

Brief

Steps taken by Government of India after May, 2014, with regard to 1984 Anti-Sikh Riots

- The assassination of the then Prime Minister Smt Indira Gandhi on 31.10.1984 by her two Sikh Security Guard, led to violent attacks on Sikhs and their properties in Delhi and other parts of the country. As a result, total 3,325 persons lost their lives in violence/ riots in 15 affected States/ UTs; out of which, 2,733 persons were killed in NCT of Delhi itself and 592 persons in other parts of the country.
- The Government of India, over the last 4 years, have taken proactive steps to take these cases to their logical conclusion, through the stages of investigation and prosecution, to bring the culprits to book.
- 36 appeals were filed before the Hon'ble Delhi High Court, in 1996, against the orders of trial courts, in cases where alleged culprits of the riots were arrested and prosecuted. These were pursued diligently by the Government's prosecution machinery. As a result, 23 appeals were decided on 28.11.2018, wherein the orders of the trial court were upheld in respect of 88 persons, who had been awarded imprisonment of 3-5 years. Remaining 13 appeals are also being pursued diligently.

- Considering the wide spread demand from different sections of the public, the Government, vide notification dated 23.12.2014, constituted a Committee headed by Justice (Retd) G.P. Mathur to look into the grievances related to 1984 riot on the following terms of reference: need for constitution of SIT for investigating the cases of 1984 Riots; to look into the grievances related to 1984 riots; to oversee the implementation of the payment of additional/ enhanced compensation; and, to ascertain the requirement of any other assistance for 1984 riot victims.
- Considering the recommendations of Justice G.P. Mathur Committee, the Government have, vide order dated 12.02.2015, setup a three-member Special Investigation Team (SIT) for re-investigating serious criminal cases, that had since been closed. As per its mandate, SIT scrutinized 293 cases; which include 262 cases closed as untraced, 18 cancelled cases, 10 acquittal cases and 3 discharge cases. SIT ordered for further investigation in 60 cases, out of which 52 cases have been closed after conducting further investigation and outcomes have been intimated to the competent courts. In 5 cases charge-sheet have been filed and in 3 cases, investigation is under process. The tenure of SIT stands extended upto 31.01.2019.

- **The major achievements of this SIT are as under:**
 - In FIR no 141/93 PS Vasant Kunj, investigated by the SIT, two persons, i.e., Naresh Sehrawat and Yashpal Singh, have been convicted by the trial Court in Patiala House on 14.11.2018. On 20.11.2018, death sentence has been given to Yashpal Singh and Naresh Sehrawat has been given life imprisonment. Fines of Rs 35 lakh each has also been imposed on both.
 - SIT had issued arrest warrants to Shri Sajjan Kumar in FIR No.227/1992-PS: Janakpuri and in FIR No. 264/1992-PS:Vikaspuri. He had taken anticipatory bail against the said arrest warrant. SIT had challenged the said anticipatory bail before the Hon'ble Delhi High Court. After denial of relief by the Hon'ble High Court on 22.02.2018, the SIT approached the Hon'ble Supreme Court by way of filing an SLP (Crl.) Nos. 4344/2018 and 4395/2018 on 05.05.2018, which has since been admitted and notices issued.
- Further, in FIR No 416/84 PS Delhi Cantt, investigated by the Central Bureau of Investigation (CBI), the CBI filed an appeal against the orders of the trial Court dated 30.04.2013, whereby Sri Sajjan Kumar had been acquitted of all charges, in the Hon'ble Delhi High Court. The Hon'ble Court, in its order dated 17.12.2018, has given life imprisonment to Sri Sajjan Kumar

and other 3 persons; and, also given 10 years imprisonment to other 2 culprits, who had originally been given a sentence of 3 years imprisonment.

- On 16.08.2017, a Supervisory Body of two former Judges of Hon'ble Supreme Court, namely, Mr. Justice J.M. Panchal and Mr. Justice K.S.P. Radhakrishnan, was constituted to scrutinize the cases which were closed by the SIT as above, and to opine whether there was justification to close the cases. The Supervisory Body examined 241 cases, after which a 2 member SIT, comprising Justice (Retd) SN Dhingra and Shri Abhishek Dular, IPS has been asked to proceed with further investigation in 186 cases. The SIT will submit its status report by early February, 2019.
- In terms of compensation to victims of the 1984 riots, the following steps have been taken by Government of India:
 - Vide order dated 16.12.2014, a grant of enhanced ex-gratia of Rs 5 lakh per head has been sanctioned for the next of kin of all the 3,325 persons, who died during the riots. This amount was in addition to the amount already paid to the next of kin. Till date, Rs 125.50 crore have been reimbursed to 2,510 persons.
 - Government of Punjab, vide letter dated 09.05.2016, requested to consider and decide the 1,020 pending cases related to rehabilitation grant of Rs 2 lakh per family, who

migrated to Punjab from other States during the riots. This was agreed to and the disbursal of the grant is under process to the identified families.
