

# In Defence of Fundamental Rights



**One of the hundreds of village women of Punjab whose husbands have been killed or made to disappear by the police**

WE reproduce below edited extracts from *Report To The Nation : Oppression In Punjab*, a report prepared by an investigative team sent by Citizens For Democracy (CFD), a civil liberties group. The team consisted of N. D. Pancholi, Sunil Bhattacharya, Amiya Rao, a woman social worker, Aurobindo Ghose, a Delhi University lecturer, and Tejinder Singh Ahuja, an advocate. It was published by CFD with a foreword by exjustice V. M. Tarkunde. The team spent 13 days in Punjab, visited a number of towns and villages, and interviewed a large number of people, most of them villagers.

In September 1985, most of the copies of the report were seized by the police from the printing press, before it could be released. It was banned and a case of sedition was filed against all the above named persons. Three of the authors of the report and the printer, O. P. Gupta, were arrested. A prominent member of the ruling party also demanded the arrest of V. M. Tarkunde. The police confiscated CFD property, including a typewriter, photographs and documents.

When the accused were produced before the additional chief metropolitan magistrate, Mr Thareja, the police sought further remand and refusal of bail. Mr Thareja, however, asked to see the report. Proceedings had to be adjourned since the government lawyers had not brought it with them. When it was produced, its seal was broken in court. Mr Thareja, pointed out that neither the government advocate, nor the investigating officer nor the police seemed to have read the report. They also failed to point out any seditious lines in it.

Therefore, the magistrate ordered the release of the accused, stating that the duty of the police is to protect, not to curtail, the liberty of the citizens.

However, the sedition charge is still pending and is to be heard in another court. Sedition is punishable with imprisonment from a minimum period of three years up to a maximum of life, and with a fine.

At the time of Operation Bluestar and through the months following it, the government imposed rigid censorship in Punjab. Before Operation Bluestar, all journalists, Indian and foreign, were rounded up and forced to leave Amritsar in a military convoy. This was against all established conventions.

Even during international wars, journalists are allowed to be present and report on the conflict. If the government's intentions and actions were as noble as it pretends, why was even the Indian press stopped from covering this action which took place within the Indian territory?

The government published a White Paper in July 1984, and the version given therein was the only one made available to the press, to television and radio.

At that time, only one Indian correspondent somehow managed to publish his own eyewitness account. This was Brahma Chellaney, a correspondent of the Associated Press of America, who was arrested because he managed to stay on the site during Operation Bluestar and reported events as he saw them. He was charged with sedition and the case is going on.

It may be asked why we are choosing to rake up what might seem like a "dead" issue of repression in Punjab, now that the accord has been signed and the Akalis have come to power there. We feel it is disastrous to consider it a dead issue, because the majority of people in the country still tend to think that the repression in Punjab, the state violence against Sikhs and even the imposition of laws like the Terrorist Act, which still remain in force and which can be extended to any part of the country, were "justified."

This attitude results mainly from the fact that people have been given only one



**A member of the team with some of the women interviewed**

version of events—the government version. When Operation Bluestar took place, we too were among those who tended to feel that perhaps it was "necessary." This was because the only version available to us until then was that reported in the press and over television and radio.

The Sikh community has, by word of mouth, informed itself of other versions. Therefore, this report will not come as news to them.

The charge that such a report will inflame hatred between communities is unfounded because (a) most members of the Sikh community already disbelieve the government version and have heard other versions (b) it is other communities who have not had access to any version apart from the government's. The government version has led other communities to hatred against Sikhs as traitors and separatists. This mistrust persists even today. It is to be hoped that when people of other communities are exposed to other versions of events, this anti Sikh hysteria will diminish, and greater sympathy will be created between communities.

Also, this may help people to become more vigilant in future, and realise the games that are routinely played by ruling powers to whip up hostility between communities. For instance, a situation very

similar to that which was created in Punjab, exists in Jammu and Kashmir as well. It is important that we pay attention to it so that the blunders of Punjab are not repeated there.

This report also assumes great importance today because, ever since the Akalis came to power in Punjab, they have faced continuing criticism for their attempts to release all those who have no serious charges against them. A few such have been released. Many more have yet to be released. However, every time a group is released, the Congress (I) and the mass media dominated by the central government begins to whip up hysteria, saying that this will lead to increased terrorist activity. This hysteria can seriously impair chances of rapprochement between Hindus and Sikhs.

Therefore, it is very important for people in the rest of the country to understand what really happened in Punjab. It should be the concern of all of us, not of Sikhs alone, that all innocent people be released, that the accused have a fair, free and open trial, and that the truth be brought to light.

It is very significant that almost all the people interviewed for this report did not hesitate to be identified even at the cost of great personal risk. They gave their names, addresses and even photographs.

This makes it very necessary for us to take their version seriously and demand that all the charges levelled against the police, the bureaucracy and the army be properly investigated.

We are publishing this report not as the complete or final truth. It is one attempt to put together the version given by some of the ordinary people of Punjab. It may

have shortcomings. But this does not mean people should not have the right to read it and judge for themselves. Also, these shortcomings can only be corrected if further independent investigations are carried out.

The essence of a democracy is the people's right to think, enquire, read and communicate freely with each other. The

banning by government of such an important report as this discourages any further attempts by citizens to exercise their fundamental right to freedom of expression, which is guaranteed by the Constitution. **It is in exercise of this fundamental right that we are printing extracts from this report, and in exercise of the same right that you are reading it.**

-Manushi

### *Extracts From The Report*

#### **Operation Bluestar— The Untold Story**

“Operation Bluestar” and “*Ghallughara*.” Two different terms for the same episode—the army action on the Golden Temple in June 1984. “Operation Bluestar” is the government's term, connoting a necessary military operation to flush out terrorists and recover arms from the Golden Temple; “*Ghallughara*” is how the Sikhs of Punjab remember the episode, connoting aggression, mass murder and religious persecution.

The contrast between “Operation Bluestar” and “*Ghallughara*” as two different perceptions of the same reality is symptomatic of the wide gap between the official version and people's recollections of what happened at the Golden Temple. Listening to the gripping eyewitness accounts of those who were inside the Temple at that time, we felt the need to tell the as yet untold story.

We interviewed a number of eyewitnesses. The following are some of them:

*Devinder Singh Duggal*: In charge of the Sikh Reference Library located inside the Golden Temple complex, Duggal is an acknowledged authority on Sikh history. He used to reside in a house adjacent to the Library, and was present there between May 28 and June 6, 1984. Aged about 50, Duggal now lives with his wife in Jalandhar, where she is a lecturer. We interviewed him there.

*Bhan Singh*: Secretary of the SGPC, aged about 55, Bhan Singh is a man of few words. He was present in the Golden

Temple during the army action and was arrested at dawn on June 6, along with Longowal and Tohra.

*Girl student*: A 20 year old student of a college in Amritsar, she preferred to remain anonymous. She went to the Temple on May 29, 1984, with her grandparents and an aunt, to fulfil a vow, and was there up to June 6.

*AISSF member*: About 25 years old, son of a police officer, he was visiting the Golden Temple for the Gurparb and was there from June 1. He was arrested by the army on June 6 and released in October. He is a member of the All India Sikh Students' Federation.

*Prithipal Singh*: A 24 year old *sevadar* at the Akal Rest House, in the Temple complex, where many distinguished guests have stayed, he was on duty throughout the period of the army operation. He narrated how he narrowly escaped death.

*Surinder Singh Ragi*: Head singer at the Harmandir Sahib, aged about 35, he was on duty during the army action. He spoke with great conviction: “The Guru taught us to resist repression, not to commit repression.”

*Harcharan Singh Ragi*: One of the singers at the Harmandir Sahib, he was on duty during the army action. Born into a Hindu brahman family, he was orphaned at the time of partition and then adopted and brought up by Amrik Singh, the blind head singer of the Golden Temple, who was killed inside the Harmandir Sahib on the morning of June 5.

*Baldev Kaur*: Aged about 35, she had come from her village Khanowal, with her

husband, Puran Singh and three children, for the Gurparb.

Except for minor details, the accounts of different persons interviewed separately tally closely with regard to the date, the time and the description of the incidents of June 1, 1984. Duggal, Prithipal Singh, Baldev Kaur, the girl student and the AISSF member all said that **the Golden Temple was first fired upon by security forces from the outside on June 1, not on June 5, as claimed by the White Paper.**

Devinder Singh Duggal began his account as follows: “By the end of May, it was widely known that the army was going to attack the Golden Temple, and on that account, there was tremendous tension in the city and in surrounding areas. On June 1, the security forces which had besieged the Golden Temple for months and had made strong fortifications on the multistoreyed buildings around it, suddenly started firing at the Golden Temple. The firing started at 12.30 p.m. and continued for seven hours. My staff and I took shelter behind the steel cupboards in the library; one of the bullets pierced through three cupboards and landed on the fourth, and we had a narrow escape.”

Duggal continues: “At this stage, not a single shot was fired from inside the complex. When I asked some of the boys why they did not answer the firing, they replied that they were under strict orders not to fire a shot unless the security forces entered the Temple. In the evening, when I heard in the news bulletin that there was unprovoked firing from inside the Temple, but that the security forces showed



extreme restraint and did not fire a single shot, I was surprised at this blatant lie. The fact that eight persons, including a woman and child, had already been killed inside the Temple complex and there were 34 big bullet wounds on all sides of the Harmandir Sahib belied the government's version. I asked Bhan Singh, secretary of the SGPC, to do something to refute this falsehood. He said nothing could be done because all links with the outside world had been snapped."

According to the girl student, curfew was clamped soon after the firing started: "The authorities said no one had died, but I dressed the wounds of three men who later died in front of me in Guru Nanak Niwas."

However, most official versions maintain a meaningful silence about the happenings of June 1. For them, as in the government's White Paper, the story begins on June 2 with the government deciding to call in the army, with the intention of "providing security to the people and restoring normalcy."

According to Duggal: "June 2 passed off peacefully because there was no firing and no curfew." On this day, a large number of Sikhs came to the Golden Temple from the surrounding areas since the next day, June 3, was Gurparb, the martyrdom day of Guru Arjan Dev. Duggal also says that "on June 2, a team of five reporters including Mark Tully of BBC came and they were taken around the Golden Temple and shown the 34 big bullet marks on all sides of Harmandir Sahib."

On June 2, there was no restriction on pilgrims entering Amritsar or the Temple. But, in the evening, all outgoing trains were cancelled, so many pilgrims were forced to stay overnight at the Temple. All those who left the Temple on the night of June 2 were taken into custody. So, many people preferred to stay inside the complex."

Bhan Singh says: "June 3 being Gurparb, thousands of pilgrims had come. Suddenly, curfew was imposed so the pilgrims and 1,300 Akali Dal volunteers who had come to participate in the Dharm Yudh Morcha and to court arrest, could

not leave. The Akali volunteers were about 1,100 men, 200 women and 18 children."

The AISSF member estimates that about 10,000 people, including many women and 4,000 young people had come for Gurparb. The girl student remembers: "On June 3, at 6 p.m., we came to know that Punjab had been sealed for 48 hours and even cycles would not be allowed on the streets."

Thus, Punjab was sealed, Amritsar was sealed and the Golden Temple was sealed, and curfew, which had been lifted, was reimposed some time between 8pm. and 10 p.m., on June 3.

Duggal recalls: "At about 4 a.m. on June 4, the regular army attack on the Temple started with a 25 pounder which fell to the left of the Akal Takht Sahib with such a thunder that for a few moments I

made by the army before the shelling started on June 4. "Had the army given a warning, at least those pilgrims who had come for Gurparb and those volunteers who had come for Dharm Yudh Morcha could have gone out. But no warning was given."

According to the girl student: "On June 4, at about 3.30 a.m., we were inside the Harmandir Sahib, saying our prayers. Suddenly, there was a blackout in the whole complex. The devotees continued to be immersed in worship. At about 4.20, there was a very loud explosion. We felt that the whole complex was shaking. Inside the Harmandir Sahib there were about 50 or 60 persons—some priests, singers, employees, and the rest were pilgrims like me and my family."

The AISSF member says: "There was

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*The essence of a democracy is the people's right to think, enquire, read and communicate freely with each other.*

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thought that the whole complex had collapsed. My wife and I were sitting in the verandah of my house adjacent to the library. We moved into the room and took shelter in a corner. Thereafter, the ferocity of the firing increased, and it continued unabated until the evening of June 6.

"As we were on the first floor, and our quarter was open on all sides, our position was very vulnerable. The bullets hit our quarter on all sides and some of them pierced the doors and landed inside the room. The power and water supplies had been cut. Through a slit in the window shutter we saw a large number of dead bodies lying in the Parikrama of the Temple. There were women and children among them. We could not leave our room. Coming out in the open would have meant certain death."

Baldev Kaur's account is very similar: "Very early on June 4, while it was dark, there was cannon fire from outside the Temple, without any warning. Shots were fired from all sides."

Bhan Singh is emphatic that no warning was given, no public announcement was

some stray firing from inside the Temple before the army's entry into the complex."

According to Duggal: "The helicopter hovered from above and continued to fire from above. Some helicopters also guided the army firing squads by making a circle of light around the targets. Immediately after these circles were made, heavy firing would cause havoc. We saw many boys blown to pieces."

According to Bhan Singh, the Red Cross was not permitted to enter the Temple. **The UN Charter of Human Rights permits Red Cross to go in aid of the wounded in enemy territory even in international wars, but the army did not allow the Red Cross to enter the Golden Temple in June 1984.**

On June 5, the firing and counterfiring continued. Harcharan Singh Ragi saw his guardian, the old, completely blind head singer, Amrik Singh, being shot and dying inside the Harmandir Sahib, at about 6.30 a.m. on June 5.

Yet, the White Paper says: "Specific orders were given to troops to use minimum force, to show the utmost reverence to all

holy places and to ensure that no desecration or damage was done to the Harmandir Sahib”, and, further, “the troops exercised great restraint and refrained from directing any fire at Harmandir Sahib.”

Meanwhile, the girl student and her companions managed to come away from the Harmandir Sahib, crawling on their stomachs across a small bridge. Bullets whistled past them but they reached the Akal Takht where they took shelter in a small room. They sat there, with nothing to eat or drink. She continued: “Helicopters were encircling the Temple from above. At about 11.30 a.m. on June 5, the huge water tank inside the Temple complex was fired at. The tank did not break even when 10 shells hit it. Then a bomb hit it and it broke and all the water gushed out. The fighters who had taken up positions under it were killed.

“The firing continued till the evening of June 5 and at about 8.30 p.m., the army entered the complex. It was completely dark when they entered, accompanied by very heavy firing. The blasting was so severe that I thought I had reached some other world. We were about 50 persons huddled together in the room, including women and children, even a child of six months. In the next room were pilgrims who had come on June 3 to celebrate Gurparb and had been trapped.

“Then the tank entered. It had powerful searchlights. I thought an ambulance had come to attend to the injured. But it turned out otherwise. The tanks went raiding past us. **From the tanks the announcement came, loud and clear : ‘Please come out, god’s blessings are with you. We will reach you home, absolutely safe and sound.’ Some among us who were frantic for water, came out in the open. Next morning, I saw their dead bodies lying in the Parikrama. This was the worst treachery.**

The AISSF member’s narrative: “On June 5, at about 8 p.m., the army entered the complex under cover of heavy firing. The road was blocked. Nobody was allowed to come out of the complex. The army entry was not preceded by any

warning. There was some stray firing from inside the Temple before the army entered. But real resistance began only after the army entered the Temple. There were only about 100 people to fight and there were less than 100 arms, mostly rifles used in the second world war, and a few guns and stenguns. After midnight, an armoured carrier and eight tanks came inside the complex. The tanks had powerful searchlights and they came down the staircase.” Even 11 months later, we could

inside the compound of Guru Ram Das Serai. At about 9.30 p.m., we were taken to the army camp.”

Even on this point of the arrest of Longowal and Tohra, the White Paper has a totally different version: “At 1 a.m. on June 6, Sant Harchand Singh Longowal and Shri G.S. Tohra surrendered near Guru Nanak Niwas with about 350 people. The terrorists opened fire at them and also lobbed hand grenades to prevent surrender. As a result, 70 people were



**The wife of Harcharan Singh Ragi with her daughter, Anju**

see the marks of the tanks on the Parikrama.

In Duggal’s words : “The night between June 5 and 6 was terrible Tanks and armoured carriers entered the complex. The ferocity of the firing cannot be described. All through the night, we heard the heart rending cries of dying persons.”

Bhan Singh continues : “I was arrested along with Sant Longowal and Jathedar Gurcharan Singh Tohra early on the morning of June 6 and kept there all day. At 5 p.m. the same day, Sant Longowal and Jathedar Tohra were taken to the army camp, but I and many others were kept

injured, including 30 women and children.” But Longowal is on record that he and Tohra were arrested at 5.30 a.m. from Guru Nanak Niwas in the Temple complex, and kept there in army custody the whole day until they were taken to the army camp. Neither he nor Bhan Singh talk about surrendering to the army or the killing of 70 people by terrorists at the time of the so called surrender.

### **Government Version**

The army’s version, as revealed by its charge sheet to the 379 alleged terrorists detained at Jodhpur jail, is : “The extremists led by Jarnail Singh Bhindranwale had

collected men, arms, ammunitions, explosives within the Golden Temple and had also made other preparations to wage war against the Government of India with the intention to establish a State independent of the Government of India to be known as Khalistan.” In other words, Khalistan was to be established at the Golden Temple!

According to the army’s charge sheet and the White Paper, in response to the army’s repeated appeals to the terrorists to surrender, they opened intensive firing from the complex: “They were shouting anti-national slogans.”

This was a battle, not a demonstration. How could the “terrorists” engage in shouting slogans at a time when they were allegedly using weapons, grenades, explosives and so on? Even if they did shout slogans, how could the slogans be heard over the din of the artillery fire, stenguns and rifles?

The White Paper also describes how the library was allegedly gutted on the night between June 5 and 6: “Troops were able to enter the area. Terrorists were in control of the library building and fired from there. At this stage, the library caught fire. The army fire brigade rushed but their attempts were foiled by the machine gun fire from the terrorists.”

But, according to Duggal, in charge of the library, the library was intact when he last saw it on June 6 evening when he left the Temple complex.

However, he told us: “On June 14, 1984, I was arrested by the army and taken inside the Golden Temple, where I was shocked to see that the Sikh Reference Library had been burnt. The entire complex presented a very painful look. The Akal Takht was in shambles. Guru Nanak Niwas, Teja Singh Samundri Hall, Guru Ram Das Serai and the *langar* buildings had been burnt. When I left the complex on June 6, all these buildings were in good shape in spite of the army attack. Taken to the library’s ruins, I was asked by the army colonel to take charge of the library. I asked him: ‘Where is the library?’ He said I had no option but to sign a typed receipt saying

that I had taken charge of the library. I refused, saying that I would not tell such a big lie.”

The White Paper is emphatic that “Troops were particularly instructed not to wear any leather items in holy places and to treat all apprehended persons with respect and consideration.”

Prithipal Singh, a *sevdar* or employee of the Temple rest house, says: “At 2 a.m. on June 6, the army people came to the rest house. They tore off all my clothes, stripped me naked, snatched my *kirpan*, and untied my headgear to tie up my hands behind my back. They caught me by the hair and took me along with five pilgrims to the ruins of the water tank. There we were made to stand in a line, all of us naked, for about an hour. 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!’ He shouted at us: ‘You must be Bhindranwale’s followers. 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 when a soldier started shooting from one end, killing four of us, with three bullets each. As my turn was coming, suddenly an officer ordered: ‘Stop shooting.’ Thus, I was saved. The officer ordered us to be locked up in a room. On June 7, the door was opened. We had been without water. The floor was covered in blood. I was allowed to leave.”

On the evening of June 6, the girl student says, “The army people announced that everyone should come out. So we came out. There were about 27 or 28 persons with us, five of them ladies, some elderly men, the rest young boys. The army made all of us stand in a line. There were 13 boys. I claimed that three of them were my brothers. I did not know them. I merely wanted to save them. These three were released and went away.

“Four other youths were picked out. Their hands were tied behind their backs with their turbans. Then the army men beat these four boys with rifle butts till they fell to the ground, bleeding. The army men kept telling them: ‘You are terrorists. You were

taking part in the action. You will be shot.’ The boys were shot dead in front of me. They were aged between 18 and 20. They seemed completely innocent. They did not seem to know the meaning of the word ‘terrorist’, or how to use a rifle.

“Then the army people started questioning me. I told my grandmother not to speak to them as they were speaking only with bullets. I told them my grandfather was a colonel in the army. Then the in charge asked his colleagues to leave us. He told us to go away quickly. So we were saved.”

### **The Numbers Killed**

According to the White Paper, about 1,000 arms were recovered from the Temple. This is nothing compared to what the army had.

The White Paper says that 83 soldiers were killed and 249 wounded, while 493 civilians and terrorists were killed and 86 injured.

According to eyewitnesses, there were thousands of people, including pilgrims, employees, Akali volunteers and terrorists, inside the complex. The battle lasted nearly 60 hours from 4 a.m. on June 4 to 4 p.m. on June 6. The eyewitnesses’ estimate of those killed varied from 1,500 to 7,000. These are only impressions because the press was not allowed in. Nevertheless, it seems likely that the White Paper’s figures are an underestimation.

**The post mortem reports of those killed in the Temple (copies of some are attached as annexures to the original report) show:**

**1. Some of the dead bodies had their hands tied behind their backs, showing that they did not die during the action but must have been shot after being captured alive.**

**2. The bodies were in a putrid and highly decomposed state. They had been brought for post mortem 72 hours after death.**

According to the AISSF member: “On the evening of June 7, I was brought to the army camp and locked in the arms room with 28 others. There was no ventilation and no water. 14 people died of



suffocation.”

According to a former MLA, Harbans Singh Ghumman, 37 Sikh youths were killed in an army camp at Amritsar between June 16 and 18, 1984. He learnt of this while looking for his youngest son, who was also detained in an army camp at the time.

### **Jodhpur Detenus**

#### **—Were They Waging War?**

One of the purposes of Operation Bluestar, according to the White Paper, was to flush out terrorists from the Golden Temple.

We found that all those whose families we visited were in fact pilgrims visiting the temple for Gurparb, or farmers who had gone to deliver village donations of grain to the SGPC or students going to pay obeisance at the Harmandir Sahib before their examinations or interviews. We present case studies of some Jodhpur detenus.

Raminderpal Singh (pet name Happy), aged 20, is the son of Harcharan Singh Ragi, the temple singer mentioned earlier. Harcharan and his family were arrested on

at home.

What he earned doing overtime duty at Harmandir Sahib he spent on maths lessons. His closest friends are Hindus.”

Kanwaljit Singh is a 20 year old student of Delhi University. His father runs a provision store at Delhi. We met his relatives who told us that Kanwaljit visited the Temple with his friend on June 2 and wanted to return to Delhi the same afternoon, but found that the last train had left Amritsar. So he was forced to stay overnight at the Temple. After the army action, he was arrested by the army and taken to an army camp. We interviewed his relatives.

He told them that he was tortured and questioned “Why did you come to the Golden Temple ? Did you have arms ?” Meanwhile, his family had no knowledge of his whereabouts. In late June, his mother visited Amritsar to look for him. His father and brother did not go, as it was feared that men might be arrested. Kanwaljit’s mother managed to find her son’s name in the list of those arrested. When she went to the army camp, she was not allowed to meet her son.

On September 15, Kanwaljit’s family was informed that he was in Nabha jail. They were allowed to meet him only twice a week. He was then transferred to Jodhpur jail where they could meet him only once a week. On April 11, 1985, he was brought to Tihar jail, Delhi, from where he took his second year exams. After a lot of harassment, his parents were allowed to meet him.

Kanwaljit is a keen swimmer and chess player. He has won prizes in several chess tournaments. He was keen to find a job and had applied for many jobs but was unable to go for the interviews since he was in jail. Kanwaljit has a good reputation. Mr Shyam Lal Garg, member of Delhi Metropolitan Council and Mr Sahib Singh Verma, member of Municipal Corporation, have certified that they knew Kanwaljit and that he was just a student and never participated in any political activity.

We interviewed Jiwan Singh, of village Rayya Tehsil Baba Bakola, father of 22 year



**A member of the team interviewing villagers**

Hundreds of people arrested after the army action were detained by the army and charged as terrorists.

Of these, 379, alleged to be “most dangerous terrorists”, were forced to sign a common confessional statement, and thereafter served with a common charge sheet that they were Bhindranwale’s closest associates engaged in “waging war against the State.” They were detained under the National Security Act and are now being tried at Jodhpur under the Terrorists Affected Areas Act of 1984.

We visited the homes of some of these Jodhpur detenus and met their families.

June 6 and released later that month. Raminderpal, according to his father, was not released but was taken to Jodhpur jail and falsely implicated for “waging war against the state.” He is now taking his second year exams from jail.

His father says : “He is known for his courteous behaviour. He used to play hockey at the district level. He is fond of reading, can play the harmonium and is a good singer. He often used to accompany me in the Golden Temple at *kirtan* sessions. He was a serious student and in December 1983, when there was a strike in his college, he left it in disgust and studied

old Bhupinder Singh who is one of the Jodhpur detenus. Jiwan Singh said: "I came here during partition. I have three sons and two daughters. I have a business of paints, steel trunks and agricultural implements. I am the Pradhan of Akali Dal (Longowal) unit in my village.

"My youngest son, Bhupinder, used to manufacture steel almirahs. He had taken part in the Rasta Roko movement, putting up posters and so on, but he was not arrested then. But, during the Constitution agitation of 1983, he was arrested and mercilessly beaten.

"He was arrested on June 6 and taken to an army interrogation centre and then to Nabha jail. When I met him I could see that he had been terribly tortured but he would not tell us. He said he had taken *amrit* and was doing *path* daily and this gave him strength. After Operation Bluestar, the CRP visited my house three times in the course of a single day, and raided it but found nothing. They abused my wife, daughters and daughters-in-law.

"The Punjab police arrested me and my eldest son, and released us after a couple of days. Again, a few days later, they detained my two sons for 20 days. After that, the army came and arrested me and my son-in-law. After intimidating us, they released us."

With great bitterness, he added: "We are slaves. Whenever they make a sign, we are taken." He said that Bhupinder had been falsely implicated in eight murder and explosion cases. Although he was arrested from Kathiwali Bazar, Amritsar, he is charged with waging war against the State from the Golden Temple.

We spoke with Jasbir Kaur, 45 year old wife of Kashmir Singh, 50 year old agriculturist of village Baba Balia, district Amritsar. She said: "My husband went to Darbar Sahib for the Gurparb. He did not return for about a month. Then policemen came and told me he was in Nabha jail. I went to see him on July 20."

Kashmir Singh owns one and a half acres of land. He has four small children. He does not belong to any political organisation. His wife says: "He was taken

twice to Ladha Kothi and tortured for 12 days each time, by all the well known methods.

I met him again on October 31. Since then I have not been able to see him since I am too poor to afford it."

Sulakhan Singh, of village Baba Bakola, told us about his 30 year old nephew, Ram Singh: "Ram Singh is the only son of a widow. He has only one ninth acre of land, and belongs to a poor peasant family. He has studied up to class eight and works in a government depot. He is a bachelor. He went to Golden Temple for Gurparb, was arrested, and sent to Jodhpur jail." The police have repeatedly interrogated his mother and uncle.

Rattan Singh, a *granthi*, told us about his 33 year old nephew, Gulzar Singh, of the same village. He said that Gulzar is a simple man, who studied in an orphanage, and is married, with one small daughter. He is a preacher in the local *gurudwara*. He went to the Golden Temple for Gurparb and was arrested for "waging war against the State."

Manjit Singh, and two boys, both named Randhir Singh, took the donation of grain from their village Dehriwal for Gurparb to Golden Temple, and were arrested and lodged in Jodhpur jail.

### **Was It Unavoidable ?**

The questions that arise are was the army action unavoidable? If it was, could not the destruction, bloodshed and brutalities have been avoided ?

S.S. Bhagowalia, who is vice president of the Association for Protection of Democratic Rights, Punjab, said: "In 1948, the government controlled and captured Hyderabad from the Nizam who wanted to secede from independent India. This was done without any violence or killing of common people. Why then could not this government capture Bhindranwale with tact?"

Kripal Singh says: "Due to Gurparb day thousands of pilgrims had come to Golden Temple and were staying there. These unarmed pilgrims were attacked and killed. Their dead bodies were not handed over to their relatives. No effort was made

to record their names and addresses. This has created many problems. The heirs of the deceased require a death certificate to claim insurance or bank balance or property. Even in wars, people are allowed to take dead bodies from each others' territories by showing a white flag. But, strangely, our own military killed our own people and did not return the dead bodies to the relatives."

S.S. Bhagowalia says that information was suppressed: "The doctors who conducted the post mortem of the victims of the action at the Golden Temple were terrorised. If there were 20 bullet wounds on a body, they were forced to record only two, under threat of being shot."

### **Black Laws**

After June 1984, the government passed a number of laws which give arbitrary powers to the notice and paramilitary forces.

Among them was the National Security Amendment Ordinance No. 5, issued in April 1984. Under this, a person may be kept in jail without being given any reason for arrest. The person can be kept in prison for six months before the Advisory Board confirms whether or not the arrest is justified.

We came across some examples of the use of this Act. On September 14, 1984, Mrs Rajinder Kaur, president of Stri Akali Dal, made a speech in which she said: "We want a place where Sikhs can breathe freely." She asked people who approved of this desire to raise their hands. One Mrs Harbhajan Kaur raised her hand. She was arrested although the speaker was not arrested. She was able to get bail only in February 1985.

On June 8, 1984, at a small meeting in a *gurudwara* in Chandigarh, some elderly persons were trying to persuade some students not to take out a protest demonstration. Among these elderly persons were G.S. Grewal, an advocate, Manjit Singh Khara and Joginder Singh Sahni. Grewal said: "The weapons which the army shows us are not likely to have been the ones used by terrorists, otherwise there would have been more resistance.



We must rehabilitate and help families killed in Bluestar.”

Khera said: “Our struggle has not ended. It has just begun. We must sit quietly and decide how to carry on our agitation rather than get emotionally agitated.” Sahni said: “Next week, we will commemorate the operation. We can wear black turbans to do so.”

These three speeches were objected

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*Under the Terrorist Act a person can be kept in prison for one year without being given any reason for arrest*

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to as seditious and the three men were arrested under NSA. A resolution passed at the meeting said: “Deserters have deserted because their sentiments were touched. Their cases should be considered sympathetically and their families should be looked after.” This resolution was also objected to, and all who participated in the meeting were harassed.

**Thus, the Act allows people to be prosecuted merely for expressing their views, which is a fundamental right guaranteed under the Constitution.**

Another new law is the Terrorist Affected Areas (Special Courts) Act, 1984. The government claimed that the purpose of this Act was to provide for speedy trial of certain offences in terrorist affected areas. But, in practice, the Act leads to great delay in disposal of cases.

Trials could best have been speeded up by establishing more courts and appointing more judges to deal with cases. But, instead, this Act was passed, under which the police can deprive a person of liberty for one year without bringing any charge against the person.

There have been several cases in which a person was arrested by the police and, after seven or eight months in jail, was released because the police withdrew the case on the ground that nothing could be found against the person.

Such a procedure not only causes physical and mental anguish to the detained persons and their relatives, but

may also permanently damage the person’s means of livelihood and economically ruin the family. We met several people who had been arrested and kept in jail for periods of several months, and released without any charges being brought against them.

Section 20 of the Terrorist Act lays down that if a person is shown to have been in a place declared as a disturbed

area at a time when firearms were used, it will be assumed that the person had committed an offence. Thus, contrary to established legal procedure, a person is here assumed guilty until proved innocent.

The Act makes it almost impossible for an accused person to get bail, even in cases when the person is an employed and well established resident of the area, and there is no likelihood of his or her absconding.

When this Act was passed the people of India were led to believe that it would

be used to deal with terrorists alone. But the Act is being used even to deal with petty crimes, family disputes and individual offences which have nothing to do with terrorism.

For instance, 16 year old Girdhari Lal, a Hindu worker in a surgical instruments shop, was implicated in a false case under the Arms Act, when a neighbour who had a dispute with Girdhari Lal’s employer got a knife planted on him. The police generally plant a knife on a Hindu and a pistol or *barchha* on a Sikh. Girdhari was in jail for about eight months and could come out only after he decided to make a “confession.” Thus, once a repressive law is passed, the police use it against any helpless person, and extract bribes with greater ease.

More than 80 percent of cases pending in special courts in Punjab are under the Arms Act because it is easy for the police to plant a knife or pistol on anyone. Trials are held in camera which means they are closed to the public and the press. This is a special provision contravening section 327 of the Criminal Procedure Code under



**Women of village Dera Baba Nanak, waiting to meet the team**

which trials must be open. Thus, the public is unable to see how people are treated under the Terrorist Act.

Since people can be detained for a year under this Act, most of the accused, under pressure from the police, confess guilt even if they are innocent.

If they plead guilty, they are usually sentenced to seven or eight months' imprisonment and since they have already been that long in prison, they get released. If they plead innocent, they can be kept in jail for two or three years until they are tried.

Narinder Kaur, an advocate at Jalandhar, told us about a typical case brought to a special court. In December 1984, a very poor, thin young man in tatters was brought before the special court and the police advised him to confess that he had a knife in his pocket. He had already spent five months in prison. The judge asked: "Did you have a knife?"

"Sir, I do not even have a shirt to wear", he answered in a feeble voice.

"Did you have a knife or not?" the judge asked.

"Sir, I feel very cold at night. Please provide me some warm clothes in jail", the boy answered.

The judge then asked in a loud angry voice: "Did you have a knife or not?"

The boy said in a harassed voice: "OK Sir, if you say I had a knife, then I did have a knife."

So the confession was made and the boy released. But now he had become a confirmed terrorist with a record, and could be roped in any time.

While discussing the black laws being used by the government to repress the people, one old man remarked:

*Nasheman par nasheman*

*Is kadar tamir karta ja*

*Ki bijli girte girte*

*Khud bhi zar ho jaye.*

(You go on building your mansions in such a manner that the thunderbolt, after repeated attacks, becomes tired and exhausted.)

### **An Army Of Occupation**

Soon after Operation Bluestar, the government brought a number of Central Reserve Police Force (CRPF) and Border

Security Force (BSF) officers into Punjab. For months after, it was undeclared army rule in Punjab.

Civil authorities were not allowed to function normally. An example: an accused with eyes tightly bandaged was produced before chief judicial magistrate Sri Cheema. He ordered the bandage to be removed. The order was not obeyed. After hearing the case, he ordered that the accused should be sent to jail and not returned to army custody. At once, a junior commissioned officer in the army entered the court and told the magistrate: "*Goli khayega ya remand dega*" ("You will either give remand or be shot.") The court order was torn up and replaced by a remand order. Sri Cheema complained to the sessions judge who brought the matter to the notice of the brigadier. The brigadier expressed regret but no action was taken.

The people we interviewed complained bitterly about the arbitrary and communal behaviour of the army and paramilitary forces. The headman of village Haruwal said: "The DIG, SP, ASP, even the SHO, are all Hindus and every day they are arresting only Sikhs. I feel so harassed. I have no desire to live. Every day, I have to go to the police station for the release of innocent persons. This goes on from 7 a.m. to late at night. Death is better than this sort of constant harassment."

He continued: "The military has proved to the Sikhs that it is not there for their protection but to kill them. In order to save themselves from harassment, some run away to Pakistan and are declared terrorists. The families of those who run away or die are harassed. This army is more like an army of occupation than our own men."

Corruption was alleged to have been rampant: "They would stop trucks on the roads, beat up drivers and let them move on only after they had paid up", said Sri Balbir Singh, a retired army captain of village Chonoy. Iqbal Singh, an agriculturist of village Bahwri, said: "We have proof that some military officers used to visit rich Sikh landlords and were entertained lavishly by them."

In Patiala, we were told that the army attacked the Dukh Nivaran *gurudwara* and hundreds of people, among them women, blind beggars and children, were killed. The manager of the *gurudwara* told us he was made to sign a typed statement exonerating the army of looting private houses, withdrawing his earlier charge against them.

### **Under Army Rule**

We were told how army officers interfered in people's private lives by Gurmeet Singh of Khanna Chamara village: "A Christian girl was getting married in the village. The army came in three vans, surrounded the village and a drunken major with a few of his men entered the bride's house. He ordered male guests to come out with their hands up and ordered women guests to start dancing. Women were made to dance all night. We men were blindfolded, vilely abused and taken to the military camp. We were detained there for two nights, insulted, humiliated, beaten, without any charge sheet. Only after the village *panchayat* members came to the police station and pleaded with the authorities, saying we were innocent, were we released."

He did not argue with the army commander because he was afraid of being shot down. The government veterinary doctor Satinder Pal Singh was shot down in broad daylight in Gurdaspur by two army men. His brother, a government school teacher, sent telegrams to many authorities, including the prime minister and president about this atrocity, but no enquiry was conducted and no action taken.

### **Wrecked Economy**

In almost all the villages of Dera Baba Nanak, we heard that people are not allowed to harvest the crops. In some places, they are not allowed to cultivate the land. Hired labourers are driven away. Rajwant Kaur of Shahpur Goraiya was alone in the house with her two small nephews. Her brother who went to Golden Temple had not returned. Her old, sick father had been taken away at least 10 times. On May 4, her sister-in-law with her

one year old baby was taken away. "For the last six months our crop is not being allowed to be harvested. The labourers were threatened and they all left. There is no one to look after the land or the cattle."

Other similar cases were those of Surinder Kaur, aged 25, wife of a rickshaw puller who came home to harvest his wheat but was arrested, and Mata Deo, aged 70, whose son has not returned home since June 1984. Her other son is taken to the police station and beaten up every other day. The demand is that he produce his brother.

Darshan Kaur, aged 26, was arrested along with her husband Balbinder Singh. She paid Rs 1,000 and managed to secure her release but her husband is still in jail "He has been so badly tortured that he will be unable to do any hard work", she said. "He is in Gurdaspur jail under a false charge of having thrown a grenade."

The day we were in Dera Baba Nanak, the headman of village Haruwal along with several other headmen of different villages had come to get 20 persons released from the police station. He told us: "From my village, 65 year old Jagir Singh and 50 year old Jagjit Singh have been in unlawful custody for four days. The police do not give food to the arrested persons. We have to bring food for them."

Surjit Singh Bhatia, 47, teacher in a government school in Dailo Raya village, was arrested suddenly on June 8, when he was trying to get some flour to feed his friends, Sikhs and Hindus, who were staying with him during the curfew. His house was raided and he was taken to GT Road where he was tortured. He said: "Through the cloud of near unconsciousness, I heard a policeman say that I was dying, to which the DSP replied that if I did not show any sign of life in five minutes, I should be shot. When I heard this, I forced myself to remain awake and show them that I was alive."

No post mortem was performed on those who died of torture, since there was no record of their arrest. In many cases, bodies were not given to the relatives. When bodies were handed over, the

relatives were forced to certify, under threat of being shot, that the man had committed suicide.

We met widows of many such men. Gurmit Kaur, aged 32, widow of Karnail Singh of village Kila Lal Singh, district Gurdaspur, said: "The police took away my husband on November 11, 1984, giving no reason for his arrest and not saying where he was being taken. On November 13, police came to tell me that my husband was very ill and I should go with them. When I reached there, I found him dead. His arms were broken. There were many injuries on his testicles. The legs had been stretched to such an extent that the body had got torn and the intestines had come out. The body had fallen to pieces so it could not be brought home. There was no FIR. He was not produced before any court. He was arrested without warrant. There was no witness to the arrest. It would have been better if he had been shot straightaway rather than tortured like this."

Now, there is nobody to till the family land. Gurmit Kaur has to look after her sick, 80 year old brother-in-law and her own two small children. Many such families are haunted not merely by the death of their dear ones but also by the fear of starvation.

Everyday life had become insecure in Punjab. According to Narinder Singh, headman of Kala Sangha: "If anybody objects to any illegal action of the police, he is at once arrested and falsely implicated in an Arms Act case. Innocent persons are tortured. The extreme lawlessness of the police is beyond description. The police want money—as much money as they can extort."

### **Fake Encounters**

Encounters were common and were concocted for various reasons, including extortion of money. Sometimes, villagers were able to avert an encounter death by taking preemptive action. Gurmail Singh of Dhilwan was arrested from his home. The villagers heard that he was going to be killed in a fake encounter. The headman of the village along with 500 villagers, *gheraoed* the police station, and an IAS officer known to them sent telegrams to

authorities telling them that he would be a witness if Gurmail was eliminated. Thus, his life was saved.

Deedar Singh, aged 40, son of an ex-armyman, was dragged from his tubewell to the police station, on the evening of March 27, 1985, without any warrant or charge sheet. Early next morning, his brother an ex-armyman, went with the headman and 50 villagers to the police station and found Deedar there, badly tortured.

On the morning of the 30th, they saw a newspaper report that Deedar Singh and Jitendra Singh Ghumman were caught in an encounter near Batala with rifles and pistols on March 29. In fact, Deedar had been arrested on March 27 from his home. His brother immediately rushed to the police station: "I paid Rs 5,000 to SSP Pandey and Rs 2,000 to SI Anant Ram to stop him killing my brother. He is alive and still in jail."

Many other young men were not as fortunate. We met Jagir Kaur, mother of Hira Singh, 21, of Kila Lal Singh village. Jagir Kaur never had much happiness. Her husband, an opium addict, used to beat her and there used to be constant quarrels. Even as a child, Hira Singh resented his father's behaviour. Due to a land dispute, a neighbour, Sohan Singh, son-in-law of a Congress (I) MP, got Hira involved in a number of false cases. Hira took refuge in the Golden Temple. He was arrested during the army action. He was imprisoned in Batala and tortured for two days.

"Hearing of this, on July 3, I applied for habeas corpus, apprehending that my son would be killed in a fake encounter. For three days I went to the jail but failed to meet him. I did not know that my son was going to be killed on the night of July 3 itself. Later, I heard that when asked about his last wish, my son said 'I want to meet my mother.' At 2.30 a.m. he was brought to our village, but not to meet me. He was killed in a false encounter near the canal."

According to the post mortem report, he was shot in the brain and abdomen.



The police story published in the newspapers of July 5 was that two extremists were running away on cycles when the police chased them. One escaped and the other, Hira Singh, was killed.

“The police and army did not permit any of our friends to come for the cremation in our village. Only my second son, my daughter and I were allowed to attend. For two months after that, my house was cordoned off by the police and nobody was allowed to come.

“A month after cremation, the military police came and took my younger son, Dalbir, aged 15, beating him severely all the way, to the same canal where Hira had been shot. Then, some village women,

labourer on other people’s land.”

The case of Suba Singh, 35, teacher in a government school at Talwandi village, created a stir in Gurdaspur district because he was a highly respected man. In October 1984, his wife filed a case of murder against the Pathankot police which is still pending. Suba Singh was a good hockey player who had been selected to play in the Punjab State hockey competition.

He was a friend of constable Mukhtiar Singh of Deena Nagar police station. On October 2, Suba Singh dropped in at his friend’s place. Pushing the door open, he found Jaspal Singh Gill, a very well known hockey player and a friend of Suba Singh, lying in a corner, trussed up and his mouth

and Jaspal Singh, tied up. SSP Pandey, Mukhtiar Singh and a few other constables were also in the jeep. It took the Pathankot road and disappeared. Next day, they went to the police station at Pathankot but were not allowed to see Suba Singh. The following day, they went again and were told no such person was there.

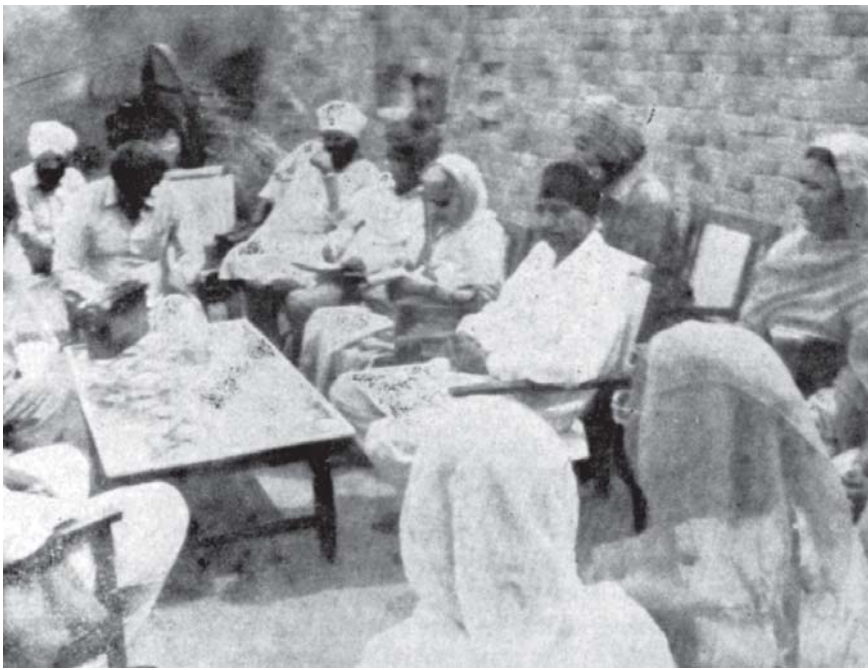
The next morning, October 5, they read in the newspaper that the police had an encounter with Jaspal Singh Gill and another unknown person who were coming from Pakistan, and both were killed. They rushed back to Gurdaspur and found from the photograph of the unknown person that he was Suba Singh. The post mortem report says he had been “severely injured in his right hip and spine prior to his death.”

Suba Singh had no land. His wife, four small children and his old father depended entirely on his small salary. By inadvertently opening the door of Mukhtiar Singh’s room, Suba Singh happened to be the only one who saw Jaspal Singh Gill before he was killed. So, he had to be silenced.’

### **Witch Hunting Of Amritdharis**

The tradition of *Amritdhari* was started by Guru Gobind Singh when he initiated the *Panch Pyaras* or his five beloved disciples as true *Khalsas*. Water and sugar tablets are put in a steel pot and it is mixed with a *kirpan*. *Gurbani* is recited. This mixture is called *amrit*, or nectar. Sikhs who wish to become *Amritdharis* stand in a line, regardless of sex, caste, class, and drink the nectar. They are to keep the five Ks on their persons, and to lead a disciplined life. They have to vow not to attack anyone first, not to tell lies, not to drink wine. They are required to defend the oppressed, and never to tolerate injustice.

For some reason, the army decided that all *Amritdharis* are to be persecuted. The army gazette carried an appeal “Any knowledge of the *Amritdharis* who are dangerous people and pledged to commit murders, arson and acts of terrorism, should immediately be brought to the



**At Hira Singh’s house, village Kila Lal Singh**

including my daughter and sister, intervened and asked the army to shoot them first before killing Dalbir. Thus, he was saved. Sohan Singh (the family enemy) is still after Dalbir and has accused him of keeping a revolver but the police could not find any weapon so a case has yet to be started. I am living in poverty. My husband had mortgaged the land. Hira was the only earning member of the family. He used to feed us by working as a

gagged. Suba Singh quickly closed the door and went home. On the way, he met Mukhtiar Singh and told him what he had seen.

At about 6 pm, Mukhtiar came and told him that the SHO wanted to meet him. Suba Singh left with him. When he did not return, his wife and son went to Deena Nagar to find out what had happened. There, they found a police jeep. Inside was Suba Singh, half conscious, handcuffed,

notice of the authorities. These people might appear harmless from outside but they are basically committed to terrorism.”

Thus, many *Amritdhari*s, just because they are religious people, have been persecuted mercilessly. One example is that of 32 year old Sohan Singh of Longowal village. His wife told us: “Some army men suddenly came 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 all Sikhs are *badmashes*. My husband said ‘It does not matter if people think bad of me. I am a small peasant.’ At that, those men threw him on the ground and began to beat him badly. Then they dragged him to their jeep and took him away.”

Bhajan Pratap Singh of village Tarseka who was in the lockup next to Sohan Singh’s room, told us he had heard him cry, and ask for water. He was heard shrieking and then became quiet. They came to know that his eyes had been gouged out and every joint of his body broken with steel rods. Later, when his body was handed to his widow, it was just pulp and had become unusually long. The police registered a suicide case and forced the widow to sign a statement to that effect. There was no post mortem report.

### **Women’s Courage**

“My world is lying in shambles all around me”, wrote J.P. Narayan when he was in prison during the emergency. We understood the truth of these words when we met the women of Punjab villages.

Swaran Kaur, aged 50, wife of ex MLA Harbans Singh Ghumman of Ghummankela village, told us that her house has been raided 45 times by the army, BSF and the police. Each time they come, they destroy everything—furniture, utensils; they mix up different cereals ; they have taken away her tractor and driven away her servants. They come at any hour, enter the bedroom, pull out sleeping children, clutch at her throat, make her stand in the sun for hours until she faints.



**The widow of Suba Singh. To the right is a member of the team**

Of her four sons, two are in Jodhpur jail. Both were arrested from the Golden Temple. One, a student, had gone to keep a vow in connection with a college test; the other had gone there to spend a night till the shops reopened and he could buy some implements for the farm. The third son was arrested from the bus stand when he was waiting with his wife and child, a polio patient, on their way back from the doctor. He has undergone police torture and narrowly escaped being killed in a fake encounter. The fourth son has been living away from home because of police harassment.

Gurdip Kaur, who had come out of police clutches only two days earlier, has not met her husband, Manohar Singh, a young agriculturist of village Harchowal since October 1984: “I have no information about him. He had been harassed a lot by police and army. He may have run away to escape harassment or he may have been killed by the police or army.

“On November 26, 1984, the ASI of police station Sri Hargovindpur dragged me from my house and pushed me into his van. They took me to the police station.

They abused me in filthy language, and kept slapping and punching me. There was no policewoman there. I was interrogated by policemen. I was detained there for five days from November 26 to December 1, and then at Ghumman police *chowki* up to December 6. Only after I gave Rs 1,800 to SHO Amar Singh was I released.

“Since then, every month, I am taken to the police station and kept there for 10 days. In all, I have been detained seven times. On May 31, 1985, I was kept in the police station and dishonoured. In December 1984, they destroyed our crop and beat up our labourers and drove them away.”

Gurdip’s relatives, her old father, sister-in-law and her husband, brother, and his old mother-in-law were all arrested and tortured. Only after they paid Rs 3,000 to Amar Singh, SHO of Sri Hargovindpur, were they released.

Gurcharan Kaur, aged 40, of village Damodar, vice president of Stri Akali Dal district committee, Fatehgarh Churian, said: “I have not been able to till my five acre farm as I am being harassed by the minions of Santokh Singh Randhawa, of

the Punjab Congress (I) As soon as the land is ploughed and the seed sowed, these gangsters come and destroy everything. We have complained to the police and even bribed them, but to no avail. During the army action, I was arrested on the ground that since I am a frequent visitor to the Golden Temple, I should have informed the police about the arms stored inside the complex.”

Young Satwant Kaur, wife of Ranjit Singh, also an agriculturist of Harchowal village, said : “My husband and I are both *Amritdharis*; my husband was arrested and tortured. I have not seen him since his arrest. He may have been killed by now. On November 26, I was arrested by Amar Singh, the SHO of Sri Hargovindpur, abused and badly beaten up and kept for five days in the police station. I was released since I was innocent and nothing was found against me. But, every month, the SHO takes me to the police station and detains me there for five to 10 days, and I am dishonoured. Only god knows what they do to me there. My tractor was taken away and kept at the police station from June to December 1984. My brothers had to pay Rs 4,000 to Amar Singh to get my tractor released.”

The only request she makes is: “The dishonour to which I am constantly subjected must be stopped and SHO Amar Singh must be transferred.”

### **Torture Of Children**

On August 1, 1984, 11 members of parliament representing 10 political parties visited Amritsar. They were informed that 25 children, aged between four and 12, had been rounded up from the Temple in July and detained in Ludhiana jail since then.

Kamla Devi Chattopadhyaya, the aged freedom fighter, investigated the matter and discovered that some of the children were blind, and there were also old men and women in the jail. She filed a writ petition in the supreme court and obtained an order for immediate release of “all children kept in various jails and children’s homes in the state of Punjab.” However,



**Hardev Kaur, whose brother was arrested and tortured for being an Amritdhari**

the orders were not carried out. The jail superintendent of Patiala admitted that there were many children in his jail. The story of torture of young boys was revealed by P.S. Cheema, vigilance judge, sessions division, Patiala.

Major Das picked up six children who were taking exams in the Jaffarwal village school in September. They were taken to the military camp at Tibri and tortured. He came back to the village again and raided the houses of five other boys. Three of them were arrested and tortured for a week. There was no FIR and no charge sheet. The only proof of their detention by the army were the signs of torture. Young Charan Singh, who was a fine runner with ambition to represent his school in Punjab running competition, has become lame. He said : “I told them ‘break my arm but don’t twist my leg they did not listen.”

Puran Singh became an *Amritdhari* in 1977. He had no interest whatsoever in politics. His mother, a *panchayat* member,

did not help a Congressman to be elected as *sarpanch*. Eventually, this man got elected. This was the reason Puran was persecuted.

He described how he was arrested and beaten with leather straps, and also with sticks on the soles of his feet. He was not allowed to sleep and his limbs were twisted into excruciating positions until he fell unconscious from pain. A charge sheet was prepared against him, accusing him of having shouted “*Khalistan Zindabad*.” On this basis, he was sent to police remand. Finally, he was acquitted when no evidence could be produced against him.

### **Harmony In Villages**

From all the evidence we collected, it did not seem to us that there could ever be a Bhiwandi or a Moradabad in Punjab. An ugly communal situation could have developed when, after the violence in Delhi and other parts of north India, thousands of Sikhs fled to Punjab. The official figure was 25,000, but this seems an underestimation, considering that in May there were 4,000 families in Ludhiana city *gurudwara* alone, and there were hundreds of such people in almost every *gurudwara* in Punjab.

Several people had gone to their relatives in Punjab villages, where communal violence could easily have erupted against Hindus who are in a minority in rural areas. We felt it was the innate wisdom of the villagers which prevented any incident of communal violence against Hindus occurring in any village.

In village Sandhu Chatha in Kapurthala district, we met one such wise man, the 80 year old uncle of the village headman. When the villagers began to get excited, hearing the accounts of anti Sikh violence given by victims who had come there for shelter, he called them together and explained with great gentleness that killing innocent Hindus would not bring back those innocent Sikhs who had been killed and that making others miserable would not lessen their own pain. He said Guru



would comfort those who were hurt and would heal their wounds. There was no trouble in this village or in any other village we visited. Although all of us were Hindus and most of the villagers were Sikhs, we were treated as one of them.

### **Role of Panchayats in Saving Lives**

At a time when the government failed to save people's lives, the village *panchayats* played an important role. The magnificent way they went to police stations, collecting with them as many villagers as they could, the moment they heard a man had been arrested from the village, saved many men from being shot down in fake encounters.

They made it known to the police that they were witnesses to the arrest of the man from his own house and not from any encounter. We heard people expressing their deep gratitude to their courageous *sarpanches* and *panchayat* members. The entire village rising as one and marching to the police station had become a common sight.

Joginder Singh, aged 50, told us : "My son Gurcharan was working as a mechanic in a factory in Rourkela, Orissa, for the last two years. He had come home on leave in December 1984. Suddenly, he was arrested without a warrant or charge sheet on January 10, 1985. He was released three days later and we sent him back to Rourkela.

"Then the police began to harass us to produce him. I told them I would give proof that he had returned to his job in Orissa. This did not satisfy them so ultimately I went to Orissa and fetched my son back on March 20. All the *panchayat* members of my village and a large number of villagers accompanied my son to the police station. However, in spite of this, the police recorded that my son is an extremist and was captured in an encounter on March 28. He is still in Gurdaspur jail."

### **Spirit Alive**

In spite of the prevailing sadness and tension, the spirit of the people was kept

up through songs and poems. Even though Guru Nanak's songs are forbidden, as Tagore's were during the emergency, Surinder Singh Ragi, the head singer of Darbar Sahib, said : "I speak out through the songs of Guru Nanak." He was under house arrest from June 10 to 18 and then kept inside the Golden Temple for two and a half months. "We were ordered to sing *gurbani* in order to tell the world that all was well and everything was normal."

On August 4, the government warned him not to sing Guru Nanak's poems. "I did not stop singing. I only reduced the number of lines. There is a warrant for sedition against me, but government has not arrested me even though my singing

and swift assault, probably with the concurrence of government, the police standing by. Later, it was the State itself which openly indulged in murder, assault, inhuman torture, molestation of women, destruction of crops, frequent raids, harassment of friends and relatives of accused persons and false encounters leading to death.

During the last couple of years, the word "extremist" has been continually and arbitrarily used by the politicians and press to describe all those people in Punjab who had fallen foul of army or police. In the course of our stay in Punjab, we met and heard of many of these so called extremists—women like Satwant Kaur whose husband had been killed and who

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*"You say we should leave the garden? That is a joke indeed ! We have shed our blood for each blossom in it."*

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has been banned." One example of the banned songs:

*Kal kati raje kasai  
Dharam pankh kar udureya  
Kurh amavas sach chandrama  
Deesay nahi ke charhaya*

(The time was a sword, the king was a butcher, Righteousness had taken wings and flown away. Darkness of untruth was all around and the moon of truth was not visible)

When asked about Khalistan, Sri Kirpal Singh quoted a small Urdu poem in answer :

*Chaman ko chhor dein ?  
Yeh dillagi bhi khub rahi!  
Hamara khun baha hai  
Kali kali ke liye.*

(You say we should leave the garden? That is a joke indeed ! We have shed our blood For each blossom in it.)

### **What Is Terrorism ?**

Terrorism must be condemned, whether it was quietly blessed by a powerful hand, unleashed openly by a mighty State or committed by individuals from their hide outs. Initially, terrorism manifested itself through sudden murder

only asked that she be spared constant humiliation at the hands of the police, men like Sohan Singh whose eyes were gouged out and his body reduced to pulp because he said he was a religious Sikh, Suba Singh who was killed simply because he witnessed police torture of another innocent man, or Narinder Singh who was picked up from his village for no reason at all, tortured, and eventually narrowly escaped being killed in a fake encounter and was then forced to go underground simply to survive. In what way can these people be called extremists? Is the demand that every citizen be allowed to live in human dignity and follow their religion, an extreme one ? □

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### **Errata**

In Marieke Clarke's article "Not Helpless Victims : Tribal Women In South Gujarat" (Manushi No. 30, 1985), we by mistake stated that the *chhapania* famine took place in 1956. In fact, it took place between 1899 and 1908. On page 21, the words of the *panch* should read: "Sometimes, young couples used to elope." We regret the errors.