

July 25, 2010

CBI ACTING AS THE DEFENSE TEAM FOR CONGRESS LEADER JAGDISH TYTLER

NEXT HEARING ON AUGUST 21, 2010

Reacting to the CBI's stand that the case against Congress Leader Jagdish Tytler can be closed, Gurpatwant Singh Pannun, legal advisor Sikhs For Justice, a US based human rights group stated that CBI has always acted as the defense team for Jagdish Tytler and ignored material witnesses Resham Singh, Alam Singh and Chain Singh who saw Jagdish Tytler leading the violent mob at Gurudwara Pulbangash on November 1, 1984.

Sikhs for Justice and AISSF are jointly working with the victims of November 1984 Sikh Genocide for seeking prosecution of leaders who were involved in the killing of Sikhs in November 1984, stated that the revision petition challenging the order of Additional Chief Metropolitan Magistrate Rakesh Pandit acquitting Jagdish Tytler on April 27, 2010 was filed on the emergence of fresh evidence in the case. However the court while accepting the closure report did not take into account the conspiracy angle which Jagdish Tytler entered into to perpetrate the killings of the Sikhs.

Showing disappointment on CBI's reaction, Advocate Navkiran Singh stated that the revision petition was filed on the ground that there is clear evidence of Criminal Conspiracy against Jagdish Tytler which has been overlooked in this case. Advocate Navkiran Singh stated that they are still hopeful that through revision petition the case against Jagdish Tytler would be reopened and charges of murder, conspiracy and destroying of religious place will be framed against Tytler.

Gurpatwant Singh Pannun stated that in November 1984 Jagdish Tytler openly supported the perpetrators of the massacre. Pannun pointed to the Joint Inquiry report "who are the Guilty" published in November 1984, wherein it is clearly mentioned that on November 6, 1984 Tytler barged in to the office of the then police Commissioner S.C. Tandon while he was holding a press conference to demand the release of his men who were detained by the police for perpetrating the massacre.

He further stated that all legal remedies seeking justice will be exhausted in India and then the case of massacre of Sikhs will be filed in International Criminal Court of Justice.

Witness Jasbir Singh who is based in California, USA stated that if the charges of murder against Tytler will be framed he will go to India to testify in the court against Jagdish Tytler.

The complainant Lakhwinder Kaur stated the wounds inflicted upon her 26 years back have been reopened by the order of the court acquitting Jagdish Tytler who she says caused the death of her husband Badal Singh.

All India Sikh Student Federation President Karnail Singh Peermohammed who has been pursuing the legal cases of November 1984 Sikh Massacre along with Sikhs for Justice for the last three years stated that acquittal of Jagdish Tytler is denial of Justice and proves that killers of minorities in India will never be punished.

The next hearing of revision petition is to come up on August 21, 2010 before the Additional Sessions Judge.

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July 23, 2010

JAGDISH KAUR: CREMATED HUSBAND AND SON USING WOODS FROM CHAIRS, DOORS

Jagdish Kaur, a witness in the Delhi Cantonment case, during the eighth day of cross examination in the court of Additional Sessions Judge Sunita Gupta told the court trying Congress Leader Sajjan Kumar and others that during November 1984 Sikh massacre she cremated her husband and her son using the chairs and doors of her house as the wood the pyre.

She stated in the court: "With the help of neighbors, I cremated my husband and son by taking out wood from chairs and doors of the house"

The cross examination of Jagdish Kaur who lost her husband, her son and her three brothers in November 1984 Sikh will resume on July 24, 2010.

On July 3, 2010, Jagdish Kaur, during her cross examination in the court of Additional Sessions Judge Sunita Gupta identified Sajjan Kumar as a person instigating the mob during the massacre. Court had already framed charges against Sajjan Kumar in the case registered at Delhi Cantonment in connection with the murder of seven persons.

On July 5, 2010 Jagdish Kaur developed high blood pressure while she was in the court and was taken to hospital from the court.

On July 8, 2010 Jagdish Kaur, during her two hour long cross examination in the court of Additional Sessions Judge Sunita Gupta told the court that during November 1984 Sikh massacre, the mob armed with iron rod, digging tools and other lethal weapons first pounced upon her son and caused injuries to him and then upon her husband virtually crushed her husband's head and dragged him to the room where he dropped dead. She further stated that her son ran for some distance in the street, where he was attacked by the mob again, and then the mob set him on fire.

On July 17, 2010 Jagdish Kaur told Additional Sessions Judge Sunita Gupta that when her house was attacked by the mob, she saw that the mob was being led by local Congress leaders and those Congress leaders were having a list of names and houses of Sikhs in the area.

On July 22, 2010 Jagdish Kaur told Additional Sessions Judge Sunita Gupta that she heard cries of people throughout the night and kept praying. He further stated that during the night, she could hear the cries of people who were being brought out and attacked in that part of Raj

Nagar where the in charge of the police post had gone and could also see smoke rising from that area.

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July 20, 2010

DELHI HIGH COURT DISMISSES SAJJAN KUMAR'S PETITION

RAISES DOUBT OVER THE MOTIVE OF CITY POLICE

Delhi High Court stating that the delay in prosecution has benefited Congress Leader Sajjan Kumar and he has enjoyed the freedom of no trial for over two and a half decades, refused to cancel out the charges against him. The court further directed the trial court to expedite the proceedings against Sajjan Kumar.

Justice Vipin Sanghi raising doubt over the motive of city police directed the Delhi Police Commissioner to examine the justifiability of the cancellation report placed before a Magisterial court by the city police. He further directed to file an action taken report within six months.

In January 2010, CBI filed two charge sheets, one pertaining to killing of seven Sikhs in Sultanpuri, North-West Delhi and other pertaining to killing of five Sikhs in Delhi Cantonment

during the November 1984 massacre of Sikhs against Congress Leader Sajjan Kumar. As per the charge sheet filed by the CBI, during the November 1984 massacre of Sikhs, Sajjan Kumar ordered local police officials to fire at Sikhs because of which three Sikhs were killed at Sultanpuri, Delhi. CBI also alleged that Sajjan Kumar instigated the mobs to burn Sikhs alive and he in collusion with one Bhatia, SHO Sultanpuri police station and other police officers led the mob. The CBI stated that the statements recorded by all the eyewitnesses are reliable and there are no contradictions.

On July 7, 2010 Delhi Court framed charges against Congress Leader Sajjan Kumar for his role in killing of Sikhs in Sultanpuri, North-West Delhi during the November 1984 Sikh Genocide. The charges were framed under Murder; Looting, Dacoity and Robbery and Spreading enmity between communities. The court will start recording statements of witnesses from August 23, 2010.

On May 28, 2010 Delhi Court framed charges against Sajjan Kumar for his role in killing of Sikhs in Delhi Cantonment area during the November 1984 Sikh Genocide. Charges were framed against other accused namely Balwan Khokhar, Mahender Yadav, Maha Singh, Capt Bhagmal, Santosh Rani, Girdhari Lal and Krishna Khokhar.

The cross examination of the witnesses of Delhi Cantonment area is going on day-to-day basis. On July 3, 2010, Jagdish Kaur, a witness in the Delhi Cantonment case, during her cross examination in the court of Additional Sessions Judge Sunita Gupta identified Sajjan Kumar as a person instigating the mob during the massacre.

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July 16, 2010

"SIKHS FOR JUSTICE" WILL FILE PETITION IN U.N. HUMAN RIGHTS COMMISSION TO RECOGNIZE 1984 SIKH GENOCIDE

Now that Shri Akal Takht Sahib has declared the killings of Sikhs in 1984 as Genocide and has entrusted "Sikhs for Justice" (SFJ) with the task of getting international recognition, SFJ along with All India Sikh Students Federation (AISSF) will file a "1503 petition" before UN Human Rights Commission. The Petition will ask UN Human Rights Commission to declare the killings of Sikhs in 1984 as "Genocide" under Article 2 of the UN Convention on Genocide. The petition will request the UN Commission to record the testimony of victims and witnesses of 1984 Genocide. SFJ is launching a world-wide petition signing campaign to get the said petition signed.

In "1503 petition" proceedings, U.N. HUMAN RIGHTS COMMISSION (UNHRC) can call witnesses, record testimony; receive documents and evidence related to human rights violations and killings. U.N. HUMAN RIGHTS COMMISSION can also seek response from the country involved. As per attorney Pannun this is very significant because it will bring out the details about the Sikh Genocide before the United Nations and will help to vindicate the demand to recognize 1984-1997 as Sikh Genocide.

According to attorney Gurpatwant Singh Pannun, legal advisor to SFJ, the UN Genocide Convention of which India is also a signatory, not only defines "Genocide" but also imposes a duty on the member states to recognize, punish and prevent the crime of Genocide. Attorney Pannun further stated that through a petition before UNHRC, their organization will appraise the member countries and will provide them with true facts, figures, documents and evidence related to Sikh Genocide (1984-1997).

During the upcoming UN General Assembly session to be held in September 2010 in New York in which heads of all member countries will speak at the United Nations, SFJ will communicate and correspond with the heads and delegates of all the member countries to apprise them of the facts about Sikh Genocide (1984-1997). Attorney Pannun will request United Nations member countries to raise human rights violations of minorities in India and Sikh Genocide issue during the upcoming UN General assembly session.

SFJ will request the UN member countries to hold on to India's application for a permanent seat in the Security Council until India proves its compliance to UN Conventions on Genocide and before granting the permanent seat ask India to adopt the following:

India should be asked to allow members of International Human Rights organizations to enter and work in the state of Punjab. Just a few months ago, delegation of US Commission on International Religious Freedom was denied entry by the Indian Government.

India should be asked to recognize the killings of Sikhs from 1984-1997 as "Genocide", as defined in Article 2 of the UN Convention on Prevention and Punishment of the Crime of Genocide and fulfill its obligations under Article 1 of the Genocide Convention by prosecuting the perpetrators.

Sikhism is recognized as a separate and distinct religion all over the world except India. India should be asked to take legal and constitutional steps to recognize Sikhism as a separate and distinct religion.

SFJ (www.sikhsforjustice.org) is mobilizing human rights groups and the international community on a common platform to demand justice for the victims of the Sikh Genocide (1984-97).

July 14, 2010

"Direct Sikh community to support SIKHS FOR JUSTICE in getting November 1984 killings recognized as "Genocide" at international level"

Central religious authority of Sikhs the Five Jathedars of the Takhats - High Priests have declared that November 1984 killings of Sikhs in India, in which thousands of innocent Sikhs were killed across 18 states and more than 100 cities was a Genocide. According to Giyani Gurbachan Singh, Akal Takhat Jathedar, the targeted and planned killing of Sikhs and attacks on Gurdawaras in November 1984 was a direct attack on the Sikh religion itself.

According to Attorney Gurptawant Singh Pannun, legal advisor to Sikhs for Justice, a US based human rights advocacy group working to get the Sikh Genocide recognized globally, the declaration from Akal Takht is very significant because it brings finality for the Sikhs as to whether November 1984 killings were genocide or not.

In its directive, Akal Takht has also directed the Sikh community, Sikh organizations, Sikh media and other groups around the world to call November 1984 as Sikh Genocide and to support Sikhs for Justice in its efforts to get this Genocide recognized internationally.

July 13, 2010

JAGDISH KAUR: POLICEMEN AMONG THE KILLERS OF THE SIKHS IN NOVEMBER 1984 SIKH MASSACRE

Jagdish Kaur, a witness in the Delhi Cantonment case, during her cross examination in the court of Additional Sessions Judge Sunita Gupta told the court trying Congress Leader Sajjan Kumar and others that during November 1984 Sikh massacre she did not go to the police station as policemen were among the killers.

She stated in the court:

- "I did not want to go the police station because the police officials were among the killers"
- "I had lost faith in everybody and therefore I did not approach the Chief Minister, Home Minister or any other Minister in Punjab or any other authority."

Jagdish Kaur lost her husband, her son and her three brothers in November 1984 Sikh massacre.

On July 3, 2010, Jagdish Kaur, during her cross examination in the court of Additional Sessions Judge Sunita Gupta identified Sajjan Kumar as a person instigating the mob during the massacre. Court had already framed charges against Sajjan Kumar in the case registered at Delhi Cantonment in connection with the murder of seven persons.

On July 5, 2010 Jagdish Kaur developed high blood pressure while she was in the court and was taken to hospital from the court.

On July 8, 2010 Jagdish Kaur, during her two hour long cross examination in the court of Additional Sessions Judge Sunita Gupta told the court that during November 1984 Sikh massacre, the mob armed with iron rod, digging tools and other lethal weapons first pounced upon her son and caused injuries to him and then upon her husband virtually crushed her husband's head and dragged him to the room where he dropped dead. She further stated that her son ran for some distance in the street, where he was attacked by the mob again, and then the mob set him on fire.

The cross examination of Jagdish Kaur will resume on July 15, 2010.

Gurpatwant Singh Pannun, legal advisor Sikhs For Justice that Jagdish Kaur's statement confirms the fact that during the November 1984 Genocide of Sikhs, the killing of Sikhs throughout India was planned and organized by the Congress leaders, administrative authorities and Police officials.

He further stated that in reference to the role of police officials, Report of the Justice Nanavati Commission clearly states "Looters were encouraged by the police. Sikhs were killed by police fire arms provided to the murderous mobs by the police themselves", "The police at other places watched as silent spectators while Sikhs were burnt alive in their very presence", "Police officers were heard inquiring from the mobs how many murgas were killed", "Sikhs who went to police station to report attacks were told whatever was happening is the right thing to happen and they should wait and the flame would be put on them as well". In the light of the Nanavati Commission's report and other evidence, it becomes clear that the killing of Sikhs in November 1984 was with the full support of police officials. He further pressed the need for investigation of the police officials during that time.

All India Sikh Students Federation President Karnail Singh Peer Mohammad stated this recent statement of Jagdish Kaur and the evidence obtained under Right to Information Act (RTI) clearly reveals that Killings of Sikhs in November 1984 took place with the help of police officials in many states and cities across India. This fact of killings of Sikhs in several states and cities, therefore, necessitates a proper investigation.

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July 10, 2010

ROLE OF CONGRESS PARTY IN NOVEMBER 1984 SIKH GENOCIDE SHOULD BE FORMALLY INVESTIGATED

Reacting to the Delhi Court's action of framing of charges against Congress (I) leader and former MP Sajjan Kumar for murder and conspiracy to murder Sikhs during November 1984 Genocide, Gurpatwant Singh Pannun, legal advisor Sikhs For Justice, a US based human rights group stated that framing of charges against Sajjan proves that Congress (I) as a political party was involved in organizing and orchestrating November 1984 Sikh Genocide in which thousands of innocent Sikhs were killed.

Sikhs for Justice and AISSF are jointly working with the victims of November 1984 Sikh Genocide for seeking prosecution of leaders who were involved in the killing of Sikhs in November 1984, stated that formal charge sheet against Sajjan is merely a small step towards justice because thousands were killed and there were other leaders of Congress like Kamal Nath, Jadish Tytler, Amitabh Bachan, Arun Nehru, Bhajan Lal, RK Dhavan and others who were also involved in the killings in November 1984 and against whom several witnesses are willing to testify in the court if they are charged like Sajjan Kumar. However, attorney Pannun further stated that under the leadership of Sonia Gandhi, Congress (I) and Prime Minister Manamohan Singh are continuing to shield other perpetrators and hampering the victim's efforts to seek justice. Recently, PM Singh maliciously attempted to defame and discourage the victims of November 1984 and their supporters by labeling them as "separatists".

AISSF President Karnail Singh Peermohammad stated that witnesses against Kamal Nath, Amitabh Bachan and Bhajan Lal have also come forward and are willing to testify if these Congress leaders are charged.

Attorney Pannun stated that Congress (I) and its leadership was clearly involved in organizing the Genocide of Sikhs in November 1984 and demanded that a judicial commission should be constituted to investigate the role of Congress (I) in November 1984 Sikh Genocide, just like a commission that investigated the role of BJP in 1992 demolition of Babri Masjid and massacre of Muslims.

Karnail Singh Peermohammad added that AISSF delegation will call upon members of parliament to bring the demand of forming commission to investigate the role of Congress before the Indian Parliament.

Attorney Pannun further stated that, Sikhs for Justice will lobby with US, Canada and European Union Governments to declare the Congress (I) as an organization involved in gross human rights violations due to its involvement in the killings of innocent members of religious minority in 1984. Sikhs for Justice will also petition the United Nations to declare Congress (I) as a violator of human rights. According to attorney Pannun, this is important because laws of USA, Canada and European Union strictly prohibit entry of any person who is a member or associated with any organization involved in human rights violations. In the past, these countries declared organizations from Rawanda and other countries as human rights violators and have denied their members entry into their countries. According to Pannun, their organization will work to enlighten the western countries about the true face of Congress (I) so its members and leaders should also be denied entry into western countries.

According to Peermohammad, Congress (I)'s involvement is also proved from the fact that in November 1984 Sikhs were only killed in those states and areas where Congress (I) was in power or had strong influence.

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July 8, 2010

JAGDISH KAUR DEPOSES BEFORE THE COURT

Jagdish Kaur, a witness in the Delhi Cantonment case, during her two hour long cross examination in the court of Additional Sessions Judge Sunita Gupta told the court that during November 1984 Sikh massacre, the mob armed with iron rod, digging tools and other lethal weapons first pounced upon her son and caused injuries to him and then upon her husband virtually crushed her husband's head and dragged him to the room where he dropped dead. She further stated that her son ran for some distance in the street, where he was attacked by the mob again, and then the mob set him on fire.

On July 3, 2010, Jagdish Kaur, during her cross examination in the court of Additional Sessions Judge Sunita Gupta identified Sajjan Kumar as a person instigating the mob during the massacre. Court had already framed charges against Sajjan Kumar in the case registered at Delhi Cantonment in connection with the murder of seven persons.

On July 7, 2010, the court recorded the statement of witness, Lal Chand Khemani. The recording of statement of other witnesses in Delhi Cantonment case will continue tomorrow.

On July 7, 2010, a Delhi Court finally framed charges against Congress Leader Sajjan Kumar for his role in killing of Sikhs during the November 1984 Sikh Genocide. The charges were framed under Murder; Looting, Dacoity and Robbery and Spreading enmity between communities.

This case relates to killing of seven Sikhs in Sultanpuri, North-West Delhi by a mob led by Sajjan Kumar and other accused during the November 1984 Sikh Genocide. Additional Sessions Judge Sunita Gupta allowed CBI's plea seeking prosecution of Sajjan Kumar under various sections of Indian Penal Code after finding prima facie evidence against him. Besides Sajjan Kumar, the other accused in the case are Balwan Khokhar, Mahender Yadav, Maha Singh, Capt Bhagmal, Santosh Rani, Girdhari Lal and Krishna Khokhar.

The court further decided to record statements of witnesses from August 23, 2010, commencing the trial.

In January 2010, CBI filed these two charge sheets, one pertaining to killing of seven Sikhs in Sultanpuri, North-West Delhi and other pertaining to killing of five Sikhs in Delhi Cantonment during the November 1984 massacre of Sikhs against Congress Leader Sajjan Kumar. As per the charge sheet filed by the CBI, during the November 1984 massacre of Sikhs, Sajjan Kumar ordered local police officials to fire at Sikhs because of which three Sikhs were killed at Sultanpuri, Delhi. CBI also alleged that Sajjan Kumar instigated the mobs to burn Sikhs alive and he in collusion with one Bhatia, SHO Sultanpuri police station and other police officers led the mob. The CBI stated that the statements recorded by all the eyewitnesses are reliable and there are no contradictions.

Senior counsel H.S. Phoolka, representing the victims stated that finally, a ray of hope for the victims can be seen.

Gurpatwant S Pannun, Legal Advisor of Sikhs for Justice stated that this is an important development and he is hopeful that the perpetrators of the November 1984 Sikh Genocide will be punished.

AISSF President Karnail Singh Peermohammed stated that though delayed, he is hopeful that justice will be done. He stated that the wounds of the Sikh community will be healed only after the killers of the Sikhs are punished by law.

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July 7, 2010

AFTER 26 YEARS CONGRESS LEADER SAJJAN KUMAR GETS CHARGED FOR MURDER

The sustained struggle for Justice by victims of November 1984 Sikh Genocide, Human Rights Advocacy group Sikhs For Justice and All India Sikh Student Federation (AISSF) bore fruit when a Delhi Court finally framed charges against Congress Leader Sajjan Kumar for his role in killing of Sikhs during the November 1984 Sikh Genocide. The charges are framed under Murder; Looting, Dacoity and Robbery and Spreading enmity between communities.

This case relates to killing of seven Sikhs in Sultanpuri, North-West Delhi by a mob led by Sajjan Kumar and other accused during the November 1984 Sikh Genocide.

Additional Sessions Judge Sunita Gupta allowed CBI's plea seeking prosecution of Sajjan Kumar under various sections of Indian Penal Code after finding prima facie evidence against him. Besides Sajjan Kumar, the other accused in the case are Balwan Khokhar, Mahender Yadav, Maha Singh, Capt Bhagmal, Santosh Rani, Girdhari Lal and Krishna Khokhar.

The court further decided to record statements of witnesses from August 23, 2010, commencing the trial.

On July 3, 2010, Jagdish Kaur, a witness in the Delhi Cantonment case, during her cross examination in the court of Additional Sessions Judge Sunita Gupta identified Sajjan Kumar as a person instigating the mob during the massacre. Court had already framed charges against Sajjan Kumar in the case registered at Delhi Cantonment in connection with the murder of seven persons.

In January 2010, CBI filed these two charge sheets, one pertaining to killing of seven Sikhs in Sultanpuri, North-West Delhi and other pertaining to killing of five Sikhs in Delhi Cantonment during the November 1984 massacre of Sikhs against Congress Leader Sajjan Kumar. As per the

charge sheet filed by the CBI, during the November 1984 massacre of Sikhs, Sajjan Kumar ordered local police officials to fire at Sikhs because of which three Sikhs were killed at Sultanpuri, Delhi. CBI also alleged that Sajjan Kumar instigated the mobs to burn Sikhs alive and he in collusion with one Bhatia, SHO Sultanpuri police station and other police officers led the mob. The CBI stated that the statements recorded by all the eyewitnesses are reliable and there are no contradictions.

Senior counsel H.S. Phoolka, representing the victims stated that finally, a ray of hope for the victims can be seen.

Gurpatwant S Pannun, Legal Advisor of Sikhs for Justice stated that this is an important development and he is hopeful that the perpetrators of the November 1984 Sikh Genocide will be punished.

AISSF President Karnail Singh Peermohammed stated that though delayed, he is hopeful that justice will be done. He stated that the wounds of the Sikh community will be healed only after the killers of the Sikhs are punished by law.

Newspaper Coverage:

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July 6, 2010

JAGDISH KAUR IDENTIFIES SAJJAN KUMAR AND ACCUSES POLICE OF NEGATIVE ROLE

On July 3, 2010, Jagdish Kaur, a witness of November 1984 Sikh massacre, during her cross examination in the court of Additional Sessions Judge Sunita Gupta identified Sajjan Kumar as a person instigating the mob during the massacre.

Along with Sajjan Kumar, Jagdish Kaur identified Sajjan Kumar's nephew Balwant Khokkar, Girdhari Lal and Captain Bhagmal as accomplices. Further, she told the court that she had made the same statements before all authorities, be it Nanavati Commission, CBI or the magistrate in Punjab.

She further stated in the court that on November 2 and 3, she went to the police post in the area but the report was not lodged and the officer told her that 'abhi aur log marne hain, ikkath report likhenge'".

On July 5, 2010 Jagdish Kaur, who lost five family members, including her husband in November 1984 Sikh massacre, developed high blood pressure while she was in the court and thus the court is likely to resume the cross examination on July 7, 2010.

AISSF President Karnail Singh Peermohammed stated that though delayed, he is hopeful that justice will be done. He stated that the wounds of the Sikh community will be healed only after the killers of the Sikhs are punished by law.

Newspaper Coverage:

<http://timesofindia.indiatimes.com/articleshow/6136557.cms?prtpage=1>

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July 6, 2010

**INDIA CONTINUED TO REMAIN A MAJOR OBSTACLE TO EFFORTS TO RECOGNIZE
CASTE-BASED DISCRIMINATION AS A HUMAN RIGHTS VIOLATION, SAYS
INTERNATIONAL DALIT SOLIDARITY NETWORK**

The first half of 2009 was dominated by parliamentary elections in India. In July, the coalition led by the Congress Party was declared to have won and invited to form a government. Throughout the year, there were a number of cases of human rights violations against ethnic and religious minorities, indigenous communities and Dalits. In the run-up to the polls, Dalit human rights groups reported that Dalit communities were attacked and otherwise severely affected by election-related violence. In April 2009, MRG stated that political groups used violence and intimidation against Dalits to forcibly take their votes. Dalit villages also faced boycotts for failing to vote for particular parties or candidates.

In April 2009, the UN High Commissioner for Human Rights, Navi Pillay, in a speech to the National Human Rights Commission in Delhi, said that, although India enjoys an array of laws and institutions designed to combat all forms of discrimination, religious and caste-based prejudices remain entrenched. 'Of particular concern is caste-based discrimination, which is still deplorably widespread, despite efforts by the government and the judiciary to eradicate this practice,' Pillay said.

At the international level, India continued to remain a major obstacle to efforts to recognize caste-based discrimination as a human rights violation. In March 2009, the UN Human Rights Council (HRC) took a significant step in deciding to publish all of the reports of the former UN Sub-commission on discrimination and descent. India voted against this decision. At year's end, Dalit human rights organizations were lobbying for the HRC to put in place a UN framework to eliminate caste-based discrimination. According to the International Dalit Solidarity Network, the EU and Nepal support the framework. International human rights groups say India continues to oppose this and remains the biggest obstacle to effective international action on the issue.

Dalits and Adivasis, indigenous or tribal communities, are among the poorest in India. MRG research during the last several years shows that they barely enjoy basic socio-economic rights and face entrenched and endemic discrimination, including outlawed practices such as having to clean dry latrines by hand and without protective equipment. Tribal communities, in particular, are affected by land disputes and armed conflicts. In its 2009 report, the NGO Asian Human Rights Centre warned that one of the biggest challenges facing the Indian government was the growing security problem arising out of the Naxalite conflict. According to the report, Naxals, or Maoist rebels, are recruited from among marginalized communities, including several indigenous groups, and are now active in 13 Indian states. Violence during the 2009 elections was dominated by Naxalite incidents, and the Asian Human Rights Centre accused Indian political elites of not taking substantive action to resolve the conflict, which is rooted in discrimination, marginalization and exclusion. Indigenous peoples have suffered immensely in the Naxalite conflict, as they face brutal human rights violations perpetrated by the militants and are targeted by the Indian military on the assumption that they are supporting the rebels.

On 31 December 2009, Indian national media reported that the Governor of Delhi, Tajendra Khanna, gave the go-ahead for the prosecution of senior Congress Party politician Sajjan Kumar, who has been accused of instigating the 1984 anti-Sikh violence that resulted in more than 3,000 killed and several thousand injured.

<http://www.unhcr.org/cgi-bin/txis/vtx/refworld/rwmain?page=printdoc&docid=4c33311631>

July 3, 2010

OUTLOOK india com

International

MAGAZINE | JUL 12, 2010

Heat From a Flame a far

Many Sikhs in Canada nurse the wounds of 1984. India must not see them all as separatists.

BY: PRANAY SHARMA

As Prime Minister Manmohan Singh mingled with the leaders of G-20 countries, symbolising India's ascent as a power, a ghost from the past surfaced—the macabre 1984 riots. Out there in the streets of Toronto walked the expatriate Sikhs, demanding justice for the victims and punishment for those who perpetrated the riots. They questioned the democratic credentials of India and petitioned for recognition of the riots as "genocide". The protest was a rude shock to those who believed the emergence of Manmohan as Indian prime minister must have addressed, in some measure at least, the alienation of the Sikhs in Canada, which was in the '80s a hotbed of Khalistan separatism.

Quite palpably, the alienation of Sikhs persists—deeply, even bitterly. Ask the five lakh Sikhs who have made Canada their home, and they will likely lament their inability to forget the riots, which, in their narration, is referred to—justly—as a "genocide" or a "massacre". And genocide and massacre, irrespective of the years between the time of their occurrence and the present, demand justice for the victims and punishment for those who masterminded it. "The anti-Sikh riot is not a closed chapter yet," says Jaspal Singh Bal, the Toronto-based spokesman of the World Sikh Organisation of Canada.



"Positions of emotional distress over a terrible moment in history do not always translate into extremism." Sukh Dhaliwal, Canadian MP

In contrast to those who believe that a Sikh as prime minister is a salve soothing enough for troubled memories to be forgotten, many here say the six years of Manmohan's prime ministership have stoked expectations for justice. As Balraj Deol, editor of *Khabarnama*, a Punjabi weekly published from Toronto, says, "No one could have done more to enhance the image of Sikhs in the world than Manmohan Singh. But I think this is the best time for reconciliation."

But these protests, these voices, are perceived by a section in the Indian establishment as a concerted attempt to revive the demand for Khalistan and, simultaneously, exploit the human rights issue to destabilise India. Sources in government say they have been taken aback at the gradual re-emergence of Sikh extremism and terrorist activities in Canada. This fact had worried Manmohan enough to raise it more than once with his

Canadian counterpart, Stephen Harper. Sources also say the Sikh militants in Canada are trying to revive old links with the LTTE to channel funds for separatists in Punjab.

Sikh activists here scoff at such charges, saying it's typical of the Indian state to dub as secessionist or terrorist any person who raises the issue of human rights violations. Gurpatwant S. Pannun, legal advisor to Sikhs For Justice, a voluntary group, says, "A systematic campaign is on to tarnish the image of the Sikh community in Canada." Perhaps the Indian authorities are a trifle paranoid, forgetting that Indians here have played an important role in championing human rights in Canada, which has an enviable history on this count. As Gurwinder Singh, a Vancouver-based political commentator, says: "There were

strong protests in Canada when Emergency was imposed by Indira Gandhi. There have been protests not only against the anti-Sikh riots but also against the violent attacks on Christians and Muslims in India."

The Indian diaspora's experience of Canada has also influenced perceptions. Second-generation Sikhs can't fathom why a peaceful demand for a separate Sikh state is anathema to India, often citing in conversations the contrast of Canada where those wanting Quebec to secede are also MPs. Jatinder Singh, a young IT professional here, mentions it before saying: "All options for justice are on the table."

But such responses are too pat for the Indian authorities, troubled by the tendency among some Sikhs to laud Jarnail Singh Bhindranwale besides Talwinder Singh Parmar, who masterminded the Kanishka plane explosion. Pictures and posters of these leaders are displayed during Baisakhi celebrations in many Canadian cities, a fact even the IT professional admits. In the same breath, though, he explains, "Their photos in gurdwaras have a different meaning here than what they have in India." Like what? Perhaps as men who fought for the community, he suggests. Obviously, it's a polemic not at all convincing.

The Indian establishment is mistaken in believing that all those who raise the demand for justice are militants. Jagdish Grewal, editor of the *Canadian Punjabi Post*, says, "The pro-Khalistan sections are still stuck in the past and can't move forward. But there is no denying that there is resentment among large sections of people, who feel that the powerful persons responsible for the anti-Sikh riots have not yet been charged." S.J. Singh, a former Indian Airlines commander who narrowly escaped being lynched in India during the 1984 riots and is now based in Toronto, says, "I am no secessionist, but I certainly want to see the perpetrators of the 1984 riots brought to justice."

"All we have done is to raise voice over continued denial of justice to victims of November 1984 with the help of Sikhs for Justice and Sikh community in US and Canada" and in return through an organized and systematic campaign by the Indian officials, the prime minister has been given an impression that "campaign for justice" by the victims of November 1984 is a separatist movement." *Jasbir Singh eye-witness - Jagdish Tytler*

"It's statements like this that promotes the culture of impunity, that encourages and ensures the criminals that if they attack the minority community they will not be punished." And Dhaliwal says, "The prime minister needs to see that positions of emotional distress over such a terrible moment in history do not translate into extremism...." Really, the opinion of Sikhs here can change only if the UPA government provides a generous compensation to the riot victims and punishes the guilty.

"There is an organized campaign being run by the Indian officials to paint the Sikh community of Canada and USA as "separatists" the purpose of which is actually to defame and demoralize the Sikh community of Canada and US for their patronage of Justice Campaign for 1984 Sikh Genocide." *Gurpatwant S Pannun, Legal Advisor, Sikhs for Justice*

This line of thought is perhaps known to Manmohan, who made it a point to interact with the Indian-Canadian members of parliament. Among them was Sukh Dhaliwal, who had unsuccessfully moved a resolution in the Canadian parliament just a few days ago to get the 1984 riots recognised as "genocide". Believing it is better to engage rather than isolate men such as Dhaliwal, Manmohan tried to apply a poultice to their wounds. He said he had already apologised for the 1984 riots in Parliament, accepted the weakness in the Indian legal system, and pointed to his government's efforts to reopen all the riot cases for providing compensation to those affected. Flanked by the deputy chairperson of the Planning Commission, Montek Singh Ahluwalia, also a Sikh, Manmohan said, "We cannot get away from our past, but the challenge lies in looking ahead."

But this "healing touch" had some Sikhs decry the subtext of Mamohan's plea. For instance, Gurpatwant S. Pannun of Sikhs For Justice lashes out:

July 2, 2010

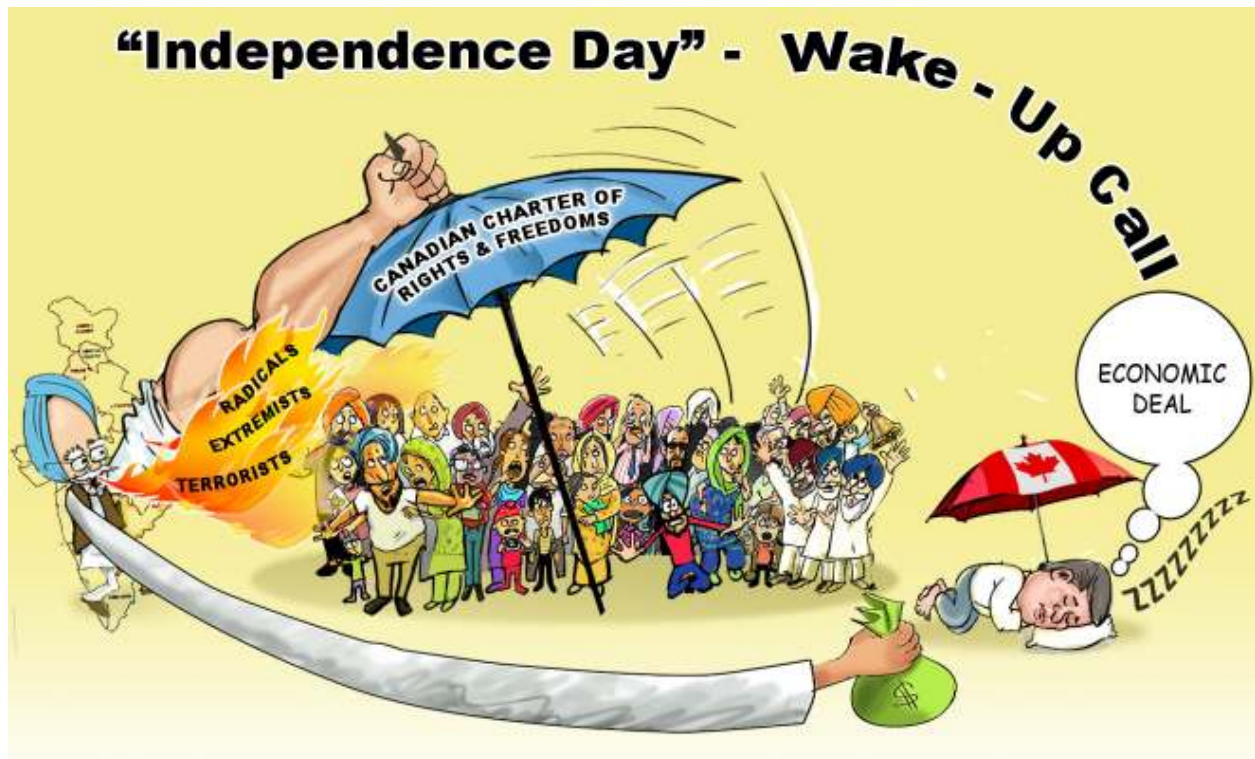
THE SIKH TIMES



BRITAIN'S FIRST ENGLISH PUNJABI DAILY NEWS WEBSITE



Was the 1984 anti-Sikh 'genocide' verdict still not reached after 26 years



During the 1984 anti-Sikh riots over 20,000 Sikhs were killed according to a BBC report, 26 years later the current government are still uncertain if this episode should be termed 'genocide'

The five Sikh Jathedars for the Akal Takhat the political throne of the Sikhs are due to convene an extra-ordinary meeting of the Sikh Jathedars, lead by Akal Takht Jathedar Gurbhachan Singh.

Over 20,000 members of the Sikh community were killed in anti-Sikh riots in Delhi in November, 1984 in the aftermath of the assassination of then prime minister Indira Gandhi by her two Sikh bodyguards at her residence in New Delhi.

The move by the Sikh clerics to term the riots as a 'genocide' is said to have taken shape following a move by Canadian MP of Indian-origin Sukh Dhaliwal's motion in their parliament, seeking that the riots be declared as genocide by the Canadian government.

The Akal Takht's five Jathedars would discuss the issue and then ask the Shiromani Gurdwara Parbandhak Committee (SGPC) to take up the matter with the central and Punjab governments.

It will be proposed the SGPC to ensure that for all future references to the tragic events of 1984, the word genocide be used instead of riot, both in parliament and the Punjab assembly.

Welcoming Prime Minister Manmohan Singh's apology for the 1984 anti-Sikh riots during his recent Canada visit, the Akal Takht Jathedar Gurbhachan Singh., insisted that those behind the massacre be punished before Sikhs put the events of 1984 behind them.

Manmohan Singh, India's first Sikh on the highest executive post, had, during the sidelines of the G-20 summit in Toronto, urged the Sikh community to put the events of 1984 behind them and move on, but has accused Sikh of being 'militants

"As a community, we feel estranged from India because justice has been denied. We are hurt further when Indian Prime Minister Manmohan Singh comes to Canada for the G20 and brands us as "separatists" and "militants". To be a Sikh in Canada does not mean you are a radical or a terrorist. According to P.M. Singh" says Gurpatwant Singh Pannun, from Justice for Sikhs.

<http://www.emgonline.co.uk/news.php?news=9442>