

# Khalra case dominates rights meet

## NHRC, CBI condemned for failing to nail K.P.S. Gill

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APATHY OF the National Human Rights Commission (NHRC) and the CBI towards the disappearance of thousands of people in Punjab during the days of terrorism and the subsequent failure to fix responsibility on former Punjab DGP K.P.S. Gill reverberated at the discussions of human rights activists here today.

The deliberations were part of a two-day symposium organised by the Hong Kong-based South Asia Forum for Human Rights (SAFHR) in collaboration with the Indian Council of Social Science Research (ICSSR) that concluded today.

Sunita Akoijam, a research associate, speaking on "understanding impunity", said though after a long struggle the NHRC had announced compensation for the families of people who were first made to "disappear" and then cremated illegally, till date it had failed to fix responsibility



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A delegate addressing the symposium in Chandigarh on Sunday.

or hold any Punjab police official accountable for the inhuman acts.

Sukhman Singh Dhama, a postgraduate in international human rights law from Washington College, said the Punjab government was in denial till the Committee for Coordination on Disappearances in Punjab (CCDP), headed by noted activist Ram Narayan Kumar, unravelled the truth behind the mass cremations.

"Following a petition by the Committee for Information and Initiative on Punjab (CIIP), the Supreme Court ordered the NHRC in 1996 to address all issues arising from the mass cremations. In over 13 years of proceedings, the NHRC refused to independently investigate a single abuse or take the testimony of any victim's family. Instead, the commission based its findings on information provided

by the Punjab Police, the perpetrators of the cremations," Dhama said.

Even the CBI, after 13 years of investigations, failed to fix criminal culpability on former DGP Gill. Despite eyewitness testimony implicating Gill in Khalra's illegal detention and murder, the CBI had still not brought charges against him.

Dhama, highlighting the sluggishness of the probes, compared the work of the Argentina National Commission, which investigated 7,000 disappearance cases in just nine months, Chile's National Commission on Truth and Reconciliation that investigated 2,920 cases in nine months, South Africa's commission's 21,000 cases in two and a half years, and El Salvador's 34,000 cases in eight months.

Pritam Singh, a senior lecturer and human rights scholar, said it seemed that in the eyes of the State, Khalra was a suspect while Gill fought for the State.

Navkiran, Khalra's daughter, said by not punishing DGP Gill the state had exhibited its double standards.

Satish K. Jain, Professor at JNU, New Delhi, spoke on problems faced in claiming compensation for human

rights violations. He also wondered if mere compensation was sufficient to assuage the hurt.

Patrick Hoeing, former political officer in the UN, pointed out how compensations were often arbitrary, and not conforming to any legal reasoning.

Abdulrahim P. Vijapur, a Professor in Aligarh Muslim University, noted

how it took years for victims to get justice in courts. "Besides, Indian courts charge the highest fee in the world," he said.

Taking part in the session on the "Politics of narrative and the media", Kanwar Sandhu, Editor, *Hindustan Times*, Chandigarh, said media's role had been mixed, with the scales tilting towards journalists often abdicating their responsibility during crises in many regions, including Punjab and Kashmir. He emphasised the

need to give media a more structured role in civil society through constitutional provisions akin to the First Amendment to the US Constitution. Media could play a more meaningful part in ensuring the rule of law through better training in matters pertaining to conflict resolution, he added.

**The NHRC refused to independently investigate a single case of abuse. Instead, it based its findings on information provided by the Punjab Police, the perpetrators. SUKHMAN SINGH DHAMA, Human rights law scholar on illegal cremations**

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