SIKH VIEW POINT

Memorandum Presented to

GIANI ZAIL SINGH
President of India

NEW DELHI

by

CHIEF KHALSA DIWAN, AMRITSAR

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1. The Chief Khalsa Diwan feels indebted to the President of India for making it possible for its functionaries and associates to meet him and place before him their views vis-a-vis the present Sikh crisis.

2. The Chief Khalsa Diwan welcomes Prime Minister’s announcement to solve amicably the vexed Punjab problem as a matter of topmost priority and endorses his appeal for an all-round cooperation in ending the “sad chapter of discord.” It appreciates his complimentary reference to the Sikhs’ heroic role in winning and defending the country’s freedom in his broadcast of 5th January to the nation and wishes him god speed in this laudable mission.

3. The unfortunate military action in Harmandir Sahib Complex in June, 1984 followed by the holocaust in Delhi and the length & breadth of the country in November the same year in which innocent Sikhs, men, women and children, have been subjected to untold suffering, tyranny and beastly brutality unheard of in the history of the civilised world have unfortunately created a fear psychosis and sense of alienation among the Sikhs. It has set them thinking how to revive, protect and maintain the pride, they attach to the Sikh form (the unshorn hair and the turban) which has been the target of the heartless ruffians. The Sikh form was invariably under attack without consideration of faith, religious leanings and political affiliations of the victims as if to obliterate the Sikh form and destroy the distinct identity of the Sikhs. Indirect attacks on their religion still continue. Very few among the majority community seem to realise that it were the bearers of this Sikh form who, during the last five hundred years, have made innumerable sacrifices in the freedom struggle, in the defence of the country and its multifaceted development, growth and progress outnumbering those of any other section of the Indian society. It is an irony of fate that the Sikhs should be made to feel like aliens in their own country. This brutality against the Sikhs overshadowed all Sikh grievances.

4. The Diwan honestly feels that there is nothing basically wrong in the Akali demands whose acceptance goes to benefit the entire population of the Punjab. Religious demands may be taken to pertain to the Sikhs alone, but they stand conceded in principle by the former Prime Minister in her public statement in Gurdwara Bangla Sahib. The controversy over the much maligned Anandpur Sahib Resolution appears to be based on an attempt to read something into it which is neither there nor ever claimed by the Akali Party to be there. In any case, its implications can be and may be discussed and sorted out by a positive and healthy approach to it; for the Chief
Khalsa Diwan its import is nothing more than a demand for greater autonomy to the states on a federal pattern. This very view has been expressed by Sant Harchand Singh Longowal himself. It is incorrect to interpret it as an instrument pregnant with an ideology of secessionism and separation from the mainstream of India. Though no Sikh was ever caught in any of the disdainful and dastardly attacks on some innocent Hindus as well as many innocent Sikhs in the Punjab prior to the ‘Operation Bluestar’ and no opportunity was given to the innocent pilgrims in the Golden Temple and other Gurdwaras to come out before the army went into violent action with the results which are now too well-known and need not be commented upon in this memorandum and inspite of the fact that the wounds inflicted on the Sikh community as a whole and the humiliation undergone by them in the first week of November, 1984 is indescribable, the need of the hour is to continue amicable relations between the sister communities and not to propagate the cult of revenge.

5. It is the general feeling of the Sikhs that a large section of the press and the entire mass-media have not been fair to them and have vied with one another in tarnishing their image. The mass media (i.e. the Doordarshan, All India Radio, PTI & UNI) may be directed to undo the mischief played by the continuous and pernicious propaganda carried on by them against the Sikhs by starting a programme highlighting the sacrifices and contributions of the Sikhs in the freedom struggle and thereafter and their loyalty to the country which outshines the part played by any other community.

6. According to a press report in the Tribune of January 5, 1985, there were 31,000 refugees in 12 Camps of the Delhi Administration and at least 20,000 in 15 Gurdwaras of Delhi alone, out of whom more than 5,000 are still in the camps of Delhi Administration and five Gurdwaras. The number of deaths has not been revealed but the fact that the Delhi Administration alone has reportedly provided work to more than 700 widows and arranged sponsorship for 1100 orphaned children is significant. These figures do not include those widows and orphans who have joined their relatives in and out of Delhi and those affected at places other than the capital. Anybody would be moved to pity at the number of innocent men who have been done to death only because they professed Sikh religion and just because of the unfortunate and uncondonable criminal act of two individuals which stands condemned by the Chief Khalsa Diwan.

7. Chief Khalsa Diwan holds no brief for the Shiromani Akali Dal but does not hesitate to point out that they represent a greater crosssection of the Sikh community than any other splinter group or a section having different ideology and political affiliations and it will be apt to resume negotiations with them without which it may be extremely difficult to carry the Sikh masses of Punjab with us. The present caretaker Akali leadership may find it hard to take decisions.
8. It is in the above background, which cannot be easily lost sight of, that the Chief Khalsa Diwan prays to you to persuade your Government to take the following steps in order to restore normalcy, to preserve the solidarity and integrity of the country and to solve the simple Punjab problem which has unfortunately been complicated during the last few years for reasons which need not be gone into here:-

(i) Institute an independent high level judicial inquiry covering all possible aspects of the holocaust against and genocide of Sikhs in the whole country in general and in Delhi in particular during the first week of November, 1984;

(ii) Inflict punishment on all those persons who are being named by everyone to have engineered, organised, connived at, helped or carried out the above-mentioned holocaust without any consideration of the position of the concerned persons in order to restore confidence in the mind of the minority community. These persons about whose involvement the Government is satisfied but against whom no direct evidence may be available to obtain their conviction in a court may be detained under the NSA for at least a year or so. Some of those names have already been published in the uncontradicted reports of the joint Committee of the PUCL and PUDR under the Caption 'Who are the guilty?'

(iii) In all cases of violence and arson which are subject matter of complaints relating to the above-mentioned holocaust, the burden of proof of innocence should be placed on the accused persons by suitable amendments in the criminal laws as has been done in case of Punjab;

(iv) Special courts should be set up to dispose of speedily all cases of violence and arson arising out of the November 1984 riots.

B. (a) All Sikhs detained under NSA on political grounds and all Akalis under detention on grounds other than allegations of sedition (supported by some real evidence) and all members or alleged members of the All-India Sikh Students Federation (except those against whom there are specific charges of direct violence) may be ordered to be released forthwith.

(b) Before releasing the Akali leaders, those with whom the Government decides to negotiate for a final political settlement may be arranged to be brought into one particulars place or jail where government emissaries may talk to them and come to a final settlement which may even be recorded and initialled in confidence that the same will not be revealed till the appropriate time. As soon as this is done, those persons who negotiate with the Government should also be released so that they may be able to create a climate for the acceptance of what they have agreed to by the public and gain credibility with the masses without which their agreement will be of no use. Within a few weeks after their release and on an appointed
date, those Akali representatives can meet the government representatives possibly headed by the worthy Prime Minister himself and then formally adopt and proclaim the terms of the amicable settlement.

C. The settlement should envisage—

(1) unconditional release of all political prisoners;

(2) grant of amnesty to all Sikhs who have out of fear or emotion gone out of the country to any foreign land on the assurance that they would neither be interrogated nor tortured nor subjected to any other harassment on account of their having gone out of the country. Those whom the Government is, for good reasons, not prepared to grant this amnesty, may be specifically named so that they may exercise their own option;

(3) Chandigarh should be declared to unconditionally being given to Punjab to form its capital without any strings and unconnected with the question of Fazilka and Abokar or other disputed territories;

(4) Haryana should be directed to shift its capital from Chandigarh within an unextendable specified time during which they should pay rent of the part of the Secretariat occupied by them to the State of Punjab. The Central Government may, if necessary, give financial aid to Haryana to build its new capital;

(5) The riparian and water disputes raised by the Akalis should be referred to a Tribunal constituted under Article 262 of the Constitution headed by a Supreme Court Judge as provided in the Water Disputes Act. The decision of the Tribunal after hearing all concerned parties should bind all the concerned State Govts., the Central Govt. and the Akalis;

(6) It may be clarified that the demand for greater autonomy for Punjab is linked with similar demands made by some other States which is already with the Sarkaria Commission; and

(7) In the meantime, more powers may be given to all the States including the State of Punjab in the matter of governance of the respective states so as to satisfy the aims and ambitions of the people of all States in order to keep the country united.

D. Take a lenient view of the army persons who deserted their units when their emotions were worked up by the unprecedented demolition of Akal Takhat and killing of innocent pilgrims in the Golden Temple complex. These Jawans may be cashiered, if necessary, but not given any physical punishment as they are not criminals and did not destroy any life and property.
E. (a) The Gurdwaras and shrines in Punjab, Delhi and other states which were destroyed in the Operation Bluestar and its adjuncts and/or during the November, 1984 riots should be restored to their original position at Govt. cost provided the land under the Gurdwaras was in the authorised occupation of the gurdwaras irrespective of whether the buildings therein which have been demolished had or had not been constructed according to approved plans;

(b) The houses of those Sikhs which were burnt or destroyed during the Nov. 84 riots should be restored to their original position at government cost;

(c) Directions may be given/legal steps taken to direct the general insurance companies of India to pay the full loss of Sikhs suffered by them in the November, 1984 holocaust irrespective of whether the risk covered by their subsisting and valid insurance policies did or did not cover loss due to riots or civil commotion. This should include loss by fire, arson or otherwise of property including motor vehicles;

(d) No compensation has been paid for loss of movable property or merchandise of Sikhs' shops which have been looted during the first week of November, 1984. Directions may be given to give full compensation for such losses less any amount which might have been recovered by such persons under any insurance cover;

(e) The sum of Rs. 10,000/- paid for every death to the next of the kin is wholly inadequate. It should be raised to a sum of Rs. one lakh, the amount being paid in the form of Units or National Savings certificates on which interest should be paid to the next of the kin for a period of 5 years after which the securities can be encashed;

(f) Interest-free loans may be given to affected Sikh families to restart their life or business in the case of those who have lost everything in the riots;

(g) The official press and the mass-media may be directed to emphasise the loyalty of the members of the Sikh community in the country, the sacrifices made by them for achieving and maintaining the independence of the country and for restoring their original picture of honour in the eyes of the world;

(h) All directions/communications sent to foreign countries to beware of Sikhs as being 'terrorists' should be withdrawn and the humiliation to which Sikhs are subjected at check-posts and Immigration counters may be ordered to be stopped;
(i) Cases which have been filed against Sikhs who took out arms to defend themselves against the rioters may be directed to be withdrawn;

(j) The district authorities throughout the country in general and Punjab in particular may be directed not to lose human touch in dealing with the Sikh population particularly in the Villages and not to unnecessarily smell a rat in every Sikh nook and corner and last but not the least,

(k) Army may be withdrawn from the Punjab as soon as confidence is inspired amongst the people particularly in view of the fact that in spite of grave provocation during the recent times, there have been no Hindu-Sikh riots as such in the country except in case of Haryana where Sikhs were killed by organised Hindu mobs (presumably organised for political reasons) simply because they were Sikhs. It is noteworthy that even in Delhi the rioters and the culprits did not belong to any one single community and were not acting out of any kind of emotion, but were drunk and singing and were hired hooligans.

10. The Chief Khalsa Diwan expects that the Commission of Inquiry appointed by the Central Government to enquire into the assassination of the Late Prime Minister Mrs. Indira Gandhi will unravel the truth behind the dastardly act. In any case, it is apparent that there neither could be nor there was any conspiracy by all the members of Sikh faith in the country to commit such a heinous crime.

11. We earnestly hope that you will very kindly appreciate the above facts and suggestions and persuade your Government to take necessary steps in this respect.

Dated : January 10, 1985

CHIEF KHALSA DIWAN
AND ITS ASSOCIATES AS PER LIST FURNISHED TO YOU.
ADDENDUM
OFFICE OF CHIEF KHALSA DIWAN, AMRITSAR.

No. 4616

Dated 17-1-1985

Giani Zail Singh,
President of India
New Delhi.

Dear Sir,

I feel grateful to you for the very patient hearing given by you to the delegates of the Chief Khalsa Diwan on January 10, 1985. During our talk, some issues were brought under discussion which were not included in the memorandum presented to you. I give them below for your kind consideration.

1. Of the migrants to the Punjab from other states, some are reported to have gone back to their previous places in different states, while many others may have decided to stay on permanently in Punjab for reasons of their own and it may not be possible to persuade them or force them to go back. We request that the Punjab Government be directed to provide them all possible facilities for their proper rehabilitation in the state.

2. The Govt. has been encouraging industrialists and emigrants settled in foreign countries to set up industries in the Punjab state, offering them many facilities. It is an opportune time to invite all those who want to invest money in different trades and industries in Punjab. The Govt. has set up industrial estates like Goindwal complex and planned townships like Ranjit Nagar on the bank of the Sutlej. The prospective entrepreneurs may be invited to these places.

3. As a result of the holocaust in Delhi, some localities on the outer suburbs have particularly been destroyed and Sikh population terribly affected. These people are now reluctant to go back to their previous houses as they feel insecure there. One way to create confidence in them will be to provide them alternative houses in safer localities, taking away from them their present habitations. The Sikhs in Tarlokpuri, Mangolpuri, across the Yamuna etc., in particular have seriously been affected and need special consideration. They may otherwise be settled together in safer areas.

Thanking you.

Yours faithfully,

Sd/- KIRPAL SINGH
President