

## **LFHRI asked Punjab Govt. to identify dead bodies of victims of violence throughout Punjab.**

The Lawyers For Human Rights International sent a representation to the Chief Minister of Punjab, India seeking identification of the unclaimed dead bodies which were cremated in whole of State of Punjab from 1984 to 1994 on the lines of NHRC recent judgment and seeking payment of compensation to the victim families who have till today not been able to perform the last rites of their near ones and have been killed / missing at the hands of Punjab police officials or para-military security forces in districts other than Amritsar, Tarn Taran and Majitha.

To

The Hon'ble Chief Minister, Punjab.

**Subject:** Representation seeking identification of the unclaimed dead bodies, cremated in the whole of State of Punjab from 1984 to 1994 on the lines of NHRC recent judgment and seeking payment of compensation to the victim families who have till today not been able to perform the last rites of their near ones and have been killed / missing at the hands of Punjab police officials or para-military security forces in districts other than Amritsar, Tarn Taran and Majitha.

With the further request for also allowing compensation to the families of the militants who have been killed in the whole State of Punjab during 1984 to 1994 on the lines of compensation granted to militancy effected families, who lost their lives during 1984 to 1994.

Respected S. Parkash Singh Badal,

Your political party has been bestowed with an opportunity to govern and serve the State of Punjab for another period of 5 years and your party's re-election is also an historical event, which has given a ray of hope to the people of Punjab as well as the political parties, that in case they work on the agendas of development and accountability, the government's can be given a chance to further show their better governance by repeat performances.

That the State of Punjab had to undergo a period of turmoil, as from 1984 to 1994 the people of Punjab had to face a decade, during which there were in-surmountable human rights violations at the hands of the State police and para- military forces. The people of Punjab lost thousands of lives and it is anybody guess that 25,000 to 75,000 Sikh youth were eliminated during this process and this process took place either during the Congress party rule or the Presidential rule. Even civilians loss of life at the hands of militants and police cats is also on a large scale and not ignorable.

That during the said period, the killings at the hands of the State police and para military forces

occurred and also abduction of people took place and the whereabouts of people are not known till date. Adding insult to the injury, the relatives are still not in the knowledge of the fact as to whether their near and dear ones are living or dead. Not to mention the mental trauma which these families have to undergo for not being able to perform the last rites of their dear ones.

That our colleague S.Jaswant Singh Khaira before his being killed at the hands of the Punjab police, had released a report, in which he had disclosed a list of unidentified dead bodies cremated in the cremation grounds of Amritsar, Majitha and Tarn Taran. The Hon'ble Supreme Court of India while dealing with the matter of his being killed, referred the matter of identification of dead bodies numbering 2079 to the National Human Rights Commission, for the purposes of identification of the dead bodies. The NHRC after a prolonged hearing of 16 years on 27.3.2012 has finally closed the matter of identification and has recommended a compensation of 2.5 lacs to the next of kin of total 194 deceased who lost their lives while they were in police custody immediately prior to their death and in total identified 1565 out of the total 2097 and recommended compensation of 1.75 to each of the next of kin, who could not perform the last rites of its deceased family members.

That the procedure adopted by the State of Punjab to identify the dead bodies, though was not very transparent, as they did not want to disclose the names of the police officials who were involved in the said violations, but the police on its own made the efforts to link up the dead body with the FIR which has been registered, so that the families could be given compensation.

That the dead bodies which had been cremated as unidentified, though the identification of the dead bodies were duly in the knowledge of the police officials involved in the highhandedness, were able to be identified and 1565 families have been compensated for the said human rights violations at the hands of State and its functionaries.

The question now is that if the Supreme Court of India had marked an enquiry concerning the three cremation grounds which had fallen under Amritsar District, is it not the duty of the Government to ensure that the remaining dead bodies which were cremated in the cremation grounds of rest of Punjab be also identified on the lines of what has been done by the NHRC and the families need be compensated for the loss suffered by them and they should have the solace to perform the last rites of their dear ones. That the Second aspect of the matter is that the civilians who were killed by the militants, police cats and even in cross fire between the militants and police officials have been granted ex-gratia grants by the State of Punjab and family pension have been given. Even jobs have been reserved for them, besides reservation of seats in educational institutional. Whereas on the other hand the people who lost their lives on the side of political dissenter's, who were demanding their home land, which has been even held by the Hon'ble Supreme Court of India, a right within the constitutional frame work of India, in case not accompanied with violence.....why those families have been, not given any such ex-gratia grants, pensions, job reservations and reservations in government educational institutions. It is highly arbitrary and discriminative act of the State of Punjab.

That the State of Punjab in case wishes to move forward towards progress and a permanent peace, then a reconciliation process has to be under taken by the State of Punjab and it is high time that the people of Punjab are applied at least some balm on their simmering wounds which would go a long way for a long lasting peace in the State of Punjab.

In the back drop of these facts we make this representation with request as under:-

Seeking identification of the unclaimed dead bodies, cremated in the whole of State of Punjab from 1984 to 1994 on the lines of NHRC recent judgment and seeking payment of compensation to the victim families who have till today not been able to perform the last rites of their near ones and have been killed / missing at the hands of Punjab police officials or para-military security forces in districts other than Amritsar, Tarn Taran and Majitha.

With the further request for also allowing compensation to the families of the militants who have been killed in the whole State of Punjab during 1984 to 1994 on the lines of compensation granted to militancy effected families, who lost their lives during 1984 to 1994.

16th April, 2012

(NAVKIRAN SINGH)

GENERAL SECRETARY

LAWYERS FOR HUMAN RIGHTS INTERNATIONAL

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