was especially severe for the following categories; members of the All India Sikh Students Federation; those who had close kin in custody; those who had been army deserters; those who had registered complaints against the police in the past. Political activists who were involved in democratic politics were also the targets of paramilitary and police attack. But one of the methods of terrorising the people was wholesale arrests and humiliation of an entire village including molestation of women. Instances of the village Sarpanches protesting to the authorities, including the Governor have also been reported. Governor Nirmal Mukharji who succeeded S.S. Ray, was so much moved by cases of police harassment that he directed senior police and civil officials to make joint tours of sensitive areas and redress public grievances on the spot. But Mukharji lasted only a brief period in office as the bosses in Delhi were not happy with his performance. Just before he resigned on May 31, 1990, he told a correspondent of the Times of India that the problem in Punjab was aggravated by the police. "The brunt of the police raj was being felt by the Sikh masses who had no place to go for the redressal of their grievances," he said.

The reports of the human rights organisations contain innumerable cases of torture of innocent persons. Such incredible stories and explanations were advanced as were too ridiculous or irrational to believe. We give below one instance. The police reported that 9 militants had been killed during an encounter. A correspondent of The Tribune, who visited the spot found the story quite baseless. Actually it was found by him that innocent persons were used as human shields and 7 of them had been killed. We give below the result of the investigation by the correspondent of The Tribune and the editorial assessment of the incident. This will enable the reader to form an opinion how far the stories put forward by the Administration in the media were true and how much was the credibility of the administration with the people.

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"Official versions of the encounter said that nine militants belonging to the Bhindranwale Tigers Force were killed in a 28-hour operation conducted by the military and paramilitary forces. Subsequent reports have revealed that only two, perhaps four, among the killed were hardcore militants. In spite of the huge uniformed force laying siege to the house of an Akali leader, the police is reported to have resorted to the utterly revolting and indefensible ploy of using innocent civilians as shields from behind which they fought the besieged militants. Versions may vary and the security forces might deny using these men as shields, but the sinister manner in which innocent civilians were entered in the police records as terrorists killed in encounters has given their game away. This is the sort of blatant disinformation which makes nonsense of police claims on the number of militants killed in Punjab every day!"

"The posthumous conferment of militanthood on persons rendered lifeless by police bullets has become a routine practice and is by way of becoming a cruel joke. The people of Punjab are the optionless victims of this inhuman exchange of fire and falsehood. It has been an enduring boast of Mr. K.P.S. Gil! that his forces, while not succeeding in bringing down the number of innocents killed by the militants, have succeeded in killing a large number of militants. If the Behla encounter is any indication, the people know what to make of this claim."<sup>2</sup>

'India Today'<sup>1</sup> published a report, on October 15, 1992, revealing that fake encounters had 'the blessings of some key officials at the centre as borne out by a series of secret communications from Delhi.' The report revealed that when Sanjiv Gupta, a young S. S.P., advertently or inadvertently, justified fake encounters. VS. Vaidya, special Director (later Director of Intelligence Bureau) wrote to K.P.S. Gill, on December 30, 1991, "They (District officials) should refrain from even implicitly hinting that they indulge, connive or approve of anything which is in violation of the law of the land. Their professional compulsions in executive action should not get reflected in their public professional compulsions in executive action should not get reflected in their public utterances." The report is

1. *The Tribune*, June 13, 1992.

2. *Ibid.*

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self-explanatory. Obviously, fake encounters were to be dismissed as false propanganda.

What happened in Punjab was the result of a policy of complete cynicism, callousness and allowing the police to let loose a reign of oppression as stated above. It would seem that in frustration even an editor of The Tribune had to comment as follows:" They (police) act as if they owe no obligations to the people , they are not answerable to anyone and they are above the law. So, they use innocent persons as shields to attack terrorists *and post facto* describe the dead persons as militants killed in encounter; they impound citizens' cars under a law which was struck down by the highest court in the country almost 20 years ago ; they detain academics without warrants, handcuff former judges ; and horror of horrors, force brilliant students to appear in technical college entrance examinations as proxies to the wards of senior police officers. All in the name of fighting the nation's battle against militancy... Punjab is swamped by uniformed forces- army, 450 companies of paramilitary forces, 60,000 policemen, 12,000 special officers, 20,000 home guards- contributing to the psyche of societal insecurity, testifying to the awesome power of the invisible militant to destroy you and the arrogant helplessness of the visible police force to protect your life and limbs... What sustains militancy today is not so much Pakistan- inspired violence or the separatist cause as the total absence of governmental interest in Punjab and the unchecked power of the police vis-a-vis common people."<sup>1</sup>

An editorial of The Tribune from Behla to Ambala' is reproduced here:<sup>2</sup>

"Policemen in Punjab have evolved their own version of the American saying : " Give the dog a bad name and hang him." Shoot anyone you like and then call him a terrorist. Such is their arrogant disregard for law and citizen's rights that policemen do not even feel the need to *slap* the terrorist label on persons they kill. On Sunday a raiding party of policemen from Punjab chased a Maruti car right up to Dhulkot in Ambala district and killed two young men and a

1. *The Tribune*, June 25, 1992.

2. *The Tribune*, July 14, 1992.

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five year old child and, true to style, after killing them the policemen danced gleefully, claiming that they had killed a notorious terrorist " responsible for 500 killings and carrying a reward of Rs. 10 lakh on his head." If promotion of terrorism needed any strong spurs, the Punjab policemen's action in Ambala could be the ideal answer to the separatists' prayers. But such savagery is no isolated incident. Only the other day, a few personnel of the CRPF allegedly raped the wife of a gardener in Mohali and when the man retaliated in shock and outrage, he was promptly branded a terrorist and a harbourer of criminals. Weeks earlier, at Behla village in Amritsar district, the security forces used innocent villagers as shields to fight hiding militants and, at the end of the encounter, the killed villagers were promptly branded as terrorists. There is a perverse police law in operation here: if you die of police bullets you are a terrorist; if you are shot by others, you are a terrorist victim to enable the police to shoot somebody else and claim a reward for having solved your murder. Between the militants and the police, the right to life of a citizen in Punjab seems to have been suspended indefinitely."<sup>1</sup>

"From Behla to Ambala, there seems to be a distressing pattern in the police behaviour. The attitude seems to be that, since they are fighting the battle of the nation against separatism, terrorism, anti-nationalism and a whole horde of other isms, they should not be questioned for indulging in naked barbarism. Punjab's policemen have no inhibitions about crossing into another state and engaging themselves in a shooting spree. Mr. Beant Singh, who wants to solve , the Punjab problem in a manner which would take it away from the security syndrome and into a process of political understanding and debate, ought to be seriously concerned about what is happening in the state. The Chief Minister has been saying that at one important level the problem is one of law and order. He must be worried that the men in uniform carrying deadly weapons are responsible for violation of law and breakdown of order. The spontaneous anger of the people of Ambala over the action of the policemen ought to be an eyeopener. They do not view the crime through coloured communal glasses. The perpetrators of the gruesome outrage in Ambala deserve as stringent a punishment as the generous rewards

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mat the government gives them for killing "dreaded terrorists".<sup>1</sup>

Gill-Beant duo: The fountain head of violence

On many occasions Punjab police were castigated by the supreme court for their outrageous behaviour that bordered on gross criminality. But K.P.S. Gill remained incontrite. He rode rough shod over the rule of law with the full support of Chief Minister Beant Singh who publically announced that each time his policemen were to be committed for trial, they would -be defended in courts at the government's expense. He said that he would engage the best lawyers in the country to defend the police.<sup>2</sup> He held in equal contempt country's constitution. He took full liberties to widen the scope of jurisdiction of police operations. As far as Punjab police were concerned, inter state borders, he held, were non-existent. Police on the payroll of the Punjab administration had the inalienable right to travel 1,5 00 miles to West Bengal or more to Tamil Nadu to liquidate suspected militants. A glaring instance of the extra-territorial activities of the Punjab police came to light when a contingent of the Punjab police, without informing the W. Bengal-government, barged into a flat in a Culcutta suburb and gunned down in cold blood a young couple, Ranjit Singh and Ms wife Rani, suspected of committing acts of violence in Punjab. Their dead bodies were whisked away without the knowledge of the W. Bengal government and dumped at a place<sup>1</sup> the identity of which was never disclosed. The Supreme court of India ordered the prosecution of five lower functionaries of the Punjab police but the apex court never hauled up the Punjab administration under whose directions the killings were undertaken.

Through orchestrated propaganda, the man who had become Chief Minister by virtue of an election, which was a comprehensive fraud, with barely 15 percent of the people participating in it, was transformed into a national hero. Some people went to the extent of comparing him with Sikh Gurus. Another new phenomenon witnessed in Punjab was that of the 'Super-cop'-an aberration which should have no place in a democratic system. The appellation applied

1. *Ibid.*

2. *The Tribune*, June 20, 1995.

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to a ruthless, arrogant and non-accountable Director General of Police who considered himself above the law and under whose auspices state terrorism had acquired a new dimension. The Beant - Gill duo engineered the genocide of the Sikhs on an unprecedented scale and unabashedly subverted all the democratic institutions. Under the patronage of bosses from Delhi, they enjoyed the prerogative to pick any Sikh from any part of the country and shoot him much in the manner game birds are shot- Not only did they let loose a reign of terror, but with unbridled power at their command. they also made it a privilege for themselves to mess with all that stood for decency, decorum and public propriety. Young girls and women were shamelessly assaulted. Journalists, writers and intellectuals, especially those who spoke the truth about Punjab, were publically humiliated with a view to demoralise and snub them into silence. Even very senior police officers were coerced into submission. The issues came to the fore, when a senior IAS officer Rupan Deol Bajaj filed a suit against the erring DGP for a humiliating assault on her in full public view at a party. While a senior lady IAS officer like Rupan Deol Bajaj had the courage to fight the onslaughts of a power drunk DGP and go through a nine-year long rigorous ordeal in courts of law, one can well imagine the plight of women placed in less fortunate circumstances who must have suffered silently. Gill became extremely intolerant of public dissent. When a senior bureaucrat from Punjab S.P. Bagla questioned a repressive legislation like TADA, Gill threatened to arrest him under TADA. Later Bagla was 'exiled' to distant Shillong for questioning the concept of Super-cop.<sup>1</sup> Gill was reported to have used intemperate language for Governor Virendra Verma for seeking accountability from the police. Verma was soon removed. He was replaced by Gen. O.P. Malhotra.

Beant Singh's kith and kin were also laws unto themselves, fully exploiting the 'free hand' bestowed upon them. A glaring episode came to light in September, 1994, when a French national Ms. Katia filed an FIR against Gurkirat Singh, a grandson of Beant Singh for having kidnapped and molested her in Mohali. The unaccountable duo (Beant -Gill) at the helm of affairs in Punjab

1. *The Tribune*, June 6, 1995.

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mobilised the entire state machinery in Punjab to hush up and prevent a fair trial of such heinous crimes. The media also trivialised such disgusting episodes and shamelessly pleaded that the Beant-Gill combine was indispensable in the interest of the nation as they were serving a 'great'<sup>1</sup> cause in a sensitive state like Punjab. The Sikhs in Punjab have had to bear with a tyrannical and hypocritical regime riddled with criminality, corruption and moral perversions.

The institution of monetary awards for the elimination of militants turned the police officers into absolute mercenaries. The lure of cash-for-corpse and out of turn promotions for the police officers led to an increase in the number of 'encounter' deaths. Quite often the police would kill someone and brand him a 'hard-core terrorist' and then fix a high price on his head. After every such killing the police attributed a very large number of killings, sometimes the number running into hundreds, to the slain 'terrorist.' Punjab Police reported that Sukhdev Singh Babbar was responsible for 1,000 killings while the Punjab government reported that he was responsible for ten. The policemen began to vie with one another in order to impress their bosses with the greatest number of 'catches'.

The awards to the police officers were given out of a secret fund which was operated by a few senior functionaries of the police and was outside the scrutiny of the state home department.<sup>1</sup> Awards were generously given to motivate the police to strike anyone anywhere and in any manner without fear of being called to account. It is on record that around 60,000 awards were given to the police force for the period 1991-1993. It caused a lot of embarrassment for the government when one of the police 'cats'<sup>1</sup> Satwant Singh Manak, who had turned hostile, in a petition, requested the Punjab and Haryana High Court for security cover as he apprehended danger to his life from the Punjab Police. In his petition, he made a startling revelation and named eleven persons whose torture and death in the police custody he had witnessed and alleged that these men were killed by the police officers to earn cash awards and out-of-turn promotions.<sup>2</sup>

There are reports of senior police functionaries amassing

1. *Indian Express*, July 27, 1996.
2. *The Tribune*, November 9, 1994.

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extraordinary amounts of money and assets running into crores through bounty killings. The Government of India is silent over a sensational revelation relating to the mind-boggling Rs. 7.6 billion fortune reported to have been left behind by the late Governor of Punjab, Surendra Nath<sup>1</sup> who died in a plane crash in June 1994.<sup>2</sup> It is believed that this amount was meant for covert security operations. A police organisation known as the Central Industrial Security Force (CISF) was reported to have operated under the command of Surendra Nath. Members of this Force were frequently seen in the garb of Nihang Singhs. They often indulged in activities like land grabbing and forcible occupation of disputed properties. Ajit Singh<sup>1</sup> Poohla, a Nihang of this Force, became notorious in Chandigarh for his dubious activities. A report in the *Hitvada* revealed : "Mr. Surendra Nath played an all important role to give strength to the hitherto lesser known CISF and it is being alleged that some of its men were used to kill innocent persons, including family members of the police personnel, as well as teachers, doctors, engineers, media men and political personalities."

Such obnoxious games played by the people at the helm of affairs were bound to aggravate the tragedy in Punjab. More details of invidious conspiracies hatched at the top echelons of the power structure can be revealed only if one has access to intelligence sources. The Government has neither confirmed nor denied the media reports in this connection. The key question as to how Surendra Nath acquired so much wealth remains unanswered. It would be in the fitness of things if an independent commission is appointed to establish the source of the extra-ordinary wealth and assets acquired by senior police and administrative functionaries of the state during the past one decade. The quantum of availability of funds for misuse could be gauged from the fact that, according to Beant Singh, a sum of Rs. 6,600 crores (treated as a loan from the centre to put Punjab in a debt trap) had been spent on the security forces to counter terrorism.<sup>3</sup> It is unfortunate that the resources of the state which could have been devoted to the economic welfare of the people were

1. Surendra Nath was the advisor to Punjab Governor at the time of Blue Star attack.
2. *The Hindustan Times*, October 25, 1994; *The Statesman*, October 22, 1994; also see Annexure V.
3. *The Hindustan Times*, November 11, 1994.

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diverted to boost the police, the army and the para-military forces. The issue of monetary awards to the police officers was discussed at a meeting of the Administrative Secretaries of Punjab (all IAS) presided over by Tejinder Khanna, the Chief Secretary, in July 1992. It was pointed out that some kind of control should be exercised over the 'award' money. One of the secretaries drew attention to a noting on one of the files that militants were killed first and the awards on their heads were announced afterwards. Another secretary said that civil servants holding enquiries into police excesses were afraid of submitting their reports apprehending danger to their lives. Some felt that the police had a vested interest in getting the elections in the state postponed and were perpetuating violence in the state with unworthy motives. It was felt that in the 'police raj', bureaucracy in the state was subjugated by the police.<sup>1</sup>

As the police officers in Punjab gobbled crores of rupees in prizes over the heads of Sikh militants, there cropped up a row between Punjab provincial civil services (PCS) officers and the Punjab, Police over the issue of police corruption. The police tried to settle scores with the PCS officers by implicating some officers in abetting' the sale of stolen vehicles in connivance with the thieves. The Police had no clear evidence but they arrested two officers just to brow beat and demoralise the magistracy.<sup>2</sup> This led to a strike by PCS officers all over the state- the first in the history of the Punjab. The officers submitted a Memorandum (August 28,1993) to Governor Surendra Nath demanding a judicial inquiry to trace the rise and decline of militancy vis-a-vis the role of the Punjab Police. They drew the attention of the Government to the following ten serious lapses on the part of the police:

- . 1. Failure to publish a list of wanted men along with the awards ~ set for their apprehension;
2. Attributing exaggerated number of murders to terrorists for the purpose of justifying extraordinary high awards given to the police for elimination of these persons. If one calculated the number

1. *The Tribune*, Aug. 2, 1992.

2. Jaijee, Inderjit Singh; *Politics of Genocide* (Chandigarh 1995) PP. 195-96.

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of killed on the basis of the police bounty list, the number would run into lakhs;

3. As per reports, some terrorists were killed more than once and on all occasions reward money was paid. This money may not have been accounted for in police officers' income tax returns;

4. The police ignominiously abdicated their responsibility to protect the people from the militants. They locked themselves in the police stations at night and in the morning issued forth to pick up hapless families, including innocent youths, on the grounds that they sheltered militants. The purpose of this harassment was not to combat militancy but to extort money;

5. The police did so little to protect people from extortion that people began to suspect that the police were party to the crime. When the terrorists gangs were finally eliminated, the crores of rupees, which these gangs were known to have amassed, remained unaccounted for by the police;

6. So great was the failure of the police to perform that people began to see a nexus between police and militants;

7. The police obstructed magistrates when they were ordered to inquire into public grievances and they wrought vengeance on any person who dared to complain;

8. The police interfered in property disputes in defiance of judicial/ revenue court orders, often siding with one party or another in a dispute;

9. No detailed list of seized weapons was ever published and it was suspected that the arms recovered were "recycled";

10. The police use a large number of private vehicles for their secret and dubious operations. These may have been illegally requisitioned or seized from terrorists but there was no legal provision for the use of such vehicles.<sup>1</sup>

The Government made no efforts to address the issues raised

1. *Ibid*

in the Memorandum by the PCS officers, who constituted the elite of the state. The human rights activists in Punjab had to face grave risks to their lives, when they tried to high light the acts of police high-handedness. When Jaswant Singh Khalra, a well known human rights activist brought the matter of 'disappearances' of Sikh youth and the disposing of their dead bodies in a clandestine manner to the notice of the Supreme Court, the wrath of the Punjab police fell on 'him and he too was made to 'disappear.' Khalra was investigating into the report on the cremation of 25,000 unidentifed bodies all over Punjab. He had collected clear evidence that in the districts of Amritsar and Gurdaspur alone, mere were as many as 3,000 such cases of youngmen, who were cremated as 'unidentifed terrorists', without any information to their families. He was in the process of gathering more facts and figures and making similar revelations regarding other districts as well. Khalra had also collected evidence that around 2,000 policemen in Punjab had been killed by the police itself for not co-operating in counter-terror operations. In response to the probe ordered by the Supreme Court, the C.B.I., in a recent report, found enough material and evidence to substantiate the charge that as many as 984 bodies tagged as 'unidentifed' by the Punjab Police had been surreptitiously disposed of during 1990-95. The judges observed that the disposal of dead bodies in this manner was 'worse than genocide.' 'We shudder to think of such a thing happening in a democracy.'<sup>1</sup> said the judges. What has been discovered by the C.B.I, is only the tip of the ice-berg. The phenomenon ocured on a much larger scale. A comprehensive enquiry would very much be in order to reveal the full dimensions of this phenomenon. Ranjan Lakhanpal, the lawyer who filed the first case says : "The CBI probe into the cremation of unidentifed bodies will bring a lot of wrong doing by the police into the open. This report of the CBI does not tell even one per cent of the story of the high handedness of the police and the harassment which thousands of families in Punjab have to face. They have been ruined by the police."<sup>2</sup> In another report C.B.I, told the Supreme Court that several policemen were involved in Khalra 's murder, whereas, according to

1. *The Tribune, Indian Express, The Pioneer*, July 23, 1996.
2. *The Tribune*, August 17, 1996.

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the police version, Khalra was killed by the militants.

Another horrible and mind boggling instance of 'unclaimed bodies' cremated by the police was that of Sarabjit Singh. On October 30, 1993, the police from Valtoha brought two unclaimed bodies to hospital for autopsy. One of them Sarabjit Singh, was still found to be alive. The doctor called his family but meanwhile the police took Sarabjit away. A few hours later his body was brought back and cremated without his family being allowed to see it.<sup>1</sup> There were reports of so many Sikh boys killed in fake encounters where bodies were cremated as 'unidentified'. On Nov. 5, 1992, Raja Sansi police abducted Pargat Singh Bullet, who was under going treatment at Guru Nanak Hospital, Amritsar. Later his body was brought to Durgiana grounds to be cremated as unidentified and unclaimed. Enquiries made by the Human Rights wing of the Akali Dal revealed that in the very first year of the Beant Singh government, as many as 300 bodies were cremated as unidentified at the Durgiana Samshah at Amritsar. Further enquiries at other crematoriums at Tarn Taran and Patti revealed 1100 similar cremations. In reply to a question in the Punjab assembly, the government admitted that in one police district alone in 1991, out of 151 persons killed, 91 were unidentified militants.

The editor of the Pioneer (March 27, 1992) in a very perceptive editorial described the situation in Punjab in these words : 'Disappearances are routine, bodies of those killed by the police are rarely handed over to their families, postmortems are faked, fraudulent, rewards are claimed... The police have taken to kidnapping the relatives of suspected militants and even wiping out their families. Very few police vehicles bear number plates, and heavily-armed policemen often move about in plain clothes. The dividing line between the policeman and the outlaw has been all but obliterated as both go about indulging in mindless violence... Politicians have abdicated, the civic administration exists only in name, and the judicial system is completely stalled. In the courts, the processes are slow, the loss archaic and witnesses and judges unwilling to participate. The result is that, despite being armed with

1. *The Pioneer*, November 4, 1995.

draconian laws like the Terrorist and Disruptive Activities (Prevention) Act, there has been a very poor rate of convictions."

A correspondent of the Pioneer Navin Grewal, who made an on-the-spot study of just two canals in Punjab gave an eye witness account of at least a dozen cases of murdered young Sikhs, whose bodies were dumped into the canals to destroy any evidence of their identity. He reported, "Punjab's irrigation canals have become dumping grounds for the bodies of suspected militants and their sympathisers killed in custody, some with hands and feet tied together, were fished out of the Sirhind Canal after water inflow to the canal was stopped to facilitate repair work."<sup>1</sup>

This correspondent travelled along the Kotla branch of the Sirhind Canal from Moharana bridge on Nabha- Malerkotla road to the Babanpur bridge on the Dhuri- Malerkotla road, a distance of about 8 to 10 kms. "Eyewitnesses reported that at least seven bodies were pulled out from the canal in this short stretch', said Navin Grewal.<sup>2</sup>

Investigations of a stretch of the Bhatinda canal revealed sightings of five bodies. The report quoted an Irrigation Department baildar, Parmessar Dass: "They were Sikh youth, aged about 30, with beards and long hair. The hands of one of them were tied at the back with a belt but it is difficult to say if there were any gun wounds on the bodies as they were badly decomposed and bloated."<sup>3</sup> This lent credence to Khalra's assertion that the bodies of militants and their sympathisers were regularly thrown into the canals.

K.P.S. Gill sought to derive propaganda mileage by stage managing public surrender of known militants. On March 29, 1994, he invited the journalists to witness what was supposed to be a public surrender by the founder of the Akal Federation, Bhai Kanwar Singh Dhami. But Dhami stood up and said, "I will prefer to be cut into

1. *The Pioneer*, March 26 and 27, 1992.
2. *The Pioneer*, November 4, 1995.
3. *Ibid.*

pieces than surrender to the terrorist police chief." He told the police that he had been witness to the torture and extra-judicial killing of 15 persons who were his prison mates. Later the names of persons liquidated by the police were provided in an affidavit to the court by Dhami's wife who was also in the prison. Dr. Sohan Singh, head of the Panthic Committee, was also shown on the T. V, as an important catch. Dr. Sohan Singh used the occasion to tell the world that, in the absence of their own media, the Sikh case has not been put into proper perspective.

Human rights organisations had to encounter numerous hazards and hardships and face the wrath of the police as their activities were looked upon as subversive. Some of the activists like Justice A.S. Bains, Major- General Narinder Singh, Col. Partap Singh, Inderjit Singh Jaijee, Dr. Sukhjit Kaur Gill, Baljit Kaur Gill, Malvinder Singh Mali and D.S. Gill had to suffer periodic arrests and detention for monitoring the cases of police high-handedness in the state.<sup>1</sup> H.R.O. activist Dr. Gurbachan Singh Mavi's son Atamjit Singh Mavi was killed by the police in a fake encounter on Feb. 6, 1991. Navkiran Singh, a lawyer active in human rights cases, was shot at. Another glaring case was that of Kulwant Singh Saini, a lawyer from Ropar. He went to the police station on January 25, 1993 to secure the release of a lady, who was in police custody. His wife and a minor son happened to accompany him. The police nabbed all three of them and they were tortured to death.<sup>2</sup> The issue led to a storm of protest and agitation by the lawyers of Punjab, Haryana and Chandigarh. The police could not give any justification for this gruesome episode. S.S.P. Ropar concocted a story and blamed Saini's murder on the militants. One Harpreet Singh Lucky was wrongly implicated in this case. Only a CBI probe could prove his innocence.<sup>1</sup> After a couple of months Saini's car was pulled out of Sirhind canal but the bodies were never recovered. A similar treatment was meted out to Sukhwinder Singh Bhatti, an advocate from Sangrur. He was

1. 'Sunday<sup>1</sup> Observer, April 11, 1993.
2. *India Today*, June 15, 1993.
3. *The Tribune*, August 17, 1996.

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arrested on May 12,1994, while he was returning home from court. He was whisked away in a vehicle, not bearing any registration number. He was never seen after that. Ram Singh Billing and Jaswinder Singh, both human rights activists, 'disappeared'in a similar fashion.

Ramifications of the blood-shed spilled beyond the Punjab and prompted the Sikhs living abroad to voice their concern for their kith and kin in India. In the U.S.A. it was Dr. Gurmit Singh Aulakh, who brought the issue of the unspeakable human rights abuses to the notice of the American Congress and, through it, to President Bill Clinton. The President spoke of the need to end "police abuses in Punjab and expressed his desire for a political solution that protects the Sikhs' rights."

The police force heavily armed and answerable to none and criminalised and corrupted from the top, perpetuated violence of the worst kind. The situation became reminiscent of the indiscriminate killing of the Jews by the Nazi dictatorship under Hitler. Kanwar Sandhu put the gravity of the situation in these words : \*\*At times the tragedy seems grim beyond words. An entire generation seems to have been destroyed, leaving the very old looking after the very young."<sup>1</sup>

As per the figures of the Human rights groups, one lakh Sikh lives have been lost since 1984.<sup>2</sup> This figure is based on newspaper reports. According to the State magistracy, the number of Sikhs killed during the past one decade is around 2 lakhs. Their calculation is based on 60,000 awards which have been given to the security personnel during the last ten years. Human rights groups have revealed that the number of Sikhs missing in Punjab range between 30,000 to 60,000.<sup>3</sup> The Number of Sikhs rotting in jails in Punjab and other parts of India range between 50,000 to 70,000. The Sikhs demand an independent commission of enquiry, under the supervision of the U.N., to dig out full details of the human rights violations and genocide of the Sikhs.

1. *India Today*, June 15, 1993.
2. Letter to the United Nations Secretary General, **March** 20, 1993.
3. *The Pioneer*, Feb. 4, 1995, *Asian Age*, Feb 8, 1995.

**Conclusion :**

The Blue Star and the Wood Rose attacks, the November 1984 massacres of thousands of innocent Sikhs and the subsequent conduct of Delhi in persisting with the same policy witnessed in the form of unbridled repression unleashed in Punjab for more than a decade have been viewed by the Sikhs as calculated acts to enervate them, destroy their morale and demolish their identity. There has been ruthlessness and brutality and a stubborn adherence to discrimination and economic despoilation, combined with an equally stubborn refusal even to try to heed the legitimate view point of the Sikhs, who have been treated so harshly and unjustly.

Can the government of a civilised country use repression as a substitute for political action? Multi-pronged offensive let loose by the Indian government in the name of curbing militancy in Punjab, has been directed against the already aggrieved Sikh community. State tyranny has been a big factor in accentuating the crisis in Punjab. The Sikh struggle cannot be termed either as extremism or terrorism or fundamentalism. It has been a fight, not directed against the Hindus, but a fight for justice and righteousness. It has been a fight for survival and identity.

Militant movement in Punjab has to be viewed in the wake of events that preceded it. Most of the militants, who took to armed resistance have been those who were pushed to the brink by the circumstances created by the Indian State. "You succeeded in driving us to a point of utter frustration", wrote Sukhdev Singh Sukha and Harjinder Singh Jinda, in their farewell letter to the President of India, just before their executions. "Very subtle arrangements have been made at the psychological level to destroy... the *Khalsa Panth*... You have tried your hardest to humiliate us as a nation... We have chosen the path of martyrdom so that the ever fresh face of the *Khalsa* and its unique glory can come into its own once again... We also wish to transmit this message that we harbour no enmity towards the great people and land of India. We are not touched ever a bit by hatred for the people of India." Inderjit Badhwar and Prabhu Chawla, two correspondents of *India Today*<sup>1</sup> (December 31,1986). observed that killings of innocent Sikhs had forced the boys to form ' revenge squads<sup>1</sup> and put content into folk singers' emotional songs to the

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Khalsa to rise and fight as was done during the Mughal and the Ahmad Shah Abdali periods. Joyce Pettigrew, a British social anthropologist, who made an impartial and in-depth study of the militancy in Punjab and interviewed a number of militants observed: "All guerrillas mention that it was the behaviour of the security forces towards them and their families that finally drew them into the struggle. All mention that it was a matter of honour to resist. Operation Blue Star and Wood Rose were attacks on the Sikh sense of honour. Particularly the attacks on *amritdharis* (baptised), simply because they were *amritdharis*, caused outrage. It was only they who were arrested, intimidated and killed. Likewise, entering the house, removing the women and taking daughters and sisters to police stations offended their sense of honour. The outrage to the Panth and the outrage to innumerable families merged. The dishonour families have experienced motivates them to fight to remove the existing system. . . None has taken the decision to resist lightly. An accumulation of negative experience had first to occur before the person concerned became active. One guerrilla describes how his first experience of horror was the sight of bloodstains in the Darbar Sahib when he went for prayers. The experience subsequently merged with the knowledge of the torture of friends which became even more personal with his own torture and threat to female members of the family. An accumulation of abuse resulted in the decision to resist actively. Certain themes recur in each interview. Issues of injustice and inequality emerge in all of them. Such injustice may relate to the pressing economic need for a good market price for agricultural produce and fair employment according to merit."<sup>1</sup>

Joyce Pettigrew noticed that some of the militants ' saw the military oppression against the Sikhs as a mere extension of the existing economic oppression.<sup>2</sup> There is no denying the fact that Punjab peasantry has been aware of the studied and vindictive manner in which Punjab's river waters and hydel power, the sap of a community's life, have been snatched. These people, with a specific history for struggle, could not be expected to submit to injustice and tyranny tamely and passively. For no movement with the spontaneous

1. Pettigrew, Joyce; *op. cit.*, PP. 139-40. 2-

2. *Ibid.*, P 134.

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and vigorous involvement of the youth could last more than a decade unless it had the inspiration of Sikh history and ethos and the sympathy and support, sometimes silent, of the people at large. The government, too, had acknowledged the militants as leaders of the on going political struggle by inviting them for talks.

Distortions appeared in the movement, when the government let loose its vigilante groups, who operated in the garb of militants and committed all kinds of crimes, including murder, rape and torture against innocent persons. This was done to malign the cause of a movement, which had its roots in the rural Punjab. Intelligence agencies of the government were hell bent on breaking the ties between the people and the militants. The police had the letter pads of all militant outfits. They often issued statements on behalf of these groups and also owned responsibilities for the robberies and killings on their behalf and then sought the help of anti-Sikh media in blowing up these stories for international consumption. Journalists and media men were also bribed for this purpose. The effect of this strategy was two fold; to provoke 'cleaning up' operations in the areas where the incidents occurred as well as giving the Sikhs the international reputation of being killers of the innocents. Such incidents also triggered communal ill-will. After the Sohian massacre, which took a toll of sixteen lives, the interrogation of one Supinder Singh had revealed that one of his accomplices was a grand son of the Chief Minister Beant Singh.<sup>1</sup> The International wing of the Panthic Committee condemned these incidents and issued the following statement (December 27, 1991) : "For many years the Indian intelligence services have carried out the massacre of innocent people in buses and trains and have laid the blame on the militants. . . The train massacres at Ludhiana yesterday is yet another such attempt to discredit our struggle and to create conditions in which the killing of countless Sikhs could continue unabated in the Punjab to hoodwink international public opinion in the name of countering terrorism"<sup>2</sup> The aim was to sabotage a struggle for a just cause, make the people vulnerable to the attacks of the state and force them to abandon their political goal.

1. *Ibid.*, .134.

2. *Ibid.*

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Indian state has lost complete credibility about its honesty and motives in relation to the Sikhs. Havoc, confusion and bloodshed witnessed in Punjab during the past one decade can be attributed to the unrelenting hostility of the rulers in Delhi towards the Sikhs. It is indeed unfortunate that the successive Indian governments have not tried to salve the sores. Representatives of the majority community expect the Sikhs to erase from their memory the horrendous episodes of 1984 and the subsequent atrocities and indignities heaped upon them in the recent past, whereas they justify their right to avenge the 'historical wrongs' connected with the Somnath and other temples. A note-worthy example of their ambivalence is the recent demolition of Babri Masjid. The matter is compounded by the callousness with which the Government hurts the Sikh sentiments by honouring and acclaiming the perpetrators of violence against the Sikhs as national heroes. A glaring example of this is the mindless decision to erect a memorial for Beant Singh, who became Chief Minister without any semblance of legitimacy and headed the most barbaric state machinery.

Government boasts of restoring peace in Punjab. But there can be no getting away from the fact that only peace of the grave has been imposed on Punjab. Taciturn said of the Roman coquests : "They make a desert and call it peace." Security forces in Punjab committed mass incarceration and 'disappearances' and called it normalcy. There is a deep undercurrent of resentment and anguish against the kind of peace that has been ushered in. In the Punjab countryside there are thousands of grieving parents whose young sons were dragged away by the police, never to be heard of any more. Mothers, sisters and wives of youngmen either whisked away or killed in cold blood, might have dried their eyes but they are not yet reconciled to the meticulously executed liquidation, under official patronage, of their dear ones. Those who believe that this kind of peace can last are taking a myopic view. In a longer perspective, the problem may aggravate on a more colossal scale and may assume a more disastrous form. Those who believe that the Sikhs can be put down by brute force are utterly mistaken.

## 14

**A CASE FOR AUTONOMY**

*For Freedom's battle once begun,  
Though baffled out is ever -won.*

*Byron*

As noted earlier, it is a firm and indisputable fact of history that before the advent of the British rule in India, three distinct entities namely the Hindus, the Muslims and the Sikhs had ruled over different parts of this sub-continent at different periods of history. Sikh kingdom in Punjab was the last state to be annexed by the British in India. The common urge to overthrow the burden of the alien rule brought the Hindus, the Muslims and the Sikhs on a common platform and held out prospects of welding them into a single nation but as this process had no historical and cultural roots, it proved abortive when the Muslims refused to subordinate their interests to the common interests for fear of being dominated and dictated by a permanent Hindu majority. The genesis of the creation of Pakistan is rooted in this historical fact.

The Sikhs, too, had similar misgivings as the Muslims but they did not insist on a separate homeland of their own, in view of the solemn and categorical assurances held out to them by the Hindu leaders that in free India their political interests would be protected, through an autonomous status and constitutional safeguards for them. The Hindus, the Muslims and the British Government always recognised the parallel standing of the Sikhs as a distinct entity, during the course of negotiations for the transfer of power. It was at the annual session of the Congress at Lahore that the Sikhs' national colour was incorporated in the Congress party's national flag. Gandhi reiterated at many different occasions that 'the Congress Tri-colour flag stands for Hindu-Muslim-Sikh unity.'

Political ethos of post-independence India has been parochial in its approach. The failure of the Congress to stand by its pre-independence commitments has been viewed by the Sikhs as a gross breach of faith. It was contrary to the declared policy of the Congress to create extra-constitutional institutions and to adopt a centralised constitution instead of a federal one. The protest of the Sikh

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representatives in the Constituent Assembly against this move carried no weight and they refused to be signatories to the new constitution of India. Subsequently the repeated strokes of questionable amendments to the Constitution have still further changed the complexion and substance of the original constitution, making the position of the minorities more vulnerable. The Congress failed to measure up to the task of proving its secular credentials when it decided to adopt Hindi, instead of the earlier proposal of adopting Hindustani as the *lingua franca* of the country. The Party had come to identify itself with the Hindu culture.

The stem and persistent refusal of the government to form a Punjabi speaking state, when the rest of the country was reorganised on linguistic lines and Punjabi was one of the fourteen languages accepted in the Indian Constitution, reflected a clear bias against the Sikhs. It was in pursuance of a planned strategy that the Hindus in Punjab disowned their mother tongue Punjabi, with a view to thwarting the creation of Punjabi Suba. The time-table of the country's linguistic reorganisation reveals that the Punjab was the last to come up on the linguistic map of India :

States formed	:On ;
Andhra Pradesh	October 1, 1953
Kerala	November 1, 1956
Karnataka	November 1, 1956
Maharashtra	May 1, 1960
Gujarat	May 1, 1960
Punjab	November 1, 1966

Even at the end, creation of the Punjabi speaking state did not achieve the desired results for the Sikhs. It was ensured that the political status of the new state was completely crippled. Calculated efforts were made to stifle its growth by robbing it of large chunks of Punjabi speaking areas, its capital, its water and power resources and its economic where-withals. The new state was formed on the basis of false and communally motivated figures of the 1961 census. All progress, industrial or agricultural, in a state depends on hydel power and water. But in case of Punjab, irrigation, hydel power and their development have been kept in central hands, even though these

are exclusively state subjects in the Constitution. The Anandpur Sahib Resolution and the Amritsar Declaration passed by the Akali Dal did not contain anything that might be repugnant to the principles of democracy. These sought to clear the snags that had appeared in the Centre-States relations chiefly as a result of the rising trend of extra-constitutionality. When the Government of India found it difficult to refute the demands listed in the Anandpur Sahib Resolution on merits of justice and equity or even on the basis of principles accepted by it in the rest of the country, it started a calculated campaign of vilification against it and the Akali Dal by denouncing them as anti-democratic and anti-national. The much-maligned Anandpur Sahib Resolution is nothing but an attempt to seek a release from the superimposition of centripetal over centrifugal forces and the tight central grip over the development of the Punjab. Hence from 1966 to date, the Sikh struggle has continued.

After the government had taken arbitrary and iniquitous steps to fleece the economic resources of the state, it was not prepared even to allow the highest court of the land to give its judicial verdict. For the water case was withdrawn from the Supreme Court at the earliest. All constitutional and judicial avenues of seeking justice were shut and deliberate attempts were made to create public confusion.

The Sikhs have had a tradition for service in the army. By the unconstitutional imposition of the population formula, the employment scope of the Punjab peasantry has been drastically reduced, thereby creating considerable economic distress. Thus the tradition, the strength and the morale of the rural Punjab as the sword arm of the country has been seriously sought to be eroded.

The Sikhs are sorely grieved at the treatment meted out to them by the Press, Radio and Television through misrepresentation and suppression of news. Even the stark facts regarding the heroic role played by the Sikhs in India's freedom struggle are sought to be obliterated. Consider, for instance, what Girilal Jain, the Editor of India's foremost newspaper, *The Times of India*, has to say about the contribution of the Sikhs to the struggle for India's independence : 'A myth has been built, and it is currently sought to be reinforced, about the heroic role of the Akalis in the independence struggle.

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This witting or unwitting distortion of the truth cannot but add to the prevailing confusion and aggravate the tragedy that is threatening to overwhelm the Sikh community. . . the Akalis, let us &ce- it. were not an independent Sikh component of the larger freedom movement. . . they were the products of a British inspired movement amongst the Sikhs which emphasised their separateness from the Hindus. The emphasis was not accidental. It was part of the well-established 'divide and rule policy'<sup>1</sup>. The Akalis, of course, had their problems with the British but these related to their view of Sikh interests: these had nothing to do with India's independence. '

Standing of the Sikh community is sought to be compromised through such misrepresentations. The communally biased writers not only denigrate and vilify the Sikhs, some of them have taken to rewriting history as well. The three main components of Sikh identity language, history and culture have been under constant attack. The anti-Sikh bias has been manifested in various forms -distortion in school text books to project the perspective and prejudice of the *Hindutva* in order to brainwash children in their formative years. open Hindu bias and anti-Sikh prejudice exhibited by police during communal violence and communal orientation shown by civil administration and judiciary in relation to issues of inter-communal relevance.

The sinister campaign of misrepresentation of Sikhism and distortion of its history and ideology has also been carried abroad. This has been done, with the help of the Indian embassies, through politically manipulated appointments to Chairs of Sikh Studies. established with contributions from unsuspecting Sikhs who have been keen to promote better understanding of Sikhism. The Sikhs in America, under the leadership of Dr. Jasbir Singh Mann, had to initiate moves to counter the academic onslaughts on Sikh religion by mercenary scholars like Harjot Oberoi, Pashaura Singh and Gurinder Singh Mann, led by W.H. McLeod.

In the absence of constructive strategies, the political process in Punjab has been reduced to a very low level of deceit and destruction. The functionaries of the government choose to do what even the colonial government had not done in the past. The democratic

1. Jain, Girilal, 'What Ails the Sikh Community' in *The Times of India*. August 11. 1986.

process does not entail the destruction of the opposite parties but here the government strategy has been clearly aimed at destroying the Akali party and diluting or demolishing the Sikh identity. As noted earlier, no Akali Dal government in Punjab has been allowed to complete its full term. All Akali governments, including the Akali-B.J.P. combine, were dismissed on flimsy grounds. On the other hand, Congress governments in Punjab even though known for their corruption, cruelty, callousness and a complete disregard of public welfare have been allowed to flourish and complete their five year term. Take for instance, the present Congress government in Punjab, lacking in representative character and without any shadow of legitimacy, is going to complete its full term of five years.

In the sordid and unwholesome atmosphere, justice and fair play have no place. Even the bureaucrats who come to the top and play the most important roles are chosen for their subservience and their capacity to crush and humiliate the Sikhs. Sometimes government is seen cohabiting with strange groups and very odd persons in order to confuse public opinion regarding the state of affairs prevailing in Punjab. Men like Jathedar Rachchpal Singh. Mahant Sewa Das Singh. Baba Santa Singh, Ajit Singh Poohla and Jathedar Jiwan Singh Umrananga! are patronised by the government, not out of any noble sentiments but with a view to mislead national and international opinion. The government has been deliberately promoting divisions and factionalism in the Sikh ranks and encouraging deviationists like the Nrinkaris in such a manner and to such an extent that they may not be able to put up a united stand on any vital issue, might not be able to find a foothold of their own and be ever at the mercy of the Establishment. The government has often tried to play the Sikhs against the Sikhs, by creating a strong pro-government lobby amongst their ranks through the baits of seats of power and pelf to a few show-boys or sychophants who put on the livery of authority and speak on behalf of the community. It has also tried to wrest control of the Sikh shrines through such elements from amongst the Sikhs who would dance to the tune of the government. Those whom the government decides to honour and reward are often traitors and quislings in the eyes of the great majority of the Sikhs. Persons holding independent views or critical of

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government policies are dubbed as anti-national. The government agencies try to implicate them in false cases of crime and murder. A glaring instance of this was the case of Simranjit Singh Mann who was falsely implicated in the Indira Gandhi murder case. Government does not allow genuine political mobilisations to take shape and guide the Sikh affairs. Another instance was that of a former *Jathedar* of the Akal Takat, Gurdev Singh Kaonke, who was picked up from his village and tortured to death. The police said that he had 'escaped'<sup>1</sup> but he never returned home. This raised a storm of protest. The whole village of Kaonke in Jagraon police district was subjected to police high-handedness.

Unbending obduracy of the government to reach any settlement of the long-standing pertinent issues and the farcial negotiations between the Akali Dal and the government, with the Prime Minister Indira Gandhi each time staging a last minute *volte face*, form a very sad part of a long and sordid story culminating in the Blue Star attack on the Darbar Sahib and 74 other Gurdwaras and the massacres of the Sikhs in the wake of Indira Gandhi's assassination. Those who conducted the Blue Star attack were promoted and decorated with gallantry awards, thus adding fuel to the fire. There is enough evidence to prove that Blue Star attack was a pre-meditated design, with a view to erode the identity of the Sikhs. No amount of political chicanery can conceal the truth.

It may yet be a little too early for the historians to assess the horrible implications of the policy of discrimination, drift and deceit which has contributed in a big way to precipitate conditions of which the culmination could not but be the tragedy that has now befallen the Sikhs. But the day of reckoning is not very far. The Sikhs demand a judicial probe into the Blue Star attack and the hideous role of the government agencies, particularly the R.A.W. and the Third Agency, in fomenting trouble in Punjab. They also demand the return of rare manuscripts, paintings, albums and other artefacts taken away by the army during the Blue Star attack.

Regrettably, the Indian Government has adopted an attitude of ambivalence over the question of violence against the Sikhs. Unwillingness of the government in identifying, apprehending and punishing the culprits of the November 1984 carnage has contributed,

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in no small measure, to the growing disenchantment of the Sikhs. The government has lost grace and credibility by sending Satwant Singh, Kehr Singh, Harjinder Singh (Jinda) and Sukhdev Singh (Sukha) to the gallows, while allowing the perpetrators of the November 1984 carnage of the Sikhs to go scot free. While the police continues to harass and torture the Sikhs indiscriminately and the security agencies are apprehending them all over the country on mere suspicion, why should the killers of Sikhs be immune to persecution? Regrettably some of them are seen in positions of respectability bestowed upon them by an unscrupulous government. Leadership which cannot evolve a uniform domestic policy for the entire country and has two sets of strategies to deal with the majority community and the minorities has much to answer for before the bar of history. Government's ambivalence was exposed in its true colours when it allowed the culprits (mostly Hindus) of communal holocaust in Bombay (May, 1984) which claimed 300 lives, to go scot free. Again, persons freely violating court orders in relation to Babri Masjid in Ayodhya were not even touched. In contrast to this, people in Punjab, Kashmir, Nagaland and Mizoram have been subjected to brutal military actions without the least hesitation. The government and its law-enforcing agencies have thus made a mockery of law and brought shame and disgrace on the country. Phenomenon of criminalisation of politics and total eclipse of public morality is fraught with grave dangers for the health of the Indian polity. Unfortunately, the full contents of the report of the Vohra Commission, which probed into the politician-criminal nexus in the country, have not been made public by the government.

For decades the government has deliberately tried to undermine the genuine Sikh struggle for justice and righteousness by treating it as a law and order problem only. Police and para-military forces have sadly emerged as symbols of state repression, unaccountable and above the law. Abraham Maslow, an American psychologist, once, stated, "If the only tool you have is a hammer, you tend to see every problem as a nail." This is exactly what has happened in Punjab. Successive Indian governments have used the same tool against the Sikhs.

It is ironical that while the Sikhs in Punjab have been dubbed as terrorists, their counterparts in Kashmir and Tamil Nadu, engaged

in similar struggle, have been described as militants and guerillas respectively. It is being brashly assumed that the country can be ruled and held together by sheer force. Even after the preposterous step of mounting an armed attack on the Durbar Sahib, successive Indian governments have not tried to extend the olive branch of peace. The killing of the Sikhs in fake encounters assumed genocidal proportions. Under Ribeirio and K.P.S. Gill, police became a totally criminalised force, functioning outside the pale of law or the Constitution. K.P.S. Gill raised squads which operated with impunity all over Northern India, including U.P., Gujarat, Maharashtra and Bengal.

A distressing feature of the problem in Punjab is the havoc caused in the state due to lack of vision, statesmanship and foresight on the part of the Indian leadership. Free India has failed to chalk out a clear and uniform domestic policy for the entire country. As a result of a deliberate and systematic discriminatory policy pursued by the government against Punjab and the Sikhs, the state's economy is in a shambles. 75% of its river waters have been doled out to non-riparian states. Its agriculture and industry have been ravaged by decades of bloodshed. Overwhelmed by the tide of events, it continues to be in a fluid and disorganised state.

Failure to resolve explosive political issues according to the law of the land and lack of positive response to peaceful Akali agitations have led to the alientation of the Sikhs Problem is aggravated and not solved by applying police and military solutions to political issues. Even in dire situations, the government has been striking postures that are bound to be self-defeating in the long run. For instance, the much-publicised Rajiv-Longowal Accord was nothing but a mock-play, a retrogressive step which exposed the government in its true colours. It has been proved beyond any doubt that those, who tried to credit Rajiv Gandhi government with putting an end to an era of discord, were only taking a myopic and misleading view. The Accord made no reference to the Blue Star attack which had caused a grievous hurt to the Sikh psyche. It made no mention of thousands of Sikh youths languishing in jails all over the country. The Accord remained silent over the police lawlessness or the repeal of the Black laws. The government, once again, committed the blunder of not solving the core long-standing issues of water, territory

and autonomy in a spirit of sincerity and statesmanship. All hopes of a bright political future opening out before the Sikhs were belied. Yet there was enough of euphoria expressed in the media to mislead the superficial observer and give him a false notion of the government intentions. The only outcome of the Accord was the digging of the S.Y.L. Canal against which the Akali Dal had led a full scale agitation. As regards the issues of capital and territory, the Rajiv Gandhi government toed the earlier line of appointing commissions and committees, whose terms of reference were circumscribed and whose decisions were bound to be manipulated. There is little wonder that the Accord has been thrown into the dust-bin of history.

It is against these stark facts that the current situation of the Sikhs has to be judged. The Sikh community suffers from an intense feeling of deprivation and injustice and continues to be at the receiving end. The government has failed to perceive the consequences of allowing the present political stalemate in Punjab to continue. After having created a semblance of what it calls peace and public tranquility, through repression, the government no longer thinks creatively of political and judicial solutions to the crisis. It is still reluctant to address itself to the problems that led to militancy in the State. It has been overlooked that voices clamouring for justice cannot be silenced by sheer force. Those in power seem to forget that you can kill men but not the ideas that impel them to a higher destiny. The matter is too grave to be shelved. The malady is too deep to be ignored. Forcible suppression of symptoms can only cause an aggravation of the disease. Who knows Punjab might prove to be another volcano that has been temporarily sealed at its mouth?

Those who comprehend the Sikh psyche know that, despite the heavy trials of seeming defeat, the community with a specific history for struggle, is bound to renew its resolve to fight for and vindicate what they prize most, namely their love for freedom, equality and justice. The Sikhs cannot brook the idea of their identity being diluted or demolished. Inexorable logic of the situation presents the community with no other alternative except to seek autonomous political arrangements which can enable them to salvage their language, their culture and their heritage, in which they can be free from the terrible sense of oppression and can grow to their full stature again.

## 15

## SIKH POLITY

*"All are co-equal partners in this commonwealth with none looked down upon as alien. "*

*Guru Arjan*

Sikhism came into being as a consequence of the Divine Will. The Sikh Gurus were ordained to serve as the medium for heralding a new socio-political order, characterised by the values of universal love, equality and justice. They were to express and enumerate, in simple and poetic accents, the new revolutionary concept aimed at the complete spiritual awakening and regeneration of man. It is in pursuit of this divine mission that generation after generation, the Sikh endeavour is directed solely to the ascendancy of the Khalsa ideal as reflected in the daily chanting of the litany '*Raj Karega Khalsa*' (Khalsa shall rule). Political participation and power are complimentary to Sikh religious activity. It is idle to confuse and mislead the public opinion on this point, especially in view of the unambiguous teachings of the Sikh Gurus and the clear lessons of Sikh history. The Sikhs strongly believe that it is not possible for them to practise a full and genuine religious life, free from hurdles and hindrances, without a political base of their own

The Sikh scripture does not give any explicit answers to the question of *modus operandi* of political power. In Sikhism, there is no corpus of civil and political laws of divine sanction, no rigid theories or dogmatic pronouncements on statecraft. Nor do the Sikhs have an ordained priestly class who can rule in accordance with the laws of divine origin or sanction. It is a tribute to the vision and wisdom of the Sikh Gurus that while they laid down basic principles of ethics and morality, for the uplift of humanity, to be followed by the society and the state, they avoided laying down such specific civil and political rules or treatises as could become restrictive or incongruous in the course of time. In so doing, the Gurus avoided the pitfalls into which some other religions have fallen.

Sikh concepts of society and the state are embedded in the

metaphysical and epistemological pronouncements of the Gurus, incorporated in their scripture, the *Guru Granth Sahib*. What is the nature of this universe? What is the Ultimate Reality? And what is Its nature? What is the relation between man and the Ultimate Reality? What is the goal of human life in this world? Answers to these questions provide the basis for the formulations of the concepts of the Sikh state and society. The problem of existence determines the problems of state, society and morals. It involves an understanding of the integrated vision of the Sikh Gurus, their world-view and a value system meant for a corporate society.

Sikhism is a revelatory religion. As such, the message and mission of the Gurus have a direct divine sanction. The Gurus acknowledge no worldly authority, and do not conform to any pre-existing socio-political model. They believe that the true aim of religion is to mould human life in the light of spiritual truth. A religion which does not result in the reshaping of human life is not a true religion; it becomes a dogma, a meaningless ritual.

Sikh paradigms of politics are based on a non-dialectical and non-dualistic metaphysical and epistemological assumption of the Gurus that differ radically from those of other religious systems, which subscribe to a dualistic metaphysics and epistemology. While the latter work in terms of antagonisms, dichotomies and antinomies between spirit and matter, the individual and society, and necessity and freedom, the Sikh thought has always considered such dichotomies as artificial, unreal and unwarranted. The state, as viewed by the Gurus, is linked with the organic whole of human existence.

Dichotomous religious systems, by their very nature, serve to legitimise stark individualism, mindless competition, amoral power-politics, and lead to the dichotomisation of the inner and the outer, ends and means, elite and mass, the chosen and the damned, and heaven and hell. Consequently, there are schisms in the human condition, split personalities, tensions, struggles, contradictions, coercions, confrontations and even wars. By contrast, a holistic and

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Non-dualistic system like the one propounded by Guru Nanak, tends to foster and sustain community co-operation, humanism, world unity and the rupturing of the dichotomies between the elite and the mass, the subject and the object (e.g., man as the maker of history versus man as the product of history), the friend and the enemy, and the ends and the means. Herein lies the import of the Guru's system. Nihar Ranjan Ray rightly observes, "To be able to achieve the integration of temporal and spiritual seems to me to have been the most significant contribution of Guru Nanak to the totality of the Indian way of life of medieval India. Indeed, he seems to have reared up a new image of socio-religious community given at once to temporal and spiritual pursuits of life".<sup>1</sup> Such a philosophy sustains the concept of a state, not of a religious-communal nature, but of a welfare state with wide ranging obligations. Such a state, directed towards happiness of all, depends on harmony between a comprehensive ethical ideal and practice of power. In a nutshell, the Sikh state is not a theocracy in the narrow sense of the word. It is a religion-oriented state in the sense of exalting the spiritual principle as the basis of political governance.

The Sikh Gurus were conscious that the role of a state in enforcing a particular faith on the people is violative of man's inherent desire for freedom. But, it was their conviction that religion-oriented politics was essential to achieve the ethical ideals of human equality, freedom and justice. This combination can abolish the worst evils of society, and open vistas of peace, progress and harmony. A sound social order can be built and preserved only through moral and ethical imperatives and by abiding values of tolerance, humility, charity and compassion that constitute *Dharma*.

In a society wherein a myriad of gods and goddesses were worshipped, Guru Nanak propounded the concept of monotheism. The idea of a single Unitarian God was in a way the Guru's corrective to the polytheism of orthodox Hinduism. According to him, 'It is God's nature to be the fullness of being, all intelligence, all pervasive, omniscient and almighty.' He believed that monotheism supported

1. Nihar Ranjan Ray: *The Sikh Gurus and Sikh Society* (Patiala. 1979), P. 86.

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one universal moral order for humanity, while polytheism viewed truth in fragments, justified sectarian moralities and plurality of virtues. By refuting duality or multiplicity of god-head, Guru Nanak sought to unify mankind through obeisance to an integral, indivisible, omnipotent, omnipresent and omniscient one God of all the universe and not of any exclusive tribe, race, people, nation, country or region. This brought forward a new nexus of social relationship.

Another corollary of the concept of one eternal Reality is that the two factors of time and eternity are not separated in history. Rather, they interpenetrate each other. Eternity does not transcend time. It is, on the contrary, to be found in time itself. The Sikhs believe that history always conveys some moral lessons. They do not agree with the cyclical view of history propounded by Hinduism, or the significance of the concept of idol-worship and cumbersome ritualism. The Guru said that idol-worshippers and ritualists make idols and rituals the sole focus of their devotion and worship, and neglect the purification of their mind or the self. Those who rely on rituals and ceremonies, do so in the expectation of this-worldly or other-worldly rewards. They are not performed from a sense of duty or in a spirit of detachment, and as such, are a hollow and wasteful means to spiritual ends. The Guru stressed the importance of selfless service, without expectation of reward. This non-utilitarian concept of service was the core of his teaching.

The iconoclastic and monotheistic orientation of the Sikh movement transformed the social outlook of the people. The Guru envisaged an egalitarian social order under the sovereignty of God. He denounced the caste system of the Hindus in vigorous terms. It was in furtherance of the mission of universal brotherhood, transcending the barriers of caste, creed and colour, that Guru Arjun envisioned an all-inclusive integrative polity, based on the principle of democratic collectivism: "All are co-equal partners in this commonwealth with none looked down upon as alien."<sup>1</sup>

This was in sharp contrast to the Hindu notion of polity in which political power never really shifted from the Brahmins and

1. *Guru Granth Sahib*, f. 97.

socio-political life moved strictly within the manipulated framework of caste system. It is noteworthy, that at a time when the monarchical form of government was the order of the day, and the term democracy was unheard of, human equality constituted the bedrock of the Guru's mission. The Guru threw off the yoke of manipulative priestcraft, and denounced the concept of the chosen few and Brahminic elitism. The Guru advocated equal status to women, and launched a crusade against untouchability. To bridge the artificial gulf between the elite and the lower classes was a mighty task which was determinedly taken up by the revolutionary Sikh movement.

In the life-affirming system of the Gurus, the Ultimate Reality is looked upon as a benevolent and compassionate power which nurtures and sustains this world with loving care. This concept of Reality, having its essence in love, has many socio-political upshots. Love is the essence of the universe, and consequently, it is also the essential governing principle of human life. This essential principle may not be fully manifest as yet, but it is certainly unfolding itself in space and time. Man's foremost duty is to remove disharmony, discord and hatred and manifest the essential principle of cosmic governance. Man must love in order to fulfil himself, and he needs love as the basic principle on which to reconstruct life. Love, like the Reality, of which it is the essence, is dynamic. Guru Nanak asserted that in order to play the game of love, one must be ready to undergo hazards and hardships, sacrifices and martyrdoms.

When Guru Gobind Singh initiated the Sikhs into Singhs or lions, considering each one of them 'a host of one *lac* and a quarter', he took full cognizance of the essence of Guru Nanak 's mission of love — not merely as a system of 'philosophy' but as a discipline. And this mission of love could have no geographical confines. 'Recognise all humankind as one', declared Guru Gobind Singh. This revolutionary and world-fulfilling ideal has taken deep roots in the Sikh ethos. The attributes that are generated in the Sikh community through this ideal such as straight-forwardness, fight against injustice, sincerity, honesty, self-reliance, hard work, sense of initiative, etc., are not generally found among other communities.

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According to the Gurus, the supreme goal of human life is to become a *gurmukh*, or God-oriented, to become a fit instrument of the Divine Will, which operates in human history through the deeds of individuals with higher motivations, forming enlightened societies for the purpose. Each individual must train himself for a life of duty, service and social righteousness, in order to become a creative participant in the making of history. It is incumbent on him to play his role towards the creation of a positive corporate culture, of a just socio-political order, which would eventually put an end to all tensions and turmoil. Sikh history reveals that the Sikhs so developed, have placed more exacting demands upon men in public affairs regarding matters involving public at large. This is in sharp contrast to the Hindu cultural ethos with its focus on the individual, but lacking the social purpose.

The Gurus stressed that the realisation of God automatically leads to the development of a spiritual outlook on life and spiritualised action in the day-to-day life in consonance with the Will of the Divine. God consciousness or illumination of soul is essential to foster both social and political enlightenment. Lack of it degrades the moral fibre of the people, narrows their outlook and leads to chaos. The Gurus stressed that life is a spiritual venture and that the world is the Kingdom of God. A Sikh is supposed to live his life in pursuit of this venture — a venture that gives him both an earthly purpose and a spiritual hope.

A noteworthy feature of Sikhism is its emphasis on vigorous and valiant action in the temporal sphere. A man of God must be socially and politically committed and equipped to combat the forces of discord, to eradicate evil, to challenge injustice, and to safeguard human rights and values. This is again in consonance with the God's attributes, 'slayer of the evil' and "helper of the helpless". Guru Nanak proclaimed that the God he worshipped, was a destroyer of earthly tyrants.<sup>1</sup> Socio-political activity in pursuit of righteousness, is nothing less than the execution of His Will. Guru Gobind Singh also spoke of his descent into the world of mundane affairs for the avowed purpose of propagating *Dharama*—the righteous way of life, to exalt the virtuous and to destroy the evil-doers, root and

1. *Asur Samgharan Ram Hamara.*

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branch. The Guru legitimised the use force in resisting tyranny and injustice, and in defence of the weak and the oppressed. "When all other means have been tried, it is legitimate to take the sword in hand."<sup>1</sup> The Guru, thus, gave to his followers the dynamic gospel of supreme fearlessness in pursuit of moral objectives.

The Sikh Gurus looked upon God as the only True Sovereign. As sovereignty is vested in God, He alone is the Prime Law-giver. When the sixth, Guru Hargobind raised the *Akal Takht* (the throne of the Immortal), its platform was made higher than the throne of the Mughal rulers of India. This meant that the Sikhs acted in devotion to their Creator. Their foremost allegiance was to God, conscience, righteousness, morality and justice. Human beings should subordinate themselves to the dictates of conscience or the Divine command within them. Nothing good or great can be achieved, unless conscience is stirred up. An earthly ruler can command obedience and allegiance only as long as he realises his primary obligation to carry out God's Will and strive to foster and promote a harmonious social order, based on the canons of morality, justice and the common welfare of all. He cannot command blind obedience, nor can he claim divine right to rule. An unjust ruler who cannot provide the basic human freedoms and human rights to his subjects, forfeits his right to rule. People have a right to resist his authority to rule. The ninth guru, Guru Tegh Bahadur issued the famous *hukamnama* for an all-out rebellion against the state tyranny calling upon Sikhs 'not to salute a Mughal government official and never to invite him to sit on the head-side of a cot.' The approach of the Gurus was not sectarian. It was free from dogma and religious fanaticism Guru Gobind Singh looked upon the martyrdom of his father not in terms of the antagonism of the age, but in terms of the polarity of the good and the evil:

The sacrifice he made  
                           for protection of righteousness. At  
 Tegh Bahadur's departure  
                           the world went into anguished brooding  
 And the gods exclaimed: Glory to him.

1. *Zafarnamah.*

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Sikhism attaches great importance to the dignity and freedom of the individual and the sacredness of the human personality. The Gurus want man to emerge in his best and fullest natural stature. Human life is looked upon as God's gift, and not a necessary evil as believed in the earlier religious traditions. Viewed in this context, dualism of God in heaven and man on earth loses meaning. Man is looked upon as a spark, of the Divine. As a creation of God, man partakes of the sovereignty of the Divine. This negates the notion of 'original sin', believed by some to be inherent in human nature. Each individual is entitled to equal opportunities for the full and unfettered flowering of his personality. Guru Gobind Singh's trifacial doctrine —a) individual is the true source of power, b) he must never be enslaved and expended by others and c) prosperity and happiness, in ever-increasing measure, is the birthright and destiny of mankind —left an indelible mark on the Sikh tradition.

The notion of dignity and freedom of the individual is not rooted in egoism or personal salvation. The Gurus stressed that co-operative endeavour of individuals is essential to run social life on the principle of free, harmonious and happy living. Individualism has to be restricted and adjusted to the requirements of corporate existence and social progress. It is only by rising to a fresh vision of his origin and future, his whence and whither, that man can contribute to a healthy, happy and harmonious social order. An enlightened individual is essentially a social being. He sustains the society and the state through a life of piety, devotion and service to his fellow beings. By realising the Divine within, he provides a divine orientation to human action. Individual moral excellence has to be combined with selfless public service. Guru Nanak laid down three cardinal principles of Sikhism — practice of the Divine Name, earning of livelihood through legitimate and creative effort, and sharing of earnings in a spirit of love and service. Acquisition of wealth is limited by the honesty of means and the imperative to share and to be just. This principle contrasts with other economic systems where the aim is concentration and accumulation of wealth. In Sikhism, violation of obligations towards the community means alienation from the Divine.

In the sublime vision of the Gurus, there is no room for ethical dualities or moral relativism. Since the days of Plato and Aristotle in the European thought culminating in the brilliant exposition of statecraft by Machiavelli, it has been assumed that the principles which govern the conduct of the rulers and inter-state relations are different from those which govern individual conduct. Kautilya's *Arthshastra* — a guide to statecraft and kingship, also looks upon this dichotomy as valid and necessary. Another aspect of Kautilya's state is its attitude towards morals and religion. State, as envisaged in the *Arthshastra*<sup>1</sup> subordinates moral principles to the necessities of its existence and welfare, and the same attitude is assumed towards religion. It is even made a means of accomplishing political ends. It was not only the morality of the king that could be sacrificed to the exigencies of the state, even the temples of gods and property of guilds could be looted to replenish the treasury.' In fact, Kautilya had no scruples about recommending to the ruler all sorts of deception, perfidy and cruelty.

While professing to outline the practical methods of government, and to achieve unity within the state and dominance over its neighbours, Kautilya advocated treachery, extensive espionage, use of agents provocateurs, fraud, rumour-mongering, forgeries, poison, torture and ruthless use of force. He saw nothing wrong if the king sometimes had to be untruthful, deceitful or cruel. A ruler, exempt from moral obligations, could tread the most dangerous path and could commit the worst type of political crimes. Such a rule could pave the way for the most uncouth and uncompromising materialism in political life.

Out of the several devices recommended by Kautilya, the use of spies and secret agents deserves special attention. Kautilya assigned considerable importance to them, and indeed thought that their importance was next only to that of ministers. He offered a detailed description of the cunning ways in which they were to be planted in society and the techniques they were to deploy. They were to go out in such varied disguises as merchants, mendicants,

1. *Arthshastra*, Book. V, Chapter II.

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classmates, prisoners and beggars, and were free to use all kinds of treachery, sacrilege, cruelty and immoral devices. The spies reported to the king the activities of his officers, family members, foreigners, courtesans and potential trouble-makers. They also spread false information and created divisions among the subjects. They also spied on the private lives of the citizens and reported on the trends in public opinion and feelings. Magasthenes found these spies so numerous that he discovered them as a special class of Hindu society. They were so pervasive and evoked such terror that they were referred to in a *pallva* inscription as *Samcarantakas* (moving agents of death).<sup>1</sup> Kautilya also approved of '*matsyanyaya*' or 'the logic of the fish', the moral right of the bigger fish to eat up the smaller one. This connotes that the strong must prey upon the weak, in interstate relations. One cannot help the notion that the legacy of Kautilya is still with our rulers in New Delhi. In order to commemorate Kautilya, free India has chosen to call its diplomatic enclave of New Delhi. Chanakypuri (Chanakya is another name for Kautilya) and name a major road through it, *Kautilya Marg*. Hindu leaders have practised deceit, lies and chicanery in dealing with the Sikhs.

Sikh ethical norms do not permit cunning and deception either in private or public life. Guru Gobind Singh stressed that in a truly cultured man, intention, profession and deed must harmonise. "He alone is a cultured man, he alone worthy of a human being whose 'yes' is 'yes' and 'no' is 'no'. He who says one thing, and means and intends another, is less than a man", said the Guru.<sup>2</sup> It was his firm conviction that public life should be virtuous. "Unless this principle is accepted and implemented in both the spheres, that is, in the sphere of relations between the rulers and the ruled, and in the sphere of international relations, the emergence of a universal culture, as basis of global fraternity is not possible". He did not sanction use of falsehood in politics. After quitting the fortress of Anandpur Sahib, the Guru, in a letter of admonition to emperor Aurangzeb, wrote:

1. 'Some reflections on the Hindu tradition of political thought' in *Political Thought in Modern India*, edited by Thomas Pantham, & Kenneth L. Deutch, PP. 24-25.
2. *Zafarnamah*.

rift" "You are accustomed to conduct your statecraft through deceitful diplomacy. I approve of naught but that which accords with the principles of ethics and dictates of conscience. Your Imperial Majesty's royal title 'The Ornament of the Throne' does not appear to be literally related to your Majesty's conscience and deeds, for, as we ordinary human beings understand it, deceit and kingly office are not identical concepts."<sup>1</sup>

Godhead in Sikhism is seen as partaking of the spiritual and temporal sovereignties which express themselves in history through the Guru. The Guru was known as *Sacha Patshah* (True King). Hari Ram Gupta writes that Guru Arjun had, in every respect, created a 'state within a state'<sup>1</sup>. But Guru Gobind Singh transferred the spiritual sovereignty (*pin*) vested in him, to the Granth Sahib and the temporal sovereignty (*mm*) to the Khalsa — the God-inspired people. Creation of the Khalsa was an epitomic act. The Guru's aim was to produce the complete and perfect man — learned, wise, agile, religious and refined — in contrast to the cowardly, other-worldly ascetic, who was only concerned with his personal salvation, and was a run-away from life and its manifold socio-political challenges. Such a man, the Khalsa, was to combine in him the virtues of a saint and the strength and sternness of a soldier.

The Khalsa Commonwealth, as it came to be called, was a true democracy of the people. Its constitution was built not on law books but on the Law of Love, the Law of Truth and the Law of Justice. In this constitution, the people, inspired by the natural goodness of humanity, the spontaneous Divinity of God and by the Guru's mystic presence in all beings were made supreme. Its directive principle was the principle of happiness of all. A vital responsibility of the Khalsa was the maintenance of ethical values.

The Guru repudiated the idea of the divine right which made kings supreme in temporal affairs. He explicitly declared, "My spiritual dignity and status is wholly due to the people; otherwise there are countless millions of poor men like me in the world." He

1. *Fatehnamah*, (December, 1705).

said that the victories he achieved on the battlefield were through the grace of the people, that through their help was he enabled to practise charity, that his sufferings and travails were mitigated by the grace of the people, that through their grace was the Guru replenished, that by the grace of the people did the Guru acquire learning and that by their aid were his enemies destroyed.

The doors of the Khalsa brotherhood were open to all. without distinctions of caste and creed. The Khalsa was to be God's agent in the world to ensure justice and righteousness. As an executor of the Divine Will, the Khalsa was not to be afraid of any earthly power. Victory of Khalsa, in pursuit of a righteous cause, was hailed as God's victory, (*Waheguru ji ki Fateh*). Khalsa, thus created, was the visible image, of the basic ideas and concepts, inherent in the spiritual thesis of Guru Nanak. The very conception of the Khalsa embodied the ideal norm towards which the entire Sikh historical process had been directed. The Khalsa, as a collective entity became the custodian of Sikh thought and tradition.

Apart from being an egalitarian social order, the Sikh movement was a plebian political revolution as well, but the pressure of circumstances prevented it from assuming spectacular dimensions. The institutions of '*Sarbat Khalsa*' and '*gurmatta*' shaped the destiny of the Sikhs during their ascent to political power in the eighteenth century. The *Sarbat Khalsa* institution represented the unified corporate personality of the Khalsa, while *gurmatta* signified taking decisions in the name of the Guru. Before and after the battles, the Sikhs assembled at Amritsar, performed ablutions in the sacred tank and passed regular *gurmattas*. In 1764, on the eve of Ahmad Shah Abdali's last raid, the Sikhs passed a *gurmatta* proclaiming the independence of the Sikh state. The Sikh gurdwaras were the centres of free thought and the integrated Sikh activities.

The first bid for establishing the Khalsa rule was made by Banda Singh Bahadur, when he defeated Wazir Khan, the Mughal Governor of Sirhind in May, 1710. He established a sovereign rule over the conquered territories with Lohgarh as the Sikh capital. He *Sikh Polity* attributed his political success to the grace of the Gurus, Guru Nanak and Guru Gobind Singh, and the sovereign power was said to have been derived ultimately from God. He did not assume

kingship for himself. He struck coins in the name of the Guru and wielded power in the name of the Khalsa. One of the greatest humanitarian works done by Banda was the distribution of land among the poorest tillers. Guru Gobind Singh had enjoined on Banda 'to remain pure in conduct and never to touch another man's wife; to be true in word and deed; to look upon himself as a servant of the Khalsa, who would be the Guru in future, and to act always on the advice of the five (representative) Sikhs.'<sup>1</sup> Banda's spell of sovereignty was too brief for the full flowering of the Khalsa rule under him.

After Banda, the Sikhs had to face intense persecution, pogroms and systematic genocide campaigns of the Mughal and Afghan tyrants. A noteworthy feature of the Sikh struggle was the maintenance of ethical standards during their militant programmes. Even an enemy chronicler Qazi Nur Muhammad, in a Persian manuscript '*Jangnameh*\* (1765), praised the Sikhs for their war ethics and practices. He bore testimony to the fact that the 'Sikhs never kill in battle those who lay down arms or otherwise refuse to resist and fight.' Something which was in glaring contrast to the victorious armies of all times, including the armies of the civilised world of the 20th century, was the attitude of the Sikh soldiers towards women, who according to the Qazi were never molested or robbed by them. The Qazi observed, "Leaving aside their mode of fighting people, in no case would they slay a coward or put any obstacle in the way of the fugitive. They do not plunder the wealth and ornaments of a woman, be she a well-to-do lady or a maid-servant. There is no adulterer amongst them, nor are they given to thieving. Whether a woman is young or old, they call her a '*budhiya* (an old lady), and ask her to get out of the way."<sup>2</sup>

There is ample evidence in history that the Mughals tortured the Sikhs whenever they fell into their hands, with the cruelest

1. Teja Singh & Ganda Singh: *A Short History of the Sikhs*, (Bombay. 1950), P. 80.
2. *Jangnamah*.

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available methods. But, the Sikhs observed ethical restraint and did not resort to these methods. Even in retaliation, they tried to follow the injunction laid down by the Guru: 'Exercise forbearance in the midst of power; be humble, in the midst of honour.' When Sikh *Misldars* (12 in number) became masters of Punjab, in 1765, they presented a fine example of Khalsa rule. In the words of Gordon, "These *Sardars* did not exercise absolute supremacy over their *Misls*, the constitution of which was very democratic and the authority of the chiefs limited."<sup>1</sup> Another observer, Forster noted, "I find an embarrassment in applying a distinct term to the form of the Sikh government, which on the first view bears an appearance of aristocracy, but a closer examination discovers a larger view of popular power branching through many of its parts. No honorary or titular distinction is conferred on any member of the state..... An equality of rank is maintained in their civil society which no class of men, however wealthy or powerful, is sufficient to break down. At the period when general councils of the nation were convened, which consisted of the army at large, every member had the privilege of delivering his opinion, and the majority, it is said, decided on the subject in debate."<sup>2</sup>

Themselves victims of the worst kind of religious tyranny, these Sikh chiefs established a just and humane rule. They treated the Muslims very generously and made no distinctions among their subjects on the grounds of caste and religion. In times of distress, they helped Hindus, Sikhs and Muslims alike. In 1783, when Punjab was stricken with a severe famine, the Sikh chiefs opened *hangars*' (free kitchens) to feed the needy. A report quoted in the Montgomery District Gazetteer speaking about a Sikh chief of the area says. "The famine of A.D. 1783 occurred in Budh Singh's time. He is said to have sold all his property and to have fed the people with grain from the proceeds."

A mention must be made of Nawab Kapur Singh, who led the

1. Gordon: J.H.; *The Sikhs*, (London, 1904), P. 72.
2. Forster, George; *A journey from Bengal to England*, (Patiala, 1970), PP. 328- 29.

Sikhs through the most trying times, and whose personality radiated in full measure, all the sublime values of Sikhism. In the midst of his life-long pre-occupation with war and fighting, he maintained such irreproachable moral standards, as evoked admiration even from the enemies. Sikhism has been a catholic faith since its birth. It is noteworthy that this aspect of its character was not affected by the cruelties inflicted by the Mughal state on the Gurus and the freedom fighters of the eighteenth century.

The Sikh rule under Ranjit Singh was a characteristic product of the Sikh tradition. Ranjit Singh's polity could not be called a theocracy in the narrow sense of the word. But, he built his rule on religious foundations and referred to his government as *Sarkar-i-Khalsa*, which derived its legitimacy from the Khalsa or the Commonwealth — the mystic entity in which resided all sovereign power pertaining to the community. In *Sarkar-i-Khalsa* that Ranjit Singh established, he did not proclaim Sikhism to be the state religion, nor did he rule in the interest of the community to which he belonged. As Vincent Smith noted, he did not establish a dictatorship of one community over another. His state was a co-operative commonwealth, in which there was an element of partnership with other communities. This was fully in consonance with the principle of peaceful co-existence propounded by the Sikh Gurus. It was no mean achievement of Ranjit Singh to unite the three principal communities — Muslims, Hindus and Sikhs in a common enterprise, and reconcile them to the new political order through genuine and heart-felt tolerance and large-hearted liberalism, which had its roots in the Sikh ethos.

In the old institution of monarchy, there was a primacy of personal and family ambitions over the requirements of public interests. But, in the case of the Khalsa kingdom, the ideals and duties of the ruler were to serve the people in a spirit of self-dedication. His office and power were a sacred trust to be used for the well-being of the people and not of his own. Ranjit Singh held fast to the values of justice, freedom and human dignity, not through any defined statements or religious vows or policy pronouncements,

but through stark deeds.

His rule was founded on the willing co-operation and goodwill of his people. When he conquered the Muslims, he strove to blot out all traces of bitterness and animosity born of conquest which might rankle in their hearts. Vindictiveness was unknown to him. He had no rancour against his Muslim predecessors who had been responsible for the persecution of the Sikh Gurus and some of whom had unleashed a reign of terror against Sikhs. All his vanquished subjects were well provided for and not left to rot in a state of penury or desperation. His conquests transformed the conqueror and the conquered alike, each of whom readily contributing his best to the common weal.

Ranjit Singh's rule was characterised by scrupulous observance of rare norms of public conduct and social ethics. When the victorious Khalsa army passed through the streets of Peshawar, he issued strict instructions to his *Sardars* to observe ethical restraint in keeping with the Sikh tradition, not to damage any mosque, not to insult any woman, and not to destroy any crops. He tried his best to follow the Gum's injunction: 'Exercise forbearance in the midst of power, be humble in the midst of honour'. He attributed every success to the favour of God. He was modest, humane and humble. Royal emblems of crown or throne were conspicuous by their absence in his *Darbar*. When he issued the coins of his empire, he struck them not in his own name, but in the name of the Guru. The rupee and paise were called *nanakshahi*. The inscription on them in Persian meant: "Kettle: Symbol of the pot from which the poor were fed. Sword: Symbol of power to protect the meek and the helpless, and victory and unhesitating patronage have been obtained from Guru Nanak and Guru Gobind Singh."

Ranjit Singh gave complete freedom of expression and worship to all his subjects. He did not treat the Sikhs as a privileged class, nor did he place any disabilities on his non-Sikh subjects. His contemporary rulers, the Peshwas, could not be free from the shackles of casteism and Brahminical chauvinism. It goes to Ranjit Singh's

credit that his policy was free from bigotry or racial arrogance inherent in the caste-ridden system of Hinduism. All posts in his state were open to talent and merit. He gave the highest positions such as prime-ministership, foreign ministership, etc., to members of the other communities. Some of his closest advisers were Muslims. It is a proof of the loyalty he inspired that during the Anglo-Sikh wars, the Muslim forces fought as valiantly as the Sikhs. For the first time in the Indian history, a landmark was created. *Mazhabis*, the centuries old untouchables of the Hindu society, far from being discriminated against, became a regular component of Ranjit Singh's army.

The catholicity of the Sikh tradition left its visible impact on the outlook and policy of Ranjit Singh. Religious bigotry, he knew, was incompatible with Sikhism. He daily listened to the readings from the Sikh scripture. The ideas of unity of God, universal brotherhood and welfare of all (*Sarbat da Bhala*), which sum up the basic tenets of Sikhism, were deeply embedded in his psyche. This enabled him to look far beyond the narrow horizons of creed and restore complete religious harmony in his kingdom. He respected the religious susceptibilities of the Hindus and the Muslims and did all he could do to win their love and loyalty. To bring about emotional integration in the kingdom, important festivals of all communities were jointly and officially celebrated. Cow-slaughter was banned throughout the empire, his deference to the wishes of the Hindu subjects.

During his rule, there were no outbursts of communal fanaticism, no forced conversions, no attempts at bloody revenge, no language tensions, no second class citizens, no repression, no bloodshed, no executions and no tortures. There was no capital punishment which even the modern democracies have not been able to abolish. It was not awarded even when there was an attempt on the life of the Maharaja himself. During his reign of 40 years, he did not sentence even one person to death.

Ranjit Singh issued no Infallibility decree. The idea of divine.

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right of kings, which connotes divine absolutism, had no appeal for him. He kept himself open to correction. In a *furman* addressed to the Chief *Kotwal* of Lahore, Fakir Nur-ud-din, in 1825, it was stated: "If even His Highness himself or any other member of his family should issue an inappropriate order against any resident of Lahore, it should be brought to his notice, so that it may be amended." It was a unique instance where the king had claimed equality with his subjects.

In another *furman* issued to Nur-ud-din, he sent the following directions: "You should send your trusted representatives to the *Sardars* to refrain from committing inappropriate acts. If the *Sardars* act according to your instructions, well and good, otherwise you should send words to them that you will bring the matter to the notice of His Highness. Moreover, you should not permit forcible possession to be taken of any person's land, or any person's house to be demolished. Nor should you allow any high-handedness to be practised upon wood-cutters, fodder-vendors, oil-vendors, horse-shoers, factory-owners, etc. In such cases also you should prevent the oppressor from oppression." Fakir Waheed-ud-din observed that these "orders are unique in one respect: they throw overboard the time-honoured legal fiction upon which the fact of kingship is based — that the king can do no wrong". It was characteristic of Ranjit Singh to acknowledge that, both as a man and as a king, he was fallible, and to provide against any possible adverse effects of his fallibility upon the rights and well-being of his people.

Ranjit Singh, in obedience to the will of 'the sovereignty vested in the *sangat* obeyed the *gurmatta* (decision taken in the name of the Guru). On one occasion, when the *Akal Takht* — the supreme temporal authority of the Sikhs took exception to a moral lapse on the part of the Maharaja, he humbly bared his back and submitted to the dictates of the *sangat* for receiving public flogging as chastisement for his un-Sikh like act. This obedience of the king to the people was from the example of the Guru himself. Ranjit Singh "s was a truly representative monarchy, the soul of a people gathered in one man. Ranjit Singh was both a king and a comrade of the

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people in the true sense of the word.

The habitual meekness of spirit which the Maharaja displayed even at the peak of his glory, the sympathy which he had for the fallen foes, and the compassion he had for criminals demonstrated the breadth of his vision and the catholicity of his temper. On one occasion, he is said to have punished one of his generals for killing a *koel* (nightingale) when she was warbling. No body was allowed to hurt a swan, a parrot or a sparrow.

The economy of the state rested on even keels. One tenth of the state revenue, amounting to nearly *Rs. 20 lakhs* a year, was given away in charity. No faith lay outside the bounds of his charity. This was in compliance with the Fifth Guru's directive to the Sikhs to contribute '*daswandh*' (one tenth) of their earnings towards charitable causes.

The cases of bribery and corruption in his kingdom were rare. The Maharaja's frequent and unexpected tours kept the local officials in check. While crime had been rampant under his immediate predecessor, it was reduced practically to the point of abolition during his reign. The cases of theft and highway robberies were rare. George Keene, a contemporary observer of the Punjab scene stated, "In hundreds and in thousands, the orderly crowds stream on. Not a bough is broken from a wayside tree, not a rude remark addressed to the traveller as he treads his horse's way." As a result, many people from the Satluj states migrated to the Maharaja's territories where there was more security for life and property, where their rights and privileges were better protected. The Maharaja provided to his subjects all the fundamental rights and basic freedoms supposed to be enshrined in any modern constitution of today. Jawahar Lal Nehru, in his "Discovery of India" observes, "Ranjit Singh was remarkably humane at a time when India and the world seethed with callousness and inhumanity. He built up a Kingdom and a powerful army, and yet he disliked bloodshed. He abolished the death sentence for every crime, however heinous it might be, when in England even petty pilferers had to face death."

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The Maharaja gave to his citizens a consistent and uniform system of administration and a greater amount of peace and prosperity than they had enjoyed for over a century. The Mughal and the Maratha rules in the country had been marked by bigotry, corruption, degradation, persecution, treachery, confusion, disorder, extravagance and pomp. Ranjit Singh's claim to greatness lies in the fact that he successfully faced the historical challenges of abuse of power and religious bigotry by restoring communal harmony in his state. He endowed politics with a moral purpose. "The Maharaja was" wrote Gardner, "indeed one of those master minds, which only require opportunity to change the face of the Punjab. The Punjab was not the same, semi-starving, terrified, looted by the rulers and poorly clothed during his reign. It was a prosperous, homogeneous and peaceful state with all the communities, Hindus, Muslims and Sikhs, fully satisfied partners in the Government, in military and civil administration, and it was the happiest state communally in Asia. The Maharaja visited the Hindu, Sikh and Muslim places of pilgrimage. It was the only state in India, which was the most prosperous, the most flourishing and most contented." His state was governed and sustained by values and attitudes that characterised the liberal Sikh tradition. The Gurus had envisioned an egalitarian social order based on justice and freedom. With the Sikh ethos in his psyche, Ranjit Singh translated this vision into practice.

In free India, there is a need to comprehend and understand Sikhism and Sikh ethos at a systematic, profound and dispassionate level. Sikhism is unique among the world religions. A dominant note of Sikhism is respect for all creeds. As a religious scripture, Guru Granth Sahib is of immense value, as it places before mankind a very dynamic philosophy of life. It provides great visions of truth and insight into the fundamental meaning and purpose of human life. It stands for a faith which is meant for all humanity, without any distinction of race or creed, and without any limits of time and space. Such is the spirit of universality stressed by the Sikh Gurus.

Guru Nanak, with his emphasis on the unity of God and universal brotherhood, was the herald of a world society. He

propagated universal ethical norms for the redemption of mankind and pointed the way to the solution of the larger problem of international culture. By doing so, he became the precursor and prophet of the coming humanity.

Today, the most urgent problem faced by mankind is to find the right political order, to put an end to the atmosphere of anarchy, tension, spiritual impoverishment and breakdown of positive values. The spiritual poverty of man has advanced at a rate commensurate with his scientific and technological wealth. As he has progressed in science, he has regressed in ethics and spirituality, so that he lacks the moral capacity required to make proper use of his newly acquired knowledge.

Western civilisation is based on the principle of separation of religion and state. As such, the social, economic, political and technological questions of human civilisations are grappled without any reference to God and His guidance. God may be worshipped in one's personal life. Nonetheless, the affairs of society and the economy are to be conducted according to man's own discretion and sovereign wisdom. The conquest of nature has become the main target of human effort. The stream of civilisation, however, seems to run its course without reference to the values and principles communicated to mankind by God through His prophets. The Western model of polity has given rise to gross materialism, elitism, centralisation, militarism, concentration of wealth, glaring inequalities, exploitation of man by man and alienation of the common man from the system.

Guru's sublime gospel of love, tolerance and universal benevolence can provide the most effective solution to the problems confronted by mankind at this grave juncture in history. In the just social order of the Guru's vision, the spiritual and material aspects of life are welded together, with the result that progress and prayer do not represent two watertight compartments but two sides of the same coin with prayer acting as a stepping stone to human progress, and progress leading further to the glorification of the Creator.

Sikhism is not a religion in the limited sense of the word, interested only in man's salvation in the life to come. It is a complete way of life and aims at structuring the entire fabric of human life and culture in the light of values and principles revealed by God. For its problems are approached in the light of moral values and social ideals that Sikhism expounds. The purely positivistic vision of social sciences developed in the West becomes obsolete in this context. In Sikhism, man is treated as a human being, possessing a moral personality and not just a complex of molecules. The world has suffered from the folly of social science, with the result that technocratic solutions are being imposed on society in the name of science, often legitimising the status quo, to the neglect of all moral and ideological options available for social policy.

Sikh history and heritage reveal that Sikh ethos has been in tune with the teachings of their Gurus. The Sikh history is a history of martyrdoms and sacrifices in order to uphold certain fundamental and abiding values of human life. Sikhs have fought and laid down their lives for universal causes, for *Dharma* (righteousness) that is permanent, unalterable and valid for all times.

Indian polity has failed the Sikhs. Political ethos of free India has been narrow and parochial in its approach. In the current socio-political milieu, Sikh traditions, values, culture and identity are seriously threatened. The Sikhs are sorely grieved at this grave phenomenon, and they cannot accept the situation as *a fait accompli*. Placed in a predicament where their trauma evokes no concern from any quarter, they seek an autonomous political set-up where they can salvage their socio-political identity, and where they can grow to their true and natural stature, according to their inherent genius.

The robust and virile Sikhs visualise a land of freedom, equality and justice, a land of men and women with faith in God and faith in man, where human personality is not suppressed but respected, where divinity in man is not obscured, where spiritual and moral values are duly recognised and the individual is accorded an ultimate intrinsic worth.

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The Sikhs are fully conscious that the Guru's vision of establishing the kingdom of God on this earth cannot be fulfilled in the true sense in a circumscribed geographical area. They know that the consummation of Guru Nanak's vision would eventually be a world state, based on the principle of equality, fraternity, justice and peaceful co-existence. For this purpose, they have to keep their ideological base intact. They cannot allow it to be eroded. In the given circumstances, the immediate and the most urgent problem facing the Sikhs is that of safeguarding their socio-political existence through fundamental political arrangements or accept gradual and ignominious death. A necessary corollary of the Sikh way of life, which accepts plural societies, is that in the proposed Sikh state, power will not be used to the detriment of the non-Sikh population. It is intended to serve as a model for the rest of India and the world.

## ANNEXURE I

### THE THIRD AGENCY

Excerpts from *Surya*, September, 1984.

This is the story about a super-intelligence agency-The Third Agency. Its credo-Total loyalty to Indira Gandhi, Prime Minister of India. Its resources : Unlimited. Its think-tank : R.N. Kao. Its area of operation : Punjab, Kashmir, Rajasthan, Andhra Pradesh, Karnatka, Sri Lanka, et. al.

We focus on Punjab, pre-Bluestar Punjab. The Third Agency's assignment was to aid and abet the murders and killings in Punjab. The Third Agency kept the supply of lethal weapons flowing into the Golden Temple. The Third Agency allowed 47 railway stations to be blown up. The Third Agency incited violence in Punjab. And for their gallant roles, senior officers of the Third Agency have been rewarded with police medals and prize foreign postings. An incredible story based on exclusive information provided by patriotic officers of Raw.

The thunder of cannon and roll of caterpillar tracks has stopped. The demolished Akal Takht is being repaired. The demon has been exorcised from the Temple. Mrs. Gandhi, it appears, has done what she had to do.

But the Indian Intelligence have a totally different tale to tell. According to highly placed and highly dis-illusioned sources in the Research and Analysis Wing (RAW), the total Punjab drama, from the rise of Bhindranwale to the Army action, was scripted, enacted and closed by the Intelligence Agencies under the directions of the ruling Congress (I).

According to these sources, the whole operation was such a well-guarded secret that where as RAW and the Intelligence Bureau (IB) were utilised; most RAW and IB personnel did not have even a clue about the real plan of action. For RAW and IB were being used only as front. A totally new and hitherto unheard of organisation was calling the shots. This super-intelligence organisation code named '*Third Agency*' had planned and executed the whole Punjab operation.

The objectives were three :

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\* To clinch the Hindu vote in the rest of the country by giving the Sikh community a punch on the nose;

\* To take the wind out of the Opposition's sails by doing exactly what they had been saying the Government should do-attack the Golden Temple;

\* To test the efficiency of a Third Intelligence Agency camouflaged by a blundering RAW and an inefficient IB.

According to these senior officers, three things prove the total involvement of the Government and its Intelligence network in the Punjab operation :-

\* All senior intelligence officers serving in the Punjab, Rajasthan and Jammu & Kashmir sector during the Akali agitation have either been promoted, recommended for a police medal or sent abroad;

\* Most of the Arms that were found in the Golden Temple were smuggled into the country through Rajasthan under the actual supervision and/or connivance of a RAW officer;

\* S.K. Tripathi, the RAW man incharge of Amritsar from mid 1982 to May 3,1984 had sent a coded telegram to Delhi with details of an impending attack on more than 40 railways stations in Punjab-and the Government chose to do nothing about it.

Indeed the Third Agency was formed only to aid the Congress (I) in its election campaign. That was the initial objective. However, because of the alarming number of security leaks in the RAW, increasingly the Third Agency started taking over the responsibility of intelligence operations.

R. ShankaranNair's (Director, P.M.'s secretariat) brainchild, the Third Agency has now been functioning under R.N. Kao, Chief Security Adviser to Prime Minister, for well over 18 months.

In the meanwhile attention has already started shifting from Punjab to the South. It is reported that the rumours of a planned naval action in Sri Lanka are gaining ground. The good work by A. Arjun, Deputy Director CIS, in training Tamil terrorists is going to come in fruition, possibly by the end of 1984. A hawkish USA and a war-mongering Israel are not going to dissuade the Indian ruling Party from going ahead with its plans.

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However, according to a very senior RAW officer, the pain of Punjab is not going to fade away all that easily. Amongst other things, the same officer also told Surya that a lot of RAW and IB men are going to be working against Mrs. Gandhi in case General Elections are held as per schedule. And that is going to leave someone in 1, Safdarjang Road very disturbed indeed.

The chips then, are down. The battle lines are drawn. The battle is for the country's integrity. It remains to be seen whether it will be fought in General Elections by the whole mass of the Indian people or by a few dedicated partnots in the shadow of a sinister super-intelligence agency, working exclusively for the Pirme Minister.

## ANNEXURE II

EXCERPTS FROM THE SPEECHES OF SANT  
JARNAIL SINGH BHINDRANWALE

Here are a few excerpts from the speeches of Sant Jamail Singh Bhindranwale on various issues, which came up during his interviews with many journalists and visitors, who met him in the Golden Temple Complex.

*Religion and politics*

"In Sikhism religion and politics are inseparable. Religion and politics are synonymous in Sikhism. This concept is a great contribution of Guru Hargobind Sahib to Sikhism/<sup>1</sup>

*Khalistan*

\* "Anandpur Resolution makes no mention of the demand for Khalistan.

\* We are considered anti-national. We wish to live tn India, but is the Government of India prepard to keep us in India? We want to live in India as first rate citizens which, as at present, we are not.

\* We would like to live at par with other citizens rather than as slaves. As we made 90% of the supreme sacrifices in the freedom struggle of the country, we are not prepared to live like slaves after making these sacrifices. Now it is for the centre to state whether it wants to keep us as slaves or as equal citizens.

\* I am neither opposed to Khalistan nor in favour of it. It is for the government to decide whether it wishes to keep us in India or not. It is none of my job. However, if the government is willing to concede Khalistan, we will accept it, we will not repeat the 1947 blunder.

\* We do not demand Khalistan but if it is given to us we will take it. If they give Khalistan to us on a platter, it is their outlook. Now would you characterise me or the government as pro-Khalistani? Although Khalistan is not our demand, yet the anti-Sikh circumstances continue to prevail, and the possibility of emergence of the concept of Khalistan cannot be ruled out."

*The Stories of Oppression and Atrocities*

\* "A Sikh girl was forced to strip herself naked and her father was ordered to indulge in the sexual act with her. Is it an instance of justice to Sikhs? The incident relates to village Kahal Khurd in Moga tehsil. The name of the father is Jagmir Singh He is a Harijan.

\* The policemen took out a Sikh girl without clothes in a procession in village Dau, district Amritsar. Have the Hindu girls been ever treated like this?

\* The policeman caught hold of a Sikh priest. One of them sat on his chest and while doing so the policemen smoked a bin, spat into the mouth of the Sikh priest and also thrust tobacco down his throat. The name of the priest is Jasbir Singh who belongs to village Chupkiti, tehsil Moga.

\* The police men nabbed another Sikh. Though he turned out to be innocent, yet his thigh was cut and salt poured into it. His name is Jagir Singh and he belongs to village Ittanwali and lives at Moga.

\* When we demand that the culprits who denude our women folk, should be handed over to us, why is our demand not met'<sup>7</sup> Is the same law not applicable to us which is meant for the State'. It is the duty of the government to track down the culprits and produce them before the court. Let the judge give his judgement whether the culprit be released or not. Does the law not provide for this'?

\* Again where is it provided that the police should seek permission for the medical examination of the so called offenders and, on the contrary, it should thrust red hot iron bars into the

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abdomen of the falsely accused, place them on their foreheads and shoot them with a bullet? May I know which law grants such a right to the Government? Kulwant Singh Nagoke was killed through such tortures. Sukhdev Singh of Ise Khan was likewise shot dead after his stomach was ripped apart and his flesh removed from his body and eyes taken out of the face. Can they state as to what was recovered from the so called accused? What was the evidence against him?

\* The 80 year old Lala Jagat Narain was murdered on 9.9.1981. My warrants were issued in this connection on 12.9.1981. The Punjab Police reached Chando Kalan to arrest me. Not finding me there, they set on fire two buses belonging to our Jatha which carried two volumes of Sri Guru Granth Sahib and other articles valued at rupees three lakhs. On 16.9.1981, I was informed at Chowk Mehta that warrants of my arrest were issued. Which law provides that before the issuance of the warrants of the suspect, his religious scriptures and valuables should be set on fire?

\* The police handed over the dead body of Lala Jagat Narain to his son Ramesh, but on the other hand when it killed 18 of our men at Chowk Mehta, the dead body of not a single person was returned to us".

*Injustice and discrimination against the Sikhs*

\* "In 1978 when the brahmin girl namely Indira Gandhi was sent to jail, one of her supporters Pandey went to the extent of highjacking an aeroplane. What was the punishment awarded to him? Instead, he was made an MLA.

But when some Sikhs highjacked a plane as a protest against the burning of Guru Granth Sahib, why were they ousted from the country? A highjacker for the sake of the daughter of a Pandit is rewarded with membership of State Assembly but for the same crime committed for the sake of religion by another person, he is deprived of his one leg. While the former is regarded as a patriot, the latter, is shot dead. It happened on 20.8.1982 at Raja Sansi airport with Manjit Singh alias Museebat Singh. Is the value of Sikh religion not even at par with the daughter of Pandits?

\* During the Asian Games, a line was drawn which could not be crossed by any person whose name ended with "Singh" to enter

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into Delhi. Was any one else also checked like this? Again during the Asian Games, while the Hindus in America were permitted to visit India, restrictions were imposed on the Sikhs. Is it not an injustice to the Sikhs? Pictures of Mosques and Temples were exhibited over the Doordarshan during the Asian Games but no picture of any Gurdwara was displayed. Is it not a discrimination?

\* For the sake of Punjabi Suba and Punjabi language as many as 57,000 Sikhs were sent to the jails and several Sikhs like Kaka Inderjit Singh were martyred. He was thrown into a well by the jats. Has even a single Hindu been sent to jail during the last 36 years on such a charge?

The jats got Haryana and 'Paharias' got Himachal Pradesh free of cost whereas we had to pay a very heavy price in terms of 57000 arrests. Now that we wish a train to be renamed after the Golden Temple or demand the setting up of radio transmitter in the Golden Temple complex, we are condemned as extremists.

\* One lakh Sikhs were sent to jail in connection with the struggle in support of the demand for recognition of Sikhs as a separate nation and other demands. As many as 200 Sikhs laid down their lives for this cause. We are condemned as communalists due to this struggle. May we ask the Hindus if any one of them went to jail for getting a train renamed after the name of a temple? Why are they not characterised as communalists? I wonder why the houses of the Sikhs alone are burnt in Punjab. Never has a house, shop or a factory belonging to a Hindu been set on fire. Why so?

\* The instance of Pawan Kumar, president Hindu Suraksha Samiti of district Patiala comes to the mind at once. Despite the fact that 130 grenades were recovered from his house, he did not spend even an hour in jail. He however, got the 'punishment' in the shape of promotion from district president to the state level president of the Sarriiti.

\* As against this, a Sikh suspect is shot dead even if an empty cartridge is recovered from him. For example, Balwant Singh was shot dead while sitting in a rickshaw by DSP Lajwant Singh. Nails of Gurmit Singh were plucked, salt was sprinkled on his wounds, his hands were burnt with candles and finally he was killed. But it was given out that he was killed in a police encounter. They say that

the Sikhs kill the policemen through resistance. Barring the Dahcni episode, was any policeman injured in such a resistance'\* Where are the cartridges that were fired on the policemen by the Sikhs.'

\* At Patiala 8 shops were burnt, 5 of them belonging to Sikhs and 3 to Hindus. They allege that the shops were set on fire by Sikhs. But where is the evidence in support of this charge<sup>7</sup>

I was held responsible for this incident of arson but when the actual culprits were caught they turned out to be Congress (I) men.

\* There were bomb explosions. These were ascribed to Bhindranwale. But when the detective dogs were released they found their way to a police station. From here the dogs were taken out and released again but they again went back to the police station. They later took away the dogs in a jeep saying that the dogs were not of superior breed.

\* A Nrinkari's house was ransacked. The dogs were released again and interestingly they instead of going to any other person, caught hold of the owner of the house from his leg. The dogs are condemned as inferior if they catch hold of the legs of policemen or Nrinkaris, but they are termed genuine if they catch hold of some Sikhs. A Government that depends on dogs can only act like dogs.

\* Some 300 Sikhs of our Jatha are being detained and each one of them charged with 10 to 12 false cases. These detainees do not include the Sikhs arrested in the 'Rasta Roko' agitation. The SHO of Fazilka, Bichhoo Ram rounded up a baptised Sikh. He shaved his beard with the remarks, 'Now go and tell Bhindranwale'.

\* The Sikh youth are removed from service. They are arrested under 'MISA'. Has a Hindu ever been meted out such a treatment.' Is it not discrimination against the Sikhs?"

\* Why is it that a Sikh has always to offer a glass of blood for getting a drop of water? Why is it that we get nothing without making sacrifices? The Sikhs are living like slaves in independent India. To-day every Sikh considers himself as a second rate citizen. Baptised Sikh is looked down upon. His handsome looking dress and his observance of Sikh tenets is ridiculed, How can the Sikhs tolerate all this?

*My 'questionnaire'*

*Annexure*

"I have presented to Bibi Indira a 32-point 'questionnaire' She would do well to answer each one of my questions. If she proves wrong even a single question put by Bhindranwale, then I would sever my head and place it at the feet of the Sikh Panth."

*Ungrateful Hindus*

"The Hindu community is so ungrateful that in a state of power-drunken-ness they have forgotten the sacrifices made by the Sikh Gurus for the sake of Hindus. Only recently when Indira Gandhi imposed Emergency, the opposition leaders were rounded up and were sent to jails. There was little reaction to the arrests among the Hindus. Not a single Sikh leader was arrested on the occasion of proclamation of Emergency, all Hindu leaders were imprisoned.

However, the Sikhs launched a 'Morcha' against the Emergency. What was the particular demand for the Sikhs? The common demand of all countrymen at that time was the demand for restoration of civil rights. But the Morcha was launched by the Sikhs. No other party did so. The Sikhs not only got restored the civil liberties but also secured power for the Hindu leaders. It is a different story that they were ousted from government due to their mutual rifts.<sup>1</sup>

*Let Hindus Reply*

"We raise a solgan of Hindu Sikh Unity'. Has any Hindu ever raised a slogan of Sikh Hindu unity?"

At a Hindu Sammelan in Amritsar the slogans raised were :

- "Hindu Hindu-Bhai Bhai"

- "Kacha Kara Kirpan Ihnu

Bhejo Pakistan"

- "Dukki Tikki Khahen nahin deni Sir

te pagri rahen nahin deni. *My Mission*

My mission is to ensure that everyone-Hindu, Sikh, Muslim remains true to one's religion, there is unity among all sections of people, that the modesty of women is not violated, that the people are weaned away from the use of narcotics, that all social evils are cured and to see that the Sikhs mobilise themselves under one banner by strengthening their faith in Guru Granth Sahib. If all this, which

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is the mission of my life, is termed as 'extremism', then I don't mind being known as an extremist.

I don't take tea, nor do I eat eggs and meat and don't even touch liquor. A false propaganda about me is made to project me as a murderer who shoots the Hindus at sight and who does not permit a Hindu to be around him.

I am accused of extremism because I propagate against social evils and persuade the people to get themselves baptised by observing the ceremony of taking Amrit, the sacred water used for baptism.

If I am a criminal, then why was I released after my arrest"?

I do not believe in violence. Yet to me putting an end to atrocities and the evil forces is no violence at all.

*Be a True Hindu or Muslim or Sikh*

I would like a Hindu to be a true Hindu by supporting a 'bodi' (tuft of hair) on his head, by wearing a cap, a dhoti, a janeyu (sacred thread), displaying 12 tilaks on the fore head, reciting the Gita, worshipping the Shiv-lingam, visiting Hindu temples and tolling the bells .. .and abstaining from the use of 'biris' and cigarettes. A Hindu observing all these tenets of Hinduism is regarded like a brother by me. I would present him a 'Siropa' if such a true Hindu comes to meet me.

Likewise, a Muslim ought to be a true Muslim; he must recite 'Kalma', offer 'Nimaz', study the holy Quran and regard Mohammed Sahib as the prophet of God. Such a Muslim would certainly deserve to be treated like a brother by me.

On the same analogy, a Sikh should strive to be a true Sikh; he must keep unshorn hair and beard, keep intact the hairs on his body, support a turban on his head, wear a sword, take the Amrit, keep 5 'Ks' and recite Nitnem daily.

That is all I preach and propagate. *Anti-  
Oppression, Not Anti-government*

"I am not opposed to the Government; I am opposed to oppression. If the Government indulges in oppression, I am opposed to it. If the oppression is committed by some one else, I am opposed to him also. And if I do so, I am also subject to punishment".

*Indira 's White Lie of Foreign Hand*

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"Indira is telling a lie when she alleges that we are in receipt of external aid. One wonders why should such a top personality indulge in such utter falsehood. If she has any proof in support of her allegations, then why does she not take legal action against us?"

*Violence*

"The Sikhs do not believe in violence. The murder of Avtar Singh Atwal was the result of a pre-planned move to sabotage the Dharam Yudh Morcha. It was designed to pave way for entering into the Golden Temple. The incident deserves to be condemned absolutely. It was a deep conspiracy hatched by the government to denigrate the sanctity of the Golden Temple and malign the Morcha launched by the Akali leaders".

*Press*

The Press in India is like the prostitute who says that she is true to her husband. *The Indian Press*

\* "Several newspaper representatives have interviewed me. But what I tell them is not published and what I do not tell them is ascribed to me. Problems can be solved if the writers muster courage to speak the truth and write the truth.

\* Newspapers carry distorted versions of my speeches because they have to make out their living. I never say in my speeches even a word against Lord Krishna, Lord Rama, Christ and Mohammad Sahib. On the other hand, the newspapers of the late Lala Jagat Narain publish, day in and day out, references derogatory to Guru Gobind Singh and other Sikh Gurus.

\* The newspapers write a lot about Sikh extremists, why don't they write about the Hindu extremists? At the same time, they continue to say that Sikhism is a part of Hindu religion. If that is a fact, why don't they talk of Hindu extremism?

If the press continues to harp on Sikh extremists, it will have to admit that 'Sikhs are a separate nation'.

When they characterise us as extremists, we are considered separate. But when we demand something, we are treated as Hindus. What is this logic?

## ANNEXURE III

## ATROCITIES ON SIKH CHILDREN

(Published in 'India Today'. 30th September. 1984, Gobind Thukral)

There were other victims of Operation Bluestar—little children, some only two years old, who got rounded up when the army swept through the Punjab countryside throwing over 18,000 suspected terrorists into jail. Since then 39 children have been languishing in two Ludhiana jails.

There is four-year-old Rinku whose father died during the army operation and whose mother has been missing since then. Like the rest of the 'infant terrorists', Rinku had to go through a gruelling interrogation. When asked where his mother was, he replied, "I do not know." When asked where his father was, he said, "Killed with a gun." Why his stomach was so big; "Because I eat clay." Then there is the earnest 12 year-old Bablu who calls Bhindranwale his *chacha*. He insists that he be included among the terrorists and tried. There is Zaida Khatoon, a Bangladeshi woman who stopped to get food for her five children at the Golden Temple and landed in jail.

Their ordeal began in early June when they were picked up around the Temple and packed into camps in Amritsar and Jalandhar. Initially the army did not know what to do with the children. Some of the lucky ones were locked up with their parents, but they all faced the same charge: breach of peace under section 107 and arrest to prevent commission of cognisable offence under Section 107 and 151 of the Criminal Procedure Code (CrPC). They were finally sent to Ludhiana.

And then the nightmare began. Two Central agencies, the Central Bureau of Investigation (CBI) and the Intelligence Bureau (IB) began their questioning. There were long, intimidating sessions. The children cried and begged to be sent home. But it went on for days. Their little finger prints were taken and IB sleuths set about verifying their bonafides. One interrogating officer admitted that not many officials were moved by the children's cries.

The children continued to be locked up in a dingy old jail in the sprawling industrial city. Some were moved to a newer maximum security prison outside the city. Of the 39 children, 10 were with

their parents, mostly their mothers. Another 15 were students of the Damdami Taksal, an institution founded by Guru Gobind Singh to train children in music and Gurbani, which was last headed by the dreaded Sant Jamail Sinbh Bhindranwale. These students, all of them ardent Sikhs, had been camping in the Golden Temple complex, and some had learnt to use arms. Three of them have now been classified as 'dangerous terrorists'.

Sadly enough, in their interrogations, the CBI and IB have shown little regard to any civil liberties or laws protecting young children. All the children have been booked for violating prohibitory orders under Section 144 or Section 107/151. It is a fact that they were picked up from the Golden Temple or at best are said to have surrendered. But these offences are bailable and in fact these sections are merely prohibitory, used by law enforcing agencies to stop processions and strikes. The authorities have paid no heed to the Children Act 1960 or the East Punjab Children Act, 1976.

The long, agonising inquisition apart, the children have been clubbed with known terrorists, criminals and anti-social elements. Under the law, children-younger than 16 years old in the case of males, 18 in the case of females-cannot be detained either at a police station or in a regular jail, and the lofty laws that protect and respect the child have all been violated. Children are supposed to be kept in special institutions or reform schools but the Punjab Government has hardly been bothered, as the central agencies continued with their gruelling and often callous investigations. Confessed a CBI officer : "These are all fine ideas for newspapers and preachers. We had on our hands suspected terrorists and would be terrorists.

Last fortnight, some relief seemed to be on the way at last. Kamladevi Chattopadhyay, the well-known social worker, petitioned the Supreme Court to help the children. A division bench consisting of Chinappa Reddy, A.P. Sen and E.S. Venkataramiah directed the Ludhiana district judge to remove the children from the jails and lodge them in a better place, at the cost of the state. The Punjab Government was also directed to trace their relatives and file particulars to the court. Ironically enough, the same day these orders were issued, a Ludhiana magistrate remanded four children arrested from the Temple on June 6 to judicial custody, till further orders. The youngest of these children, Jasbir Kaur, is only two years old,

her sister Charanjit Kaur is four, and her brothers Harinder and Balwinder, are six and twelve. These children are charged with disobeying the prohibitory order under Section 144 of the CrPC.

On August 1, eleven senior opposition leaders had demanded that the detained kids be either released or atleast segregated. But it was only after the Supreme Court directive that the authorities began acting. Within five days, the parents of six children were located from districts as far away as Paonta Sahib in Himachal Pradesh, Hisar in Haryana and Nainital in Uttar Pradesh. They had gone to the Golden Temple to pray when they were caught in the army crossfire. District Magistrate K.P. Lakhanpal had earlier sought the governor's approval to release the children but had not met with any success. Said he : "We were alive to the human problem but somehow in this charged atmosphere quick release could not take place. The children had to be cleared first by the intelligence agencies."

Most critically placed are those children whose parents face various charges. While District Judge Jai Singh Sekhon is for total segregation, the administration has not yet agreed. 'They have to be with their parents only and since the parents cannot be kept out of jail, they remain where they are,' said Lakhanpal. Their fate, as well as the fate of those in category C, the most dangerous, depends upon the Supreme Court which takes up the case this fortnight. Meanwhile 39 little beings continue to pray for freedom every day.

#### ANNEXUREIV

### TO BE AN *AMRITDHARI* SIKH WAS TO INVITE THE WRATH OF THE INDIAN ARMY

A Circular (No. 153) was issued in the July (1984) issue of the *Batchit*, an official magazine circulated throughout the army, directing the army personnel to keep track of all *Amritdhari* Sikhs who were to be treated as suspects. It read as under : "Although the majority of the terrorists have been dealt with and bulk of the arms and ammunition recovered, yet a large number of them are still at large. They have to be subdued to achieve the final aim of restoring peace in the country. Any knowledge of the *Amritdharis* who are

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dangerous people and pledge to commit murders, arson and acts of terrorism should immediately be brought to the notice of the authorities. These people may appear to be harmless from the outside but they are basically committed to terrorism. In the interest of all of us, their identity and whereabouts must always be disclosed".

ANNEXURE V

## Surendra Nath (Governor of Punjab) paid to fan militancy?

(From Sukhbir Osan, *The Hitavada*, Front Page, Sunday November 6, 1994)

Chandigarh, November 5. Was the late Punjab Governor, Mr. Surendra Nath, who died in a plane crash with nine family members, behind the thousands of killings in Punjab and Kashmir through a third agency? According to highly placed sources, the Union Government had paid Rupees 4500 crore to Mr Surendra Nath, IPS, who held many prestigious posts from time to time, to "prop up" terrorism in Punjab and Kashmir. Both the Union Home Minister S.B. Chavan and the Internal Security Minister Rajesh Pilot were well aware of the fact that Mr Nath had very successfully infiltrated "officials" of the Punjab and Kashmir Governments into various terrorist groups. What is further intriguing the minds of people of Punjab is the ignorance being feigned by the Government of India, especially its Home Ministry regarding the "seizures" made from "Punjab Raj Bhavan (Governor's residence)" after the demise of Mr Nath. The total "collection" amounts to Rupees 800 crore inclusive of cash, jewellery, and other immovable property. In fact, according to sources, this "body" seems to be a part of the amount of Rs 4500 crore (Rupees 1 crore equals to Rupees 10 million or Can \$0.44 million, approx.) which was placed at the disposal of Mr Surendra Nath to root out terrorism. Mr Nath played an all important role to give strength to the hitherto lesser known CISF (Central Industrial Security Force) and it is being alleged that some of "its" men were used to kill innocent persons including the family members of the Punjab police personnel as well as teachers, doctors, engineers, media men and political personalities. A "suspended" police official

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Bakhsish Singh remained very close to Mr Nath. Mr Singh was the security in charge of the all time high-profile top Akali leader and the former Punjab Finance Minister Mr Balwant Singh who was gunned down by 'terrorists' in broad day light. Mr Bakhsish Singh was immediately suspended after the ghastly murder of Mr Balwant Singh. But with the advent of Mr Nath as the Governor of Punjab. Mr Bakhsish Singh. a Nath confidant, reappeared on the scene and enjoyed a very easy access to Mr Nath even at "odd" hours and was "well informed" of all the "secret missions" of the late Governor. Though the Union Home Minister S.B. Chavan, who has recently signed an extradition treaty with the Government of Canada. has denied that currency has been seized from the Punjab Raj Bhavan. he has further complicated the issue by saying that only the Prime Minister Rao could say anything about "seizures" made from the Raj Bhavan or Mr Nath's residence. Though the veteran Communist Party of India's leader and the former Punjab Minister. Mr Satpal Dang as well as the Khalistan protagonist Mr Simranjit Singh Mann, whose has been denied with the passport for the last 10 years by the Government of India, have asked for a Central Bureau of Intelligence (CBI) probe into the Punjab Raj Bhavan seizures, the Government of India, led by Mr Rao, is maintaining a studied silence Meanwhile, a Human Rights protagonist and an advocate of the Punjab and Haryana High Court has filed a written petition in the Supreme Court for the CBI probe into the matter. According to sources, the list of seizures prepared by intelligence agencies is very long and consisting of Rupees 110 crore in cash, jewellery worth Rupees 40 crore, immovable property worth Rupees 650 crore. various political bungalows and farm houses and above all his attempt to grab land near Kullu at a throw aw ay price of Rupees 8 crore. The Prime Minister, these sources maintain, is annoyed with both Mr Chawan. and Mr Pilot, his Home Minister and Internal Security Ministers repectively, since he feels that their infighting is s behind all this "leakage" to media persons and may have a "damaging influence" on the Congress I performance in the ensuing elections being held in the Southern States

## ANNEXURE VI

## AMRITSAR DECLARATION

The Shromani Akali Dal reiterates its commitment to work within democratic parameters for a region where the Sikhs as the *avant-garde* of Punjabi national culture, based on *Sri Granth Sahib*, could enjoy the glow of freedom. The envisaged region, promised by the Congress before partition but never created, will fulfil not only the aspirations of the Sikhs, but also help the minorities in it to realize their potential. At this juncture of history, when the entire South East Asia is in turmoil and Western nations are also looking for a stable value system and a new model for reorganizing their cultures, a region based on *Sri Guru Granth Sahib*. V idea of cosmic harmony, dialogue, poetry and non-exploitative politics free from negative hegemonic power to subordinate, will serve as a centre of light to other cultures. The Sikh ethos, translated into distinct religious, economic, political and social institutions of this region, apart from incarnating the original consciousness of the people, will give them an opportunity, denied in recent past, to reveal their best and make a *vita!* contribution to world culture.

The Shiromani Akali Dal is of the view that India is a sub-continent of diverse national cultures each with its own heritage and mainstream. The sub-continent needs to be reorganized with a new confederal constitution so that each culture could flower according to its genius and add a unique fragrance to the garden of world cultures. If such a confederal reorganization is made impossible by the rulers of the Indian sub-continent, the Shiromani Akali Dal will have no other option than to ask and fight for a sovereign state.

### ANNEXURE VII

#### Anandpur Sahib Resolution

(28-29 October, 1978)

#### (A) Postulates

1. The Shiromani Mali Dal is the very embodiment of the hopes and aspirations of the Sikh Nation and as such is fully entitled to its representation. The basic postulates of this organization are Human Co-existence, Human progress and ultimate unity of all

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Human beings with the Spiritual Soul.

2. These postulates are based upon the three great principles of Sri Guru Nanak Dev Ji, namely, a Meditation on God's Name, dignity of labour and sharing of fruits of this labour.

*(Nam Japo, Kirat Karo, Wand Chhako)*

## (B) Purposes

The Shiromani Akali Dal shall ever strive to achieve the following aims .

1. Propagation of Sikhism and its code of conduct and denunciation of atheism,

2. To preserve and keep alive the concept of distinct and independent identity of the Panth and to create an environment in which national sentiments and aspirations of the Sikh Panth will find full expression, satisfaction and growth.

3. Eradication of poverty and starvation, by increased production and more equitable distribution of wealth and the establishment of a just social order sans any exploitation.

4. Vacation of discrimination on the basis of caste, creed or illiteracy in keeping with the basic principles of Sikhism.

5. Striving for the removal of diseases and ill-health, denouncement of use of intoxicants and enlargement of facilities for physical well-being to prepare and enthuse the Nation for the National defence.

## Resolution No. 1

Moved by S. Gurcharan Singh Tohra, President Shiromani Gurdwara Parbandhak Committee and endorsed by S. Parkash Singh Badal, Chief Minister, Punjab.

The Shiromani Akali Dal realizes that India is a federal and republican geographical entity of different languages, religions and cultures. To safeguard the fundamental rights of the religious and linguistic minorities, to fulfil the demands of the democratic traditions and to pave the way for economic progress, it has become imperative that the Indian constitutional infra-structure should be given a real federal shape by redefining the central and state relations and rights on the lines of the aforesaid principles and objectives.

The concept of total revolution given by Lok Naik. Sh. Java Parkash Narain is also based upon the progressive decentralization of powers. The climax of the process of centralization of powers of the states through repeated amendments of the constitution during the Congress regime came before the countrymen in the form of the Emergency, when all fundamental rights of all citizens were usurped. It was then that the programme of decentralization of powers ever advocated by Shiromani Akali Dal was openly accepted and adopted by other political parties including Janta Party, C.P.I. (M), A.D.M., K. etc.

Shiromani Akali Dal has ever stood firm on this principle and that is why, after very careful consideration it unanimously adopted a resolution to this effect, first at the All India Akali Conference. Batala, then at Sri Anandpur Sahib which has endorsed the principle of State autonomy in keeping with the concept of federalism.

As such, the Shiromani Akali Dal emphatically urges upon the Janta Government to take cognizance of the different linguistic and cultural sections, religious minorities as also the voice of millions of people and recast the constitutional structure of the country, on real and meaningful federal principles to obviate the possibility of any danger to national unity and the integrity of the country and further, to enable the states to play a useful role for the progress and prosperity of the Indian people in their respective areas by the meaningful exercise of their powers.

#### Resolution No. 2

The momentous meeting of the Shiromani Akali Dal calls upon the Govt. of India to examine carefully the long tale of the excesses, wrongs, illegal actions committed by the previous Congress government, more particularly during Emergency, and try to find an early solution to the following problems :

(a) Chandigarh originally raised as a Capital for Punjab should be handed over to Punjab.

(b) The long standing demand of the Shiromani Akali Dal for the merger in Punjab of the Punjabi speaking areas, to be identified by linguistic experts with village as a unit, should be conceded.

(c) The control of Head Works should continue to be vested in

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Punjab and, if need be, the Re-organisation Act should be amended.

(d) The arbitrary and unjust Award given by Mrs. Indira Gandhi during the Emergency on the distribution of Ravi Beas waters should be revised on the universally accepted norms and principles and thereby justice be done to Punjab.

(e) Keeping in view the special aptitude and martial qualities of the Sikhs the present ratio of their strength in Army should be maintained.

(f) The excesses being committed on the settlers in the Tarai region of U.P. in the name of Land Reforms should be stopped by making suitable amendments in the Ceiling Law on the Central guide lines.

Resolution No. 3 (Economic  
Policy Resolution)

The Chief sources of inspiration of the economic policies and programme of the Shiromani Akali Dal are the secular, democratic and socialistic concepts of Sri Guru Nanak Dev and Sri Guru Gobind Singh Ji. Our economic programme is based on three basic principles:

(a) Dignity of Labour :

(b) An economic and social structure which provides for the uplift of the poor and depressed sections of society.

(c) Unabated opposition to concentration of economic and political power in the hands of the capitalists.

While drafting its economic policies and programme, the Shiromani Akali Dal in its historic Anandpur Sahib resolution has laid particular stress on the need to break the monopolistic hold of the capitalists foisted on the Indian economy by the 30 years of Congress rule in India. This capitalist hold enabled the central government to assume all powers in its hands after the manner of Mughal Imperialism. This was bound to thwart the economic progress of the states and injure the social and economic interests of the people. The Shiromani Akali Dal, once again, reiterates the Sikh way of life by resolving to fulfil the holy words of Guru Nanak Dev.

"He alone realizes the True Path who labours honestly and shares the fruits of that labour."

This way of life is based upon three basic principles:

(i) Doing honest labour, (ii) Sharing the fruits of this labour, and (iii) Meditation on the Lord's Name. The Shiromani Akali Dal calls upon the central and the State governments to eradicate unemployment during the next ten years. While pursuing this aim special emphasis should be laid on ameliorating the lot of the weaker sections, Scheduled and depressed classes, workers, landless and poor farmers and the urban poor. Minimum wages should be fixed for them all.

The Shiromani Akali Dal urges upon the Punjab Government to draw up such an economic plan for the State as would turn it into the leading province during the next ten years, by raising per capita income to Rs. 3000/- and by generating an economic growth rate of 7 % per annum as against 4 % at the National level.

The Shiromani Akali Dal gives first priority to the redrafting of the taxation structure in such a way that the burden of taxation is shifted from the poor to the richer classes and an equitable distribution of National income is ensured.

The main plank of the economic programme of the Shiromani Akali Dal is to enable the economically weaker sections of the Society to share the fruits of National income.

The Shiromani Akali Dal calls upon the central government to make an international air-field at Amritsar which should also enjoy the facilities of a dry port. Similarly a stock exchange should be opened at Ludhiana to accelerate the process of industrialization and economic growth in the State. The Shiromani Akali Dal also desires that suitable amendments should be made in the Foreign Exchange rules for free exchange of foreign currencies and thereby removing the difficulties being faced by the Indian emigrants.

The Shiromani Akali Dal emphatically urges upon the Indian Government to bring a parity between the prices of the agricultural produce and that of the industrial raw materials so that the discrimination against such states which lack these materials may be removed.

The Shiromani Akali Dal demands that the exploitation of the producers of the cash crops like cotton, sugarcane, oil seeds etc. at

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the hands of the traders should be stopped forthwith and for such a purpose arrangements for the purchase of these crops by the government, at remunerative prices, should be made. Besides, effective steps should be taken by the government for the purchase of cotton through the Cotton Corporation.

The Shiromani Akali Dal strongly feels that the most pressing National problem is the need to ameliorate the lot of millions of exploited persons belonging to the scheduled classes. For such a purpose, the Shiromani Akali Dal calls upon the Central and State Governments to earmark special funds. Besides, the State government should allot sufficient funds in their respective budgets for giving free residential plots both in the urban and rural areas to the scheduled castes.

The Shiromani Akali Dal also calls for the rapid diversification of farming. The shortcomings in the Land Reforms Law should be removed, rapid industrialization of the State ensured, the credit facilities for the medium industries expanded and unemployment allowance given to those who are unemployed. For remunerative farming, perceptible reduction should be made in the prices of farm machinery like tractors, tubewells as also the inputs etc.

## Resolution No. 4

This huge session of the Shiromani Akali Dal regrets the discrimination to which the Punjabi language is being subjected in the adjoining States. It is its firm demand that, in accordance with the Nehru Language Formula, the neighbouring States of Punjab should give second language status to the Punjabi language because a fairly large sections of their respective populations are Punjabi speaking.

## Resolution No. 5

The meeting regrets that against the 'claims' of the refugees who had migrated to Jammu & Kashmir as a result of the partition of the country, no compensation has been provided to them even after such a long time and these unfortunate refugees are rotting in the camps ever since Then.

This Akali Dal Session, therefore, forcefully demands that their claims should be soon settled and immediate steps should be taken to rehabilitate them even if it involves an amendment in section 370.

**Resolution No. 6**

The 18th session of the All India Akali Conference takes strong exceptions to the discrimination to which the minorities in other states are being subjected and the way in which their interests are being ignored.

As such, it demands that injustice against the Sikhs in other states should be stopped. Representation should be given to them in the government service, Local Bodies, state legislatures, through nomination, if need be.

**Resolution No. 7**

The 18th session of the All India Akali Conference notes with satisfaction that mechanization of farming in the country has led to increase in the farm yield and as a result the country is heading towards self-sufficiency.

However, the session feels that poor farmers are unable to take to mechanization because of the enormity of the cost involved.

As such, The Shiromani Akali Dal urges upon the Govt. of India to abolish the excise duty on tractors so that with the decrease in their prices the ordinary farmers may also be able to avail of farm machinery and contribute to the growth of gross agricultural produce of the Country.

**Resolution No. 8**

The meeting of the Shiromani Akali Dal appeals to the Central and state governments to pay particular attention to the poor and labouring classes and demands that besides making suitable amendments in the Minimum Wages Act, suitable legal steps should be taken to improve the economic lot of the labouring class to enable it to lead a respectable life and play a useful role in the rapid industrialization of the country.

**Resolution No. 9**

This session seeks permission from the government of India to instal a broadcasting station at the Golden Temple, Amritsar, for the relay of 'Gurbani Kirtan'<sup>5</sup> for the spiritual satisfaction of those Sikhs who are living on foreign lands.

*Truth about Punjab*

The session wishes to make it clear that the entire cost of the proposed Broadcasting Project would be borne by the Khalsa Panth and its over-all control shall vest with the Indian government. We have every hope that the government would have no hesitation in conceding this demand, after due consideration.

## Resolution No. 10

The huge Session of the Shiromani Akali Dal strongly urges upon the Govt. of India to make necessary amendments in the following enactments for the benefit of the agricultural classes who have toiled hard for the larger national interests :

1 . By suitable amendment in the relevant clause of the Hindu Succession Act a woman should be given rights of inheritance in the properties of her father-in-law, instead of the father's.

2. The agricultural lands of the farmers should be completely exempted from the Wealth Tax and the Estate Duty.

## Resolution No. 11

The vast Session of the Shiromani Akali Dal strongly impresses upon the Govt. of India that keeping in view the economic backwardness of the scheduled and non-scheduled castes, provisions proportionate to their population should be made in the budget for utilization for their welfare. A special ministry should be created at the centre as a practical measure to render justice to them on the basis of reservation.

The Session also calls upon the government that in keeping with the settlement already, no discrimination should be made between the Sikh and Hindu Harijans in any part of the country.

## Resolution NO. 12

The Congress government is called upon to vacate the gross injustice and discrimination done to Punjab in the distribution of Ravi-Beas waters. The central government must also give approval for the immediate establishment of six sugar and four textile mills in Punjab so that the state may be able to implement its agro-industrial policy.

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*"The full Punjab story in its veridical objectivity and dialectic perceptively remains a challenge to nationalistic courage and holistic vision"*

*Justice V.R. Krishna Iyer*

# **Truth About Punjab**

## **SGPC White Paper**

**Gurdarshan Singh Dhillon**

**Shiromani Gurudwara Parbandhak Committee  
Amritsar**

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Dedicated

To

**All those who love  
Punjab and share its agony**

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