An Archive of Witnessing:

Unravelling the Indian State through Memoryscapes of Punjab

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Abstract:

This thesis is about Punjab- a border state in northern India which was embroiled in heightened violent conflict from 1984 to 1995. Through this research, I attempt to study the Indian state from the vantage point of two memoryscapes: the dominant/national memory vis-à-vis Punjab and the collective/counter memory formations of the Sikh community in Punjab. In doing so this thesis will look at the proceedings of the National Human Rights Commission and its treatment of mass atrocities in Punjab through Foucauldian biopolitics and governmentality. The 'meta-archive' of NHRC's case file reiterates the popular and totalizing discourse on counter-insurgency war in Punjab, as a "defeat of terrorism", a restoration of order and normalcy. It is imbued with power to effectively elide and depoliticize social suffering, shaping societal opinion and a replication of its institutional practice.

Latter half, of the thesis delves into the bloodied ramifications on the life worlds of the People of Punjab, a fragment of which I have tried to recover by wording their memories and embodied experiences. Beginning from reflections on brief vignettes on collective memory and its manifestation in things people preserve, I extend Foucault's concept of counter-memory to counter-archives and look at documentation as sites of potential resistance. In the last section, I delineate the relationship between space, violence and memory, followed by an illustrative account on performing memorialization in sacred space and potential for protest.

I conclude by drawing parallel vignettes from Indian Occupied Kashmir and Punjab to stress iteration in modes of governmentality and biopolitical underpinning NHRC's role in Punjab and a window into the role of symbolic violence in rendering lives ungrievable.

Contents

In memory of Shaheed Sardar Jaswant Singh Khalra,

You left behind your light to follow whenever I fall.

Dedicated to my late grandmother, Sardarni Sartaj Kaur Nanda,

whose burden of violent memories, moulded me.

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CHAPTER 1: PUNJAB AS A SITE OF POST-COLONIAL ANXIETY

The post-colonial history of India is an unending testimony inscribed with mass violence. Spectacular majoritarian violence in Nellie (1983), Delhi (1984), Bhagalpur (1989) and Gujarat (2002) has incrementally witnessed acquittals of perpetrators of state-sanctioned vicious violence (Chopra and Jha, 2014). On the other hand, consistent institutionalized lawlessness in the border regions, governed through colonial laws and intensive militarization (Hoeing and Singh, 2012) including de-facto occupation (Visweswaran, 2013) is prevalent.

Anthropologist Shubh Mathur (2013) argues that India's largely concealed counter-insurgency wars are 'coeval and coterminous' with its nation-building project and should not be seen as mere aberrations, as the mechanisms behind these remain coherent and unchallenged through various historical junctures- despite existence of democratic institutions (free media, judiciary and civil society). The counter-insurgency war in Punjab, which is touted as a "defeat of terrorism"[1], a restoration of order and normalcy, is a totalizing discourse imbued with power to effectively elide and depoliticize social suffering.

"The significance of nationalist narratives", writes Shahid Amin, "lies in their elaborate and heroic setting down, or 'figurating', the triumph of good over evil. The triumph of such histories lies not only in making people remember events from a shared past: the nationalist master narrative also induces a selective national amnesia in relation to specified events which would fit awkwardly, even seriously inconvenience, the neatly woven pattern." (Amin, 2002, p.37)

The "triumph" of the Indian nation-building project specifically through the defeat of the Sikh separatist movement in Punjab overshadows dark legacies which linger within

[1] A Punjabi- speaking state.

collectivities at the receiving end of violent sovereign impositions. This thesis is not about the complex history of the Punjab conflict but its *bloodied ramifications on the life worlds of people of Punjab, a fragment of which I have tried to recover by wording their memories and embodied experiences*.[2] It is also an attempt to, *unravel the Indian state through the vantage point of two memoryscapes: the dominant/national memory vis-à-vis Punjab and the collective memory formations of the Sikh community in Punjab.*

The Sikhs as Subjects of Post-Colonial Anxiety: Brief Overview

Following the trajectory of the events along which insurgency in Punjab erupted, it becomes clear that what started out as a movement for official recognition of the distinct identity or specificity of the Sikhs, laden in the demand for Punjabi *Suba*[3] was embroiled in a politics of denial by Central Government of India. The demands were an amalgamation of constitutional, religious, economic and social concerns which remain unaddressed. (Akbar, 1996; Guha, 2017; Singh, 2013).

I will follow, Axel (2001) here and read the reports of National Integration Council (hereon NIC), "the sentinel of the nation's unity" and its repeated discourse of "*ekta*", or integration/oneness. Axel shows that, "in the discursive production of a national unity, the threat from within the nation is constituted as analogous to the threat from without, thus imputing marked citizens as potential adversaries (Ibid, p.111). Under the category of national-integration the NIC referred to problems of education and building national consciousness and valorising, "unity and diversity". In the 1970s, the NIC turned its efforts to problems of "internal dangerous": casteism, communalism and separatism. And finally, for

[2] See Chapter 4.
[3] Some very recent examples being: Outlook, (26 May 2017). K.P.S. Gill, The Man Who Killed Terrorism In Punjab, Dies. Outlook India. Retrieved from: https://www.outlookindia.com/website/story/former-punjab-dgp-kps-gill-dies-at-82/299102 ; Hindustan Times, (26 May 2017). KPS Gill, the super cop who crushed militancy in Punjab, dies at 82. Retrieved from: https://www.hindustantimes.com/india-news/kps-gill-the-super-cop-who-crushed-militancy-in-punjab-dies-at-82/story-bdh6SRicQBp6LiHtjeE0dK.html

our purposes, “between 1983 and 1992, the activities of the NIC were almost exclusively concerned with the threat of Sikh “terrorist” (Ibid.)

It is here that the demands of the Sikhs enshrined in the Anandpur Sahib Resolution of 1973 which the central government interpreted as a “secessionist document”, need to be placed.

These demands which have their roots in pre-independent India were largely articulated through agitational politics and mass civil disobedience movement led by the Sikh political party: the Akali Dal. It needs to be stressed here, that this mode of politics was characteristic of Sikh demands from 1947 until the early 1980s. The fallout of all negotiations with the Central government nurtured space for militancy. The most precarious aspect of which was the use of premises of the Sikh Vatican, the Golden Temple as headquarters of charismatic Sikh militant leader Jarnail Singh Bhindranwale.

The insurgency in Punjab erupted at an intersection of intertwined processes which have been neatly categorized in popular discourse under labels of “terrorism”, “religious fundamentalism” and “counter-insurgency”. The counter-insurgency paraphernalia is exonerated as the “most-successful campaign” or a “model” for quelling conflict. Approximately 25000 deaths in a decade long period of turmoil have been estimated (Singh, 2013, p. 164; Gill and Sahni, 2001, p. 23). More recently, a human rights group in India, claimed that around 8000 people disappeared during a decade of conflict in Punjab.[4]

It is sufficing to say here, following anthropologist, Cynthia Keppley Mahmood (1996) that the terms “fundamentalism” and “terrorism” hide more than they reveal, “they enable an abstraction from the complex milieu of political, socio economic contexts” on one hand and “negation of people oriented meanings” (Kumar, 2008, p. 3) on the other.

[4] Outlook. (2 December 2017). 'Over 8K people disappeared during 1980 till 1995 in Punjab'. Outlook India. Retrieved from: https://www.outlookindia.com/newsscroll/over-8k-people-disappeared-during-1980-till-1995-in-punjab/1201119

Nonetheless, I will briefly delineate two related epochs in contemporary Indian history, the relegation of which in my understanding has enabled and shaped governmentality of the Indian state in managing its dissenting populations and regularly police those it deems as unending threats.[5]

Described as an operation to flush out terrorists from the Golden Temple, Operation Bluestar, was fully launched on 5 June 1984, the martyrdom day of Sikhism's fifth teacher, Guru Arjan who had got the foundation of the Temple laid by a Muslim *pir*. To commemorate the anniversary, large number of Sikh devotees from across India and the world had travelled to Amritsar. They were inside the temple precincts since there was no declaration of curfew to stem the stream of pilgrims until the evening of 3rd June. The Indian government used disproportionate force, including war-time tanks for the Operation which lasted for three days.

Detailed investigation and documentation of eyewitness's accounts (Kumar 2008, p.115-122; Rao et al. 1985) highlight indiscriminate killing of Sikh men with hands tied behind with their own turbans[6] and arrests of children, among others, who were charged under anti-terror laws. According to the official White Paper, 493 "terrorists" were killed, 86 wounded and 1592 apprehended during the operation. These figures are a gross underreporting. Testimonies, journalistic reportage and human rights groups estimate 5000-10,000 civilian deaths (Tully and Jacob, 1985; Joshi, 1984, Rem). Bluestar was followed by Operation Woodrose targeting at least 42 other gurudwaras, where again, many devotees were killed.[7]

[5] See Chapter 5.

[6] Sanatham, R., (15 November 15 1985). *AP Correspondent Brahma Chellaney charged with violating press censorship in Punjab*. India Today. Retrieved from: https://www.indiatoday.in/magazine/society-the-arts/media/story/19841115-ap-correspondent-brahma-chellaney-charged-with-violating-press-censorship-in-punjab-803449-1984-11-15

[7] For a descriptive account on what unfolded in various other Gurudwaras across Punjab, see: Kaur, M. (3 June 2016). *Blue Star Over Patiala*. The Diplomat. Retrieved from: https://thediplomat.com/2016/06/blue-star-over-patiala/

In November 1984, the assassination of Prime Minister Indira Gandhi by two of her Sikh bodyguards, sparked off organized violence against Sikhs all over India. While, government controlled media broadcasted provocative slogans seeking revenge, armed gangs attacked shops and factories owned by Sikhs, lynched and doused them in kerosene fire with tyres around their necks, raped women, as the police looked away. In Delhi, the official figures stand at 2,733 deaths, 72 in Bokaro and 127 in Kanpur. In 2011, mass graves of 65 Sikhs in Hondh Chillar village of Haryana, were discovered, along with a mass cremation site at Pataudi and ruins of Sikh houses and gurudwaras in Gurgaon and West Bengal.

Reports by prominent civil liberties groups conclude that the carnage in Delhi was the outcome of, well-organized, deliberate and a planned onslaught on the life, property and honour of a comparatively small, but easily identifiable, minority community. It was marked by acts of both deliberate commission and omission by important politicians of the ruling elite including the authorities in the administration" (People's Union for Civil Liberties and People's Union for Democratic Rights, 1985, p. 2-4). And finally, the violence was a blueprint, enabling consolidation of majoritarian votes in forthcoming elections by arousing Hindu passions (Citizens for Democracy, 1985). I have argued elsewhere, that the one-sided massacre of the Sikhs should be named for what it was: a genocidal pogrom[8] (Nanda, 2014).

The Sikhs, writes Appudurai (2006, p. 46), became a "problematic minority based on a long twentieth century of regional and national politics" and was finally produced through the "massive unleashing of state and popular violence" of 1984: the state's counterinsurgency campaign and the carnage of the 1984 "riots"[9] around the country. He further argues that, "within a century (and some would say within a decade) a category that was considered a

[8] I'm therefore in humble disagreement with scholars, for example: Arjun Appudurai and Veena Das who have used the term "riots" to describe the events of 1984.
[9] See Note 8.

militant auxiliary of the Hindu world turned into its most dangerous internal enemy for at least a decade after 1984." (Ibid.)

Thus, Punjab amalgamated into the "geography of anger" fuelled by the hegemonic control of Sikh politics (Singh 2000), the latent structural violence (Kumar 1998) and militant assertion of Sikh Identity.

In their reading of Appadurai (2006), Kolig et al (2009, p. 73) write that, "minorities challenge national narratives of social cohesion and homogeneity" and contribute "to fantasies of national incompleteness". Indira Gandhi through the NIC, averred similarly that, "we should not imagine that merely because we are free and have a Constitution, the social cohesion will remain on its own. It has to be guarded just as the nation's frontiers are guarded." (Axel, 2001, p. 111)

Following Homi Bhabha (1994/2012), the nation is "narrated" into being through two simultaneous repertoires: the pedagogical and the performative, which work together to produce the nation. While the former draws from a shared, yet "imagined" past, the latter, orients itself to the future. However, this narration is not a smooth unfolding across space and time making the pedagogical and performative registers as tools of defining putative "threats" to the "unity, integrity and sovereignty" of the nation. Thus, ruptures in narration, for example, demands from those in the margins of the state are framed or identified as, a "problem", "crises" or "disorder" and define the relationship between state, violence and marked bodies (Nagengast, 1994, p.109). The "crisis" argues Feldman (2005) in the context of relationship between migrants and the state, "is essential to the nation-state because its identity can only be articulated in relation to the differences (i.e. threats) that it inscribes in its own bureaucratic practices." (Ibid, 214)

The "narration" thus continues amidst vicissitudes of nation building. It however has been "accompanied by an enormous degree of violence, both physical and epistemic" in India as in other contexts (Krishna, 1994).

It is to the latter, i.e. nation's state's practice of signification and knowledge production that the next section will delve into, to illustrate how post-colonial anxieties are inscribed in representational practices. In the case of India, I will thus flesh out how the state made Punjab and a recalcitrant Sikh population legible to itself through the reports of the NIC and other institutions like the Indian Army, cartographic depictions, dissemination of caricatures and figurative in state and private owned media. Additionally, a reading of promulgation of juridical-politico provisions cements and enables a reproduction of Punjab as a space of exception.

Punjab as Signifier of Cartographic anxiety

Punjab is located on the periphery where the delineation of borders and a demarcation of separateness form other states in this case Pakistan (repeatedly evoked in Report of the National Integration Committee and GoI's White Paper on the Punjab Agitation as reason for "crises"). The Survey of India, refers to the entire periphery of the territory of India, including all of Jammu and Kashmir, all the states of north-east and most of Punjab as the "Restricted Zone". According to the Official Secrets Act, the Government of India prohibits the publication of maps of the Restricted Zone on scales of 1:1 million or larger. According to the Act, any transgression of these guidelines is, "likely to affect the sovereignty and integrity of India".

The departure of British colonialist, soaked the new boundaries of the post-colonial state in the blood of Partition. Punjab witnessed a mutual genocide and violent displacement of people. It is thus a landscape of rupture, nostalgia and anxiety. The April 1986 report of the

NIC stated concern over "external forces" attempting to "drive a wedge between communities in Punjab with a view to bringing about a similar cleavage all over the country." (RNIC, 7TH April 1986 in Axel, Ibid).

In addition to being located within the "Restricted Zone", Punjab beginning from 1983, was simultaneously brought under president's rule. Consequently, a new ordinance declaring parts of the state as "disturbed" under the Punjab Disturbed Areas Act was passed.

According to the Act, the declaration of Punjab, or any part of Punjab, as a disturbed area "empowers any commissioned officer, warrant officer, non-commissioned officer or any other person of equivalent rank in the armed forces to, after giving such due warning as he may consider necessary, fire upon or otherwise use force, *even to the causing of death,* against any person who is acting in contravention of *any law*" (emphasis added). Under this act also, "no Court shall take cognizance of any offence alleged to have been committed by any member of the Armed forces of the Union while acting or purporting to act in the discharge of his official duty" (emphasis added; Punjab Disturbed Areas Act cited in Punjab in Crises, 19921, p. 51-52): thereby setting the stage to "guard" the social cohesion which was in putative danger.

The state was imagined to be an 'exceptional' landscape to be governed under the radar of the National Security Act, 1980; the Armed forces (Punjab and Chandigarh) Special Powers Act; Terrorist-Affected Areas (Special Courts) Act, 1984, and Terrorist and the Disruptive Activities (Prevention) Act, 1985 i.e. even before what later culminated into an insurgency.

Furthermore, in 1990, Punjab became one of the most militarised region with "one of the highest per capita police deployments in the world" (Report of the National Integration Committee 11th April 1990in Axel, Ibid.). In addition to the Central Reserve Police Force, the Border Security Force and the occasional use of the Army, the Punjab Police was

strengthened with the creation of a new layer of senior posts (Singh 2000, 134). As a I drove through the countryside, I heard recollections of a landscape marked by intensive militarization, torture centres, checkpoints and a pervasive sense of fear.

Punjab and the Pliant Media

In an analyses of national print media, Andrew Major (1987, p. 43) reveals, that labels such as "moderates," "extremists" (sometimes "radicals"), "fundamentalists" (sometimes "fanatics"), "terrorists," and "secessionists," was prefixed by the word "Sikh" in their coverage preceding Bluestar. These labels were employed to categorize Sikhs who were in, some way or another, in opposition to the ruling party and the government of India. Major avers that these reified categories generated a "mental association between ordinary Sikhs and the militant activities of Bhindranwale and his followers and later with the insurgency." (Ibid.)

However, prior Bluestar, rigid press censorship isolated the whole of Punjab under the presence of army occupation. Therefore, reliable news of developments were hard to come by. Pritam Singh (1984) while focussing on state controlled broadcasting, All India Radio (AIR) and Doordarshan (DD) concluded that in news bulletins or programmes after the army action in Punjab there was an, "unrestrained resort to lies and half-truths, twisted and distorted to suit the electoral designs of the ruling party and its leader" (Ibid, p. 1569). It therefore highlighted the anti-Sikh sentiment within state institutions, most importantly at a time when there were no private news television channels or radio networks.

Inextricably linked to the cartographic anxiety and re-presentations of events, the knowledge regarding the Sikh threat as "extremists" or "terrorists" was produced *irrespective* of actual affiliations with the militant movement. Conjoined to the Punjab – "a sensitive border state" and a "disturbed area" and the easily identifiable Sikh subject posed a challenge to the

putative "incontestable reality" (Scarry, 1985, p. 27) of the Indian nation-state's sovereignty and territoriality. (Axel, 2001, p. 132)

In other words, the Sikh subject, specifically the male amritdhari body was "reconstituted by nationalist pedagogy as the a priori signifier of an act of contravention characterized by a particular extraterritorial and antinational desire." (Ibid., p, 133)

The July 1984 gazette named, *Batchit*, the official magazine circulated throughout the army to keep soldiers informed of current operations: "Any knowledge of the Amritdharis who are dangerous people and pledged to commit murder, arson, and acts of terrorism should immediately be brought to the notice of authorities. *These people may appear harmless from outside but they are basically committed to terrorism. In the interest of all of us, their identity and whereabouts must always be disclosed*" (Tully and Jacob, 2010, p. 204, emphasis mine)

These pedagogical and performative repertoires vis-à-vis Punjab are essential ingredients of the ideological state apparatus of the state laden with symbolic violence directed overtly or implicitly towards a community.[10] It thus paves way for and legitimizes violence, making Punjab a space of exception and the Sikhs as bare lives.

While there have been anthropological studies[11] on various themes about conflict in Punjab, there is silence on story of struggles of resistance in everyday life of families and *how* collective memory of the Sikh community was embossed with lingering injustice and lack of closure post 1995. This silence is especially felt in Indian academia which has largely remained within the confines of the mainstream discourse and has further entrenched institutionalized silences.

[10] See section, titled: "Collective memory and the Symbolic Power of Ideological State Apparatus" in Chapter 2
[11] See Chapter 2.

Albeit these elisions, the political artefact of state violence - the disappeared body, the body extrajudicially executed and illegally cremated or buried in a mass grave, the body charred to death in a pogrom- are moulded into political biographies which unravel the nature of the Indian state, despite its democratic credentials and putative legitimacy it seeks to profess.

In her book, *The Other Side of Silence*, Urvashi Butalia (2008, p. 8), writes that it is the, "collection of memories, individual and collective, familial and historical, what make up the reality of Partition. They illuminate what one might call the 'underside' of its history. They are the ways in which we can know this event. In many senses, they *are* the history of the event."

My work will follow these conclusions, since recollections of Sikh subjectivity and memories have been obstructed and obfuscated from being readily maintained by the postcolonial archive of the state.

Methodology

Since my work was based in Punjab, I conducted my fieldwork in the Gurdaspur and Amritsar districts of the state. In Gurdaspur, the Punjab Documentation and Advocacy Project , (I have been part of since 2015), documented more than 500 cases of enforced disappearances. These cases were clearly demarcated by the NHRC as being outside its ambit of investigations. As the NHRC restricted its purported investigation to Amritsar, I conducted interviews with 4 families to illustrate the affects of legal procedures on people's life worlds along with fleshing out complex topography of collective memory.

For my research, it was important to understand memory and meaning making through everyday means of survival. I used open-ended interviews with victim-survivor families to map life histories, information and attitudes. Open ended interviews help to situate the informant and their experiences at the centre of the process of data gathering, enabling a

people centric documentation of meanings and visceral knowledge. Moreover, open-ended interviews, enable an, "in-depth probing while permitting the interviewer to keep the interview within the parameters traced out by the aim of the study." (Berg, 2007, p. 39).

To expand the understanding of collective memory in relation to space, I conducted open-ended interviews around one-time Interrogation Centre named Beeco in Gurdaspur district. Through interviews with two informants, I have tried to bring to fore the contours of experience of space and violence which permeates collectivities through life stories, witness narratives and everyday experience of navigating a space of terror.

For understanding the manufacturing of national dominant memory vis-à-vis Punjab, I will critically analyse the proceedings at NHRC, its Orders beginning from 1995. There are multiple sites to investigate formation of dominant memories of Punjab, most important among them being media reports and the proceedings of the NHRC. However, an important limitation of this thesis, being lack of time and space for a discourse analysis of media reports related to the conflict. The Order analysed in Chapter 3, of the thesis is therefore a 'meta-archive' of the case file which 'has shaped societal opinion and institutional practice'. Thus, my work will address, the ramifications of judicial processes as embedded within the Sikh community and contribute towards the field of memory studies in post-colonial India.

CHAPTER 2: REVIEW OF LITERATURE

Anthropological lens onto Punjab was first introduced through the work of Joyce Pettigrew (1995) in her ethnographic account, *The Sikhs of the Punjab: Unheard Voices of State and Guerrilla Violence*. Pettigrew attempts to humanize a complex topography of violence and severed history. She throws light on state practices like fencing and fortification of the Gurdaspur- Pakistan border in the early 1990s and banning large scale assemblies at funerals of militants to quell potential sites of solidarity.

Cynthia Keppley Mahmood's, *Fighting for Faith and Nation: Dialogues with Sikh Militants* (1997) traces roots of the conflict in Punjab through life histories of men and women who joined the militant movement. Mahmood makes an important point: "The simplistic trope of the Sikh-as-terrorist has done enough damage both to India itself and to the academic study of India; it is time that it be replaced by a "thicker" conception of what it means to be a Sikh who suffers, and fights." However, most of Mahmood's informants were political refugees who escaped India fearing prosecution in the early 1990's, hence her work lacks reflections from Punjab itself.

Brian Keith Axel's (2001), *The Nation's Tortured Body: Violence, Representation and the Formation of a Sikh "Diaspora"* is largely about the formation of the Sikh diaspora, his insights into the nation state's practice of signification, knowledge production and representation are of important.[12] Indeed, when Punjab is viewed as a margin, the political, regulatory and disciplinary processes and practices of exercising of sovereign power over territories and subjects marked as the "Other" become clearer. Brian Axel's work fits well with Veena Das and Deobrah Poole anthology, *Anthropology in the Margins of the State*,

[12] See Chapter 1.

wherein, "[M]argins," the authors suggest, "are a necessary entailment of the state, much as the exception is a necessary component of the rule" (2004, 4) and therefore, "the forms of illegibility, partial belonging, and disorder that seem to inhabit the margins of the state constitute its necessary condition as a theoretical and political object" (Ibid, 6).

The anthology studies the making and re-making of the modern nation state through state practices which permeate everyday lives of people living in the margins- which not necessarily sites that lie outside the state, "but rather, like rivers, run through its body" (Ibid, 13) and are characterized by indeterminacy. Of relevance, is anthology's attempt in highlighting the specific contexts in which biopolitics (Foucault 1978; Agamben, 2000) is instituted. The chapters by Cohen and Das in the case of India show that, "although the biopolitical state works with notions of mass bodies" in many ways, the techniques of governing marked bodies depend on their relationship with the state.[13]

The Sociology and Politics of Memory

Bernhard and Kubik (2014. p. 2) write that a sociology of memory looks at, "social mechanisms involved in the emergence and organization of this intention to remember" whereas, the politics of memory approach aims to study, "strategies that political actors employ to make others remember in certain, specific ways and the effects of such mnemonic manipulations." This thesis traverses both these themes.

The lineage of contemporary use of the term, collective memory, is traced back to the work of Maurice Halbwachs, who published his landmark, *Social Frameworks of Memory* in 1925. For Halbwachs memories are socially mediated, through group histories, cultural and

[13] Chapter 3 of this thesis will elaborate on the biopolitical underpinnings of the institutions of the Indian state in the handling of the mass atrocities post conflict.

religious institutions and artefacts. He writes, "[I]t is in society that people normally acquire their memories. It is also in society that they re-call, recognize, and localize their memories....” Halbwachs follows Durkheim’s and expands his idea of collective memory beyond “collective effervescence” and ritual commemoration. Individual memory is connected to the belongingness and socialization of the person in the group he/she is a member of. According to Halbwachs collective memory, provides solidarity and continuity, wherein groups modify the memory of the past according to the necessities of the present.

The politics of memory approach also known as presentist approach writes Barbara Misztal (2003), illustrates how the past is moulded to suit present dominant interests through an official management of collective memory (Ibid, p.56). It involves defining a nation, sustaining social cohesion through a shared past and socialization of individuals into new beliefs and values. Similarly, Elizabeth Jelin in her book, *State Repression and the Labour of Memory* writes that, in the process of constructing a master narrative, “agents of the state have a central role and special weight because of their power in relation to establishing and developing an “official history/memory” (2003, p. 27)

Analysing the role of these dominant narratives or official ideologies in establishing national cohesion, Hobsbawm and Ranger (2012), in *The Invention of Tradition* stress the primary role of the state in shaping collective memory. Hobsbawm shows that with advent of industrialization, democratization and electoral politics, European countries invented traditions and new symbols such as flags, national anthems, military uniforms and new commemorations and rituals to secure mass obedience and legitimize their existence as nations.

Collective memory and the Symbolic Power of Ideological State Apparatus

Following from Hobsbawm and Ranger's contribution to the manufacturing of memory with the help of the institutions of the state it can be argued that collective memory encapsulates ideology and the aids the maintenance of status quo. Memory is a part of ideology writes the author of the book, *Nostalgia: Sanctuary of meaning* (Wilson, 2005, p. 42). Elifcan Karacan in her book, *Remembering the 1980 Turkish Military Coup d'État: Memory, Violence, and Trauma*, elucidates that, "ideologies are practised through the memories of groups which have the power of transforming individuals into subjects (Karacan, 2015, p.38)

Louis Althusser's insights are helpful to understand the role of state institutions, the legal apparatus, state owned and private media's contribution to the interpellation of individuals who normalize and implicitly accept state sanctioned narratives. Althusser defines the state as an ensemble of repressive and ideological state apparatuses which work together to sustain and reproduce the ideology of the dominant/ruling classes. Ideology is defined as a system of ideas and representations which dominate a social group. This domination is achieved through the ideological state apparatus which include: educational institutions (both public and private), religious institutions, the family, the legal ISA, communications (press, radio and television, etc.), the cultural ISA (Literature, the Arts, sports, etc.).

The apparatus of ideology naturalizes the process of subjugation to certain rules, ways of being, thought processes and meanings propounded and sustained by the dominating classes to ensure their position in the society. Further, Althusser stresses on the materiality of ideology, that is, it manifests itself through structures, institutions and practices. In other words, the ideas and representations moulded in the consciousness (by the ISA) are inscribed in material practices and rituals. For example: socialization of Indian security apparatus vis-à-

vis the Sikhs of the Punjab through the official gazette of the Indian Army (see Chapter 1) is telling of how ideology manifests in bureaucratic rigmarole.

The above example reflects an interplay of ideology within the repressive state apparatus which functions predominantly by violence or repression while always employing or relying on repertoires of the ISA. Ideological State Apparatuses function predominantly through ideology, "but they also function secondarily by repression, even if ultimately, but only ultimately, this is very attenuated and concealed, *even symbolic*." (Althusser, 2016, emphasis mine)

The symbolic power of the Ideological State Apparatus can be further understood by Pierre Bourdieu's insights. The manufacturing of dominant subjectivities and implicit consent of the Indian citizenry at large to the popular or dominant discourse regarding Punjab, throws lights on the role of symbolic power. Symbolic power enables the demarcation of social hierarchies, inequalities and suffering (and by extension lives which are more valuable and grievable than others) which are produced and maintained by forms of symbolic domination and less by physical violence or force.

"Every power to exert symbolic violence, i.e. every power which manages to impose meanings and to impose them as legitimate by concealing the power relations which are the basis of its force, adds its own specifically symbolic force to those power relations." (Bourdieu, 1990)

For him, the effect of such domination is symbolic violence. Symbolic violence is imperceptible and is employed through, "symbolic channels of communication and cognition (or more precisely, miscognition), recognition, or even feeling". (Bourdieu, 2001, p.2) The effects are manifested in "bodies and minds by (the) long collective labour of socialisation". (Ibid, 3)

In other words, acquiescence to symbolic domination is grounded in schema or dispositions, individuals are habituated into throughout their lives. Power relations or imbalances are naturalised/normalised or considered as a "given", *a doxa*, so much so that, "the most intolerable conditions of existence can often be perceived as acceptable and even natural". (Ibid, p.1)

Even though, Althusser's emphasis on materiality of ideology has tenuous overlap with the theory of dispositional practices, Bourdieu is more concerned with the everydayness and interpersonal realm of symbolic power which is expressed through bodily reaction or emotional responses. For example, Bourdieu points out to performative utterances and linguistic exchanges which are a site of power.

The performative effect of the word, "terrorism or terrorist", has real consequences for the people framed as such, ranging from discrimination, fear, anxiety, physical violence including death. Once the category of terrorism/terrorist is fixed with respect to marked groups and geographies, the hold of symbolic violence of representations is difficult to break. This enables real punitive consequences and interminable ramifications along with de-politicization and de-historicising of relations of discipline and punish. The manufacturing of a "threat" through myths, caricatures of fanaticism, the barbaric and the uncivilized, *a priori* to the actual violence towards a social group underlines the role of ISA specifically state owned and private media (television, radio and newspapers). This links back to Althusser's assertion that repressive state apparatus is contingent upon the symbolic violence embedded in ISAs to actualize. Indifference to social suffering and human costs of a heightened conflict beginning from 1984 to 1995, is an emotional response, a bodily disposition which renders state excesses as collateral damage for the "unity, integrity and sovereignty of India"

Deeply entrenched, figurative of the Sikhs as terrorists is readily available for furthering state interests and is reproduced at various junctures. Symbolic violence is thus, a dehumanizing tool which normalizes suffering of those deemed unsuitable even disposable to/for the dominant imagination of the Indian nation state. It obfuscates the implicit consent which the citizenry at large gives to state actions thereby paving the path for effective use of the repressive state apparatus. The imposition of dominant meaning of the decade long conflict in Punjab as being a decade of terrorism, displaces people oriented meanings or alternative histories of a decade of disappearances or state terrorism.

Law, Memory and Mass Atrocity

Looking specifically at the role of law and its relationship to collective memory, Mead (1918) has pointed to the emotional aspects of trials that contribute simultaneously to "respect for the law" and "hatred for the criminal aggressor". Whereas for Durkheim (1984 [1893]) trials are ritual practices through which social sentiments maintain their force and vitality. More recently, the same theme has been dealt by Mark Oseil's in his work, titled, "Mass Atrocity, Collective Memory, and the Law" focussing on the importance of trials and proceedings in influencing collective memory. Drawing on from the experience of Germany, Japan, Israel, Argentina and France, he outlines the role of prosecution is assisting collective memory and solidifying of social solidarity. Instead of establishing mechanical or organic solidarity, he argues, legal proceedings manage to produce "discursive solidarity" (Osiel 1997, 51) by providing a civil arena in which dissenting actors can tell their stories and must listen to each other, thus contributing to solidarity through creating a dialogical space.

However, as will be shown in the next chapter, the juridical process vis-à-vis the Punjab Mass Illegal Cremation case expunged itself from conducting investigations and fix criminal responsibility *even* for procedural lapses during mass cremations. By demarcating individual

guilt and ritual enactment of justice making process during trials and court proceedings, the individualizing nature of criminal law itself provides immunity to social processes, structures and apparatuses which enable certain modes of policing of marked territories, communities and bodies.

Counter-Memory and Counter Archives

Bouchard, in his introduction to Foucault's book *Language, Counter-memory, Practice*, refers to counter-memory as 'other voices which have remained silent for so long' (1977, p. 18). For Foucault the recovery of these other voices and traditions allows us to unravel enmeshed relations of domination which are, 'fixed, through its history, in rituals, in meticulous procedures that impose rights and obligations. It establishes marks of its power and engraves memories on things and even within bodies' (Ibid, p. 150).

Foucault's contention about the coexistence of power and resistance can be extended to articulate that the archive as a site of power simultaneously produces a counter-archive which unsettles its hegemonic production. Following, Homi Bhabha, Rebeka Edwards writes that the, "productive force of disavowal" is that what is left out in the consolidation of the archive is "simultaneously invoked and re-inscribed even as it is rejected" (2010, p. 111)

For Foucault (1998), an archive is: the series of rules which determine in a culture the appearance and disappearance of statements, their relation and their destruction, their paradoxical existence as events and things." (Ibid. p. 309)

In their book, *Law, Memory and Violence: Uncovering the Counter-Archive*, Stewart Motha and Honni van Rijswijk (2016) write that the law has a limited repertoire for assembling the archive after mass violence since its role is bound to state power. Legal decisions performatively produce the archive of sovereign violence when they distinguish a legal order from an unjust past (Ibid., p.2).

Chapter 3: NATIONAL HUMAN RIGHTS COMMISSION OF INDIA AND DOMINANT MEMORY MAKING VIS-À-VIS PUNJAB

This chapter will look at the proceedings of the Punjab Mass Illegal Cremation Case (hereon PMIC) at the National Human Rights Commission of India (hereon NHRC)- through the lens of Foucauldian biopolitics and governmentality which enables the production of dominant forms of knowledge and discourse. Further it will delineate the manufacturing of national/dominant memory formations through the legal discourse produced by the NHRC.

Governmentality and Biopolitics: A Brief Discussion

In the 1977-78 lectures at the College De France, titled, "Security, Territory, Population", Michael Foucault defines the concept of governmentality as, "an art of government" and an, "ensemble" constituted by "institutions, procedures, analyses and reflections, calculations, and tactics that allow the exercise of this very specific, albeit very complex, power that has the population as its target." (Senellart, 2007, p. 108). Thus, governmentality is a technique or rationality of government which has a repertoire of tactics at its disposal.

In Foucauldian understanding, the meaning of 'Government' moved beyond, political structures or management of states and delineated the ways in which power is exercised to direct the conduct of individuals or of groups towards a certain end. To govern, thus is the 'conduct of conduct,' a behaviour that seeks to 'structure the possible fields of action of others' (Sokhi-Bully, 2014).

The concept of governmentality functions together with interrelated concepts of bio-power and biopolitics which are interspersed in his contributions. In 'The History of Sexuality, provides a genealogy of the concept of bio-power. He writes that during the 18th century, the emergence of various fields and disciplines such as universities, schools, barracks, workshops were simultaneously characterized by advent of interventions in the form of political

practices and economic observation, in the fields of public health (birth-rate, longevity), housing and migration. This led to an, "explosion of numerous and diverse techniques for achieving the subjugation of bodies and the control of populations, marking the beginning of an era of 'bio-power' (Foucault, 1978, p. 140). These series of techniques, interventions and regulatory mechanisms form the, "biopolitics of population".

Foucault notes, that sovereign juridical power -to 'take life or let live' - mutated into, bio-power constituting, 'a power to foster life or disallow it to the point of death' or to 'make live and to let die'.

In, 'Security, Territory and Population', he reiterates that the objective of government was, "certainly not just to govern, but to improve the condition of the population, to increase its wealth, its longevity, and its health." (Senellart, 2007, p. 105).

Further, Foucault emphasizes the triadic relationship between sovereign-discipline-government as not of one replacing the other. Thus, governmentality employs the institutions, techniques and rationalities of both sovereignty and discipline, but it also 'seeks to re-inscribe and recode them'. The case of the NHRC's handling of the PMIC case is undergirded by the biopolitical re-inscription and recoding of the state as benevolent and civilized entity. The proceedings at the NHRC represent the technology of governmentality, its implicit repercussions being the strengthening of state power, thus ensuring the survival of the state and its representatives rather than its accountability. "The governmentalization of the state has nonetheless been what has allowed the state to survive. The survival and limits of the state should be understood based on the general tactics of governmentality." (Ibid, p. 109)

Punjab Mass Illegal Cremation Case: Deliberate Ambivalence as a mode of Governmentality

The PMIC is a fragment of dark legacies of Punjab's violent past or a by-product of management of conflict.

The PMIC case was brought to light in 1995 through the investigations of human rights activist Jaswant Singh Khalra[14]. Following Khalra's disappearance in September 1995 (and later murder in custody), a habeas corpus petition filed by Paramjit Kaur Khalra, his wife, in the Punjab and Haryana High Court, culminated into two sets of enquires: firstly, the investigation of Khalra's abduction and disappearance by the Central Bureau of Investigation (CBI); secondly, inquiry into the allegations regarding police abductions, disappearances and illegal cremations, made by him in a press release dated 16 January 1995.[15]

In December 1996, CBI submitted its report disclosing 2,098 illegal cremations including 582 fully identified, 278 partially identified and 1,238 unidentified, carried out by the state agencies at three crematoria of Amritsar district, *one* of Punjab's 17 districts.

The Supreme Court observed that the report, "discloses flagrant violation of human rights on a mass scale." It instructed the CBI to investigate criminal culpability and to submit a quarterly status report on its progress. Consequently, the Court directed the NHRC to examine the matter in accordance with the law and determine *all* the issues which are raised before the NHRC by the learned counsel for the parties. The Supreme Court appointed the NHRC as its *sui generis* body, with the powers of the Supreme Court under Article 32 to redress fundamental violations of human rights, in the Punjab mass cremations case.

[14] See chapter 4, for a brief life history of Khalra's work and investigations.
[15] For the content of the Press Note, available on the internet, see: Kumar, R. N. (2003). *Reduced to ashes: The insurgency and human rights in Punjab* (Vol. 1), p. 605. The book is available online at: https://www.ensaaf.org/publications/other/reducedtoashes.pdf

The 16-year proceedings of the Case at the NHRC provide an insight into how the triad of sovereign, disciplinary and bio-power coalesce and interact to police marked bodies and by extension consolidate the status-quo vis-à-vis them. State repertoires of action in relation to the Sikhs of Punjab is an intertwining of sovereign, disciplinary and bio-power, both permeating each other. These repertoires of action are rooted in the governmentalization of the fundamental rights and the rule of law. In other words, human rights are instrumentalized to serve the putative legitimacy of the state. As will be discussed later, the mass illegal cremation case reflects a *government of rights and of government through rights* (Sokhi-Bulley, 2011). The proceedings manufacture a discourse of rights (governing rights) and they govern the conduct of individuals through rights (governing through rights).

NHRC as a site of knowledge production and dissemination:

The population for Foucault is, "the subject of needs and aspirations, but also the object of government manipulation; vis-à-vis government". Thus, to manage, mould and manoeuvre the population, the government, will have to consider representations and knowledge, in order to govern effectively.

Envisaging the "how" question of government lends itself to forms of knowledge production regarding marked groups and geographies. How did the institutions of the Indian state produce knowledge about its sovereign spaces which were once contested; in our case, Punjab? How is power exercised over those who were indirectly affected by state's exercise of its sovereign power, the regulation of death and life? The 'rule of law' and the state institutions (legal and quasi legal) entrusted with its enforcement can be seen as an ordering rationality and a means of government, where by as it will be shown below, legal norms and entities are not in opposition to state power.

Throughout its proceedings, the Commission postulated the definition of the Indian state as "civilized" and under "threat" whereas Punjab was framed as being witnessing a decade of "anxious times" specifically defined by using the term "terrorism", a "menace" or characterized by disorder. The Commission observed, "there can be no alibis and justification for terrorism and nothing justifies terrorism and that the menace of terrorism has to be curbed. However, the Commission is firmly of the view that whereas terrorism must be countered effectively and strongly, no democratic society can be permitted to chill civil liberties of the citizens while taking measures against the terrorists." Further, while it was important to fight the war against terrorism relentlessly, counter-terrorism measures should not undermine democratic values or subvert the rule of law. "It is during anxious times, like the decade in Punjab under our consideration, when care has to be taken that State does not recourse to bend the rule of law." (NHRC, Punjab Mass Cremation Order, 2012)

"Every State is required to abide by the rules of humanitarian law regarding disposal of bodies of unclaimed deceased persons." (Ibid.). Thus, the Commission reflects state of civil liberties, rule of law and the right of the dead or dignity of the dead and evokes international norms and procedures of humanitarian laws.

How is the population of Punjab made legible to itself, i.e. the state and the population (the Sikh minority and the Indian citizenry) at large?

The logic of governmentality is embodied in classification techniques, statistics, appointment of experts and sub-commissions, allocation of budget for everyday work and functioning of the proceedings including compensation grants. Through modes of classification of bodies (identified, partially identified, unidentified, deemed to be in custody of security forces), involvement of various agencies and institutions (the Supreme Court of India, CBI, the Punjab Police and bureaucracy of Punjab, lawyers representing victim/survivor families and

the State of Punjab), differential modes of compensation[16], a biopolitical administration of life and death and a unique form of governmentality was exercised.

The Commission acknowledged that 2059 bodies were cremated in three crematoria of Amritsar, Majitha and Tarn Taran and that procedural requirements (except for getting the post-mortem done) under the Punjab Police Rules, convention and practices were breached by the security forces before undertaking the cremation of these bodies. It stated that, "this action of the police coupled with their lapses has resulted in violation of the human rights of the deceased as well as their family members and next of kin. Dignity of the dead has been offended." Moreover, "the rights of the family of the deceased include receiving of the dead body, its funeral ceremony including performing last rites with all essential ceremonies, before burial or cremation"- the well accepted injunctions of humanitarian law- "cannot be permitted to be breached." The Commission admitted that the police authorities, "showed scant respect for the rules and committed their breach *with impunity*." (Ibid, my emphasis). The biopolitical moorings, the concern for life and dignity of the families of those wrongfully cremated or unceremoniously disposed of or killed in custody of the security forces: "In case of dead bodies, it is *already an unmitigated tragedy* for the family whose member has died and that tragedy gets *compounded* if without following its established tradition and religious customs, the body is cremated or buried rather unceremoniously." (Ibid, my emphasis).

The Commission acknowledged that, no steps were taken to identify the unclaimed dead bodies, where identity of the deceased was not known: *even* bare minimal steps like taking the photographs of the deceased or taking of the finger impressions, recording of marks,

[16] Two categories of compensation were devised. One, for the kith and kin of those who were unceremoniously cremated awarding them a sum 1,75,000INR. The other was for those families whose relatives were killed in custody of security forces and cremated unlawfully, awarding them sum of 2,50,000 INR.

peculiarities, deformities and distinctive features of the dead bodies were not undertaken by the Punjab police before cremating the bodies.

Hence as a corrective for the violations, remedial measures in the form of monetary sanctions under the principle of strict liability on the state, ignoring the individual actors was spelt out. It was stated that, "assault on human dignity cannot be permitted in any civilized society. Human dignity cannot be allowed to be set at naught or circumvented. As a necessary corollary, it follows that whenever human dignity is wounded by functionaries of the State, it is against the State that the remedy must be sought for its failures to protect human dignity of the citizens."

Consequently in 2012, the NHRC compensated the next of kin of 1513 individuals for wrongful cremation of the next-of-kin, where the Punjab police did not follow the rules for proper cremations, including 194 individuals for the violation of the right to life, where the Punjab police admitted custody prior to death but did *not* admit liability for the unlawful killing. This entailed the disbursement of 279.4 million (INR)

By relying on the language of human rights, the proceedings at the NHRC paradoxically averred that the aims of law are not social justice. Thus, turning the, "justice State – the sovereign State ruled by law – into the managerial State, or more precisely, the governmentalized State" (Estevez, 2013, p.4). Justice is made governable for political authorities, in this case through the granting of monetary "relief". Compensation evidently is an "arbitrary symbolic act" (Mbembe & Roitman, 1995, p. 337) as much as a technique of governance.

However, the Commission in its further orders while describing the obligation of the civilized state, severely delimits: a) histories of state violence in Punjab; b) nature and dynamics of its purported obligation.

For Foucault, the technique or tactics of government was to direct the flow of 'the population' into 'certain regions or activities' without 'the full awareness of the people'. Thus, argues Rajkovich (2012, p. 32) for Foucault, the activity of government was not about imposing law on men 'but of disposing things: that is, of employing tactics rather than laws, and even of using laws themselves as tactics — to arrange things in such a way that, through a certain number of means, such-and-such ends may be achieved'. (Ibid.)

The biopolitical concern for the Sikh populace (through a governance for and of rights and rationality of differential compensation), I argue, is undercut with deliberate ambivalence due to techniques of delimitation of crucial, yet deliberate non-acknowledgement.

It was established that mass illegal cremations were carried out by the security apparatus and no procedures were followed to identify the unclaimed bodies. However, what were the circumstances which culminated into the death and cremation of 2095 bodies in one district of Punjab alone? It was admitted that assault on human dignity had been caused, however, the nature of assault remained severely constrained and delimited to the narrow issue of the procedural correctness of the cremations, ignoring the violations of the right to life and liberty, the glaring probability of extrajudicial executions and custodial torture and rape leading to the deaths.

While governing justice through the right of the dead and the kith and kin, a normalizing discourse is envisaged, that Punjab during the period of 1984-1995 was a landscape of terror-threatening the "sovereignty and integrity of India". By refusing to investigate the circumstances of death of thousands of Sikhs even in one district of Punjab, an implicit reiteration of legitimate right of the sovereign to take life is reiterated. Rights become an exercise of power aided by claims to knowledge, on different kinds of entities ranging from individuals to populations.

The rejection of victim/survivor testimony, rendered social suffering and multiplicity of meaning, invisible. By refusing to admit narratives or testimonies of alleged human rights abuses (custodial torture, police abductions, extrajudicial executions, enforced disappearances) a standardized language, delimiting the extend of alleged human rights violations was produced privileging notions of "truth". Instead of mending historical rupture by adequately adjudicating violence and suffering, the NHRC produced selective amnesia, a gatekeeper to official memories vis-à-vis Punjab in the post-colonial archive of India.

Instead, the NHRC repeatedly stated that, "we are not expressing any opinion about the culpability or otherwise of any police officer or officials, nor shall we be understood to have expressed any opinion about the responsibility of any of the officials of the state for infringing the right to life of the deceased by any act of omission or commission." Hence, the juridical process vis-à-vis the Punjab Mass Illegal Cremation case expunged itself from conducting investigations and fix criminal responsibility *even* for procedural lapses during mass cremations.

The perpetrator therefore remains invisible, he is further made invisible through granting of compensation rather than actualising criminal proceedings against them. This invisibilization or de facto impunity undermines and "dislocates human rights discourse as a tool for protection against suffering" (Estevez, 2013). It can be argued that compensation, a means of reparation is also a protection against suffering: it is here that the biopolitical underpinnings of the proceedings lie.

Concluding the 16 years of proceedings of the Mass Cremations Case in 2012, the NHRC noted that, "[the commission] would like to observe that after the unfortunate turmoil in Punjab, things have returned to near *normalcy*. Both the State Authorities and the citizens *should*, therefore, treat this order as an application of balm to *whatever* wounds were still left

and *to engage themselves to make the State of Punjab more prosperous and peaceful, in keeping with the great traditions of the State.* This order should not be considered in the spirit of 'Win' or 'Lose' as, indeed, it is not meant to be so construed. We hope our observations would be received in the right spirit and the State Authorities *as well as the citizens would ungrudgingly work towards the prosperity of the State*. Peace *must* prevail hereafter." (my emphasis).

Two insights can be drawn from the conclusion of the proceedings, in a severely limited sense, the Commission highlights a biopolitical concern for the kith and kin of those cremated unceremoniously. Their belongingness to a landscape which is referred to as the "granary" or "wheat bowl"[17] or the "sword arm"[18] of India makes them a regional resource and reservoir which must be tapped into.

The granting of compensation in a bid to re-inscribe subjectivities towards "ungrudgingly" working for a "prosperous" and "peaceful" Punjab was an exercising of power that works to shape the action of others without force. It hinged upon "responsibilization" thus abdicating responsibility of the central government and institutions of the Indian state for problems of a "post-conflict" society. In an administration of the death and life (of kith and kin) an attempt at reorienting and instilling faith and hope in institution of the state, regulating their conduct, remoulding *a priori* signified identity of "terrorists", "fundamentalists" or "extremists" to that of an Indian citizen.

Sovereign power establishes a unique relationship to the bodies it deems as a threat. In the case of Punjab, governmentalization ensured the unquestioned survival of sovereign power

[17] Mohan, V., (2014). Punjab continues to be the wheat bowl of India. Times of India. Retrieved from https://timesofindia.indiatimes.com/india/Rabi-marketing-S_eason-foodgrain-production/articleshow/35437468.cms

[18] The Sikhs form 10% of the Indian army. An overrepresentation, despite being 3% of the total share of India's population. See: Praval, M. K. (1990). Indian Army After Independence. Lancer Publishers LLC.

by a simultaneous inclusion and a casting away of marked bodies from the political community. This differential inclusion is based on the reduction of Sikh subjectivity or depoliticization of the Sikh subject, wherein they are made legible to sites of power when being stripped to corporeality. Moreover, the male Sikh body as "threat" is conjured up various junctures to redefine the Indian state. The state is an ongoing project that must be "constantly spoken of- and imagined- through an invocation of the wilderness, lawlessness and savagery that not only lies outside its jurisdiction but also threatens it from within" (Das & Poole, 2004, p.7).

Thus, human rights and the redressal to the "flagrant violation" was used as a technique of government with the Sikh population of Punjab as its target wherein rights based governmentality concealed power relations. However, the mass illegal cremation case was caught up in the cobweb of judicial-bureaucratic assemblages wherein the NHRC embodied the threshold at which "sovereign patience" exhausted: undermining the discourse of rights and their redressal structurally.

Ram Narayan Kumar who worked with Jaswant Singh Khalra and carried out investigations of enforced disappearances in Punjab remarked that mass atrocities in Punjab, "combined brazen impunity, formal judicial denial and hermetic suppression of survivor's knowledge of inconvenient "truths" to achieve a maximal communicational end." (Kumar, 2014, p. 233)

This communicational end has served two kinds of collective memory formations: the national or dominant memory vis-à-vis Punjab and the collective memory of the Sikh community itself.

The 'national memory' - (described as a "return to normalcy" and "defeat of terrorism") is a totalizing narrative embedded in the mainstream psyche of the Indian citizenry at large. Consequently, there has been a deep wedge drawn through obliteration of a dialogical space

which the NHRC was empowered to do leading to alternative memory formations to linger within the Sikh community and its transmission across time and space.

CHAPTER 4. MEMORYSCAPES OF PUNJAB: COUNTER-ARCHIVES AND CONTOURS OF RESISTANCE

This chapter is about the lived experience of the Sikh community in Punjab as a collective memory of violence and continual presence of the absence of acknowledging injustice, supressed knowledge about whereabouts of kith and kin and closure. The counter-archive gathered and preserved over the years is an entire sensorium of victim-survivor testimony, police records, cremation ground records, post-mortem reports, old newspaper clippings, objects, pictures, school certificates, letters and telegrams. It serves as a window to the tangible reality of collective violence inflicted on Punjabi families and their way of life. Moreover, it disrupts linear national time envisaged as "normalcy" and "peace" by the NHRC.

It is a story of resistance to state violence both by the family and the community, preservation of memories of oppression, negotiation of spaces such as police stations, torture centres and courts by women, identification of external and internal relations that destroyed the social fabric of Punjab, interlinked strategies of militarization and penalization sustained by formal and informal 'regimes of impunity' (Duschinski 2010) to exercise coercive control over the 'deviant' Sikh subject.

The following sections will provide brief vignettes on collective memory and its manifestation in things people preserve. In the last section, I will delineate the relationship between space and memory to show how legacies of violence permeate the landscape. I will then reflect on documentary archives as sites of potential resistance. Lastly, I provide an illustrative account on performing memorialization in sacred space and potential for protest. The entire chapter is stitched through examples of "ruination", defined as "the material

remains or artefacts of destruction and violation, but also the subjectivities and residual effects that linger like a hangover, in the aftermath of war and violence" (Yashin, 2009, p. 5).

Materiality of Absence:

The fact of an absence flows from a priori presence. However, their interrelation is laden with affective remnants. Absences have crucial bearing on people's emotional, social and everyday lives. It influences their social relations and how they perceive themselves in the world. Thus, writing on an anthropology of absence, Bille et al, define absences as, "cultural, physical and social phenomena that powerfully influence people's conceptualizations of themselves and the world they engage with" (2010, p. 4). Absence is mediated or made present, through things and fragments that bind people to their past. The inanimate material world is therefore, "by no means innocent or passive, but may in fact testify to previous injustice" (Ibid, p. 10).

In April 2017, the Independent People's Tribunal was held in Amritsar, in the capital city of Punjab. Around 700 victim/survivor families of the disappeared or extrajudicially executed attended the tribunal. Organized by several human rights groups, the tribunal's main objective was to make public a preliminary set of findings after 9 years of human rights documentation work. These families were mostly from the Gurdaspur district of Punjab, where more than 500 cases of disappearance and executions were documented.

I was to record every family member's name, the name of the disappeared or killed, their address, and phone number, so that we could get in touch with them regarding the petition urging the Supreme Court of India to take cognizance of the investigations.

During the two days, at the Indian Academy of Fine Arts, where the event was held, the hall was full of mostly old people. I sat beside each one of them to note down their details.

They slowly looked for a small pocket in their shalwar-kameez[19] to show me a passport size photograph of their loved ones or a phone number written on a small piece of paper. Phone numbers were difficult to remember. At other times, they carefully took out a folder with ruined edges from a plastic bag, the creases on it, emulated the folds of the skin of their hands. It was obvious that same bag had been used ever since the need to preserve papers, photographs, telegrams and petitions arose. The materiality of absence was manifest in personal memorabilia. It was embodied in the presence of aged relatives, in testimonies, in records, even in seeming banality of who chose to sit beside whom.

The kith and kin of those who were abducted on the same day or killed together, sat next to each other. After providing the data, they would share this detail. I would then mark a square bracket alongside the names of the victims and write, "killed together". It is in retrospect that I realise the deep sense of painful attachment to a collective past, comradery, and a frail hope for closure.

Collective Memory: Two Complex Vignettes

Two decades have passed since these mass atrocities in Punjab. And yet 23 years after the insurgency was effectively managed, as we travelled in around 10 villages in Gurdapsur trying to reach homes of victim families. We enquired from passer-by's and neighbours: *Una da munda marya sin a police ne, una da ghar kith ve?*. "Do you know the house of the person who was killed by the police", we would ask. The villagers remembered who were we asking about and showed us the directions to the concerned persons home. Violence leaves traces and lingers within every village which lost its sons sometimes daughters.

[19] Traditional Punjabi dress.

A father's wait for justice and a mother's belief that it won't come:

This is how we reached the village of Jyot Singh, resident of Batala in Gurdaspur district. We had to inform them that the Supreme Court of India had enhanced compensation for the victims who the state admitted were killed in the custody of police. We spoke to the 80-year-old mother of Jyot Singh as she narrated the ordeal of her husband who passed away a few years back. She asked her son to hand over the green bag hanging on the wall. She showed us documents: case files, letter sent by her son from jail, letter written to lawyers. The letter from jail written by Jyot Singh was laminated. It detailed the torture inflicted on him. In it he urges his father to arrange for a lawyer and get him produced in Court. He wrote that it was better to be jailed in a fabricated case as that could at least save his life. He feared that, otherwise, he would be shown to have been killed in a fabricated encounter.

Jyot Singh was killed a few days after he wrote this letter.

Bibi Rani Kaur narrated the ordeal of her deceased husband, "who died waiting for justice". She recalled that Ajmer Singh ran from pillar to post, writing applications, meeting lawyers and police officers. Once, a police officer from Chandigarh approached the family and offered a job for the sibling of Jyot Singh if they stopped their efforts to get a case registered against the alleged police officers. Ajmer Singh, categorically refused. Bibi Rani Kaur said that he told the police officer that he needed justice not jobs. Dejected yet seemingly reconciled, Manjeet Kaur said, "Where do we get justice these day?" When we informed her that the family was entitled to 2.5 lac enhanced compensation, she asked his youngest son to enquire with the District Collector's office when he had time. As I went through the documents, Bibi said, "*Gareebi, ameeri kat jaundi hai, bandeya da ki kariye*?". One can live through financial ups and downs but people don't come back, as she sat on her bed looking towards the flowing golden fields of wheat.

Baldev Singh and Mukhtar Singh

"I remember everything from my heart. I do not need these documents to tell you my story"

~ Baljeet Kaur, wife of Mukhtar Singh

Baldev Singh and Mukhtar Singh were killed by the Punjab police in a fabricated or fake encounter on 14-9-1989. Testimonial account of Baldev Singh's family reveal that both were gruesomely tortured in different police stations but were killed together on the same day near village, Jhande under Kathunangal police station.

After narrating an account of Baldev Singh's killing, his brother Joginder Singh make arduous efforts to ascertain the whereabouts of Mukhtar Singh's surviving family. One phone call led to the other and after half an hour, we got in touch with Mukhtar Singh's son, Arjun Singh. Mukhtar Singh was not listed in the NHRC data, however Baldev Singh's brother (our informant) was certain that both were killed together and their bodies were cremated on the same funeral pyre. Baldev Singh did not carry home the remains of his dead brother. Traditional and religious rituals of last rites made little sense. He told us that Mukhtar Singh's father did not convey the news of his killing to his wife who had fallen too ill when the police picked up Mukhtar Singh from his home. "The news of his death would devastate her, who would take care of his three young children then?". Today, her son is married, so is her daughter. Her younger daughter works in a private school in the nearby village.

Mukhtar Singh's wife sat with us and gave us the file with photocopies of petition to the NHRC which only stated the date, name of the police officers and the police station to which her mother-in-law (now deceased) took food for eleven days until Mukhtar Singh was never to be seen again. The whereabouts of Mukhtar Singh were thus stated to be unknown after the last day he was seen in police custody.

And hence, these were the only details his wife repeated as she played with her new born grandson. Mukhtar Singh's whereabouts remained ambiguous for his wife until this day.

In one of the most difficult circumstances, we were to tell the family that Mukhtar Singh's whereabouts were ascertained even as we were aware that the family in the deepest of their selves knew that he wasn't alive. Arjun Singh signalled to not share the details in the presence of his mother. "She is not okay", he said. Later when I shared with him the facts, he asked if they could at least get the compensation amount. I could only assure him that the activists and lawyers would try their best so that all legal formalities could be fulfilled to file an application with the NHRC. He then told me, that his mother's psychological health had deteriorated immensely over time. "She has forgotten her own struggle", he said.

This case presents a complicated topography of collective memory. In ensuring that we reach out to the family of Mukhtar Singh, the brother of Baldev Singh, shed light on profound bonds of solidarity enmeshed in shared memory of loss and trauma. Mukhtar Singh's father's concern for his daughter-in-law's health is also linked to the care of his grandchildren. The securing and reproduction of traditional gender roles, leads him to elide the knowledge of his son's killing even from his wife and consequently to the petition submitted to the NHRC. The application refers only to the abduction and disappearance of Mukhtar Singh. This meant that, Mukhtar Singh's case was excluded from the deemed custody cases even though the family was now entitled to 5lakh compensation like that of Baldev Singh (as they were killed together).

It also points out to the fault lines and arbitrary nature of judicial logics as the NHRC refused to investigate enforced disappearances.

Spaces of Terror and Collective Memory

"Only ten percent of those who were ever detained at Beeco came back. I'm one of them. What I saw cannot be put in words."- Manjeet Singh, torture survivor

"What is remembered in the body is well remembered". – Ellen Scarry, The Body in Pain: The Making and Unmaking of the World

"Space is a reality which endures" – Maurice Halbwachs

The point of departure for this section on space and memory, is the reorientation of the official imaginary vis-à-vis Punjab through the discourse of normalcy. However, the presence of a number of interrogation/torture centres across the landscape of Punjab provide points of disjuncture to this putative "return" from the "dark days of terrorism". These sites are also points of dissonance, to the dominant meanings of Punjab, which evocatively lingers in the memories of people, who by the force of circumstance or state's modus operandi had to negotiate these spaces. The recollection of surviving (even though what has been survived is defined as unspeakable) and the knowledge of those who were taken away, never to be seen again, are memories which act as a medium to understand how discipling of marked bodies is inscribed in space. Conversely, memories relating to space are internalized and re-inscribed in the body which bears torture marks, modifying how people inhabit, negotiate that space and imagine it in the aftermath of violence. (Schramm 2011; Schindel & Colombo, 2014).

Following Lefebvre (1991/1974), space is socially constituted and reproduced and is a not a fixed or a given entity. Space therefore is a politically contested field which is shaped by and in turn gives shape to social memories. This section will illustrate how 'policies, practices

and subjectivities are determined by, and simultaneously shape, the social production of space'.

Apart from the terror effects stemming from buildings which were simultaneously used as detention/interrogation/torture centres, spaces like municipal cremation grounds, the associated smell of mass cremations[20], the rivers and canals of Punjab and floating bodies of the dead[21]- are equally part of the mutated landscape and show how 'natural landscape features become saturated with meaning through memorial ascription.'

The case of Punjab is unique as compared to international contexts (Spain and Argentina for example), in the sense that, there are few forensic remains in Punjab for medical examiners and investigators to consider as evidence of (since cremation rather than burial is the traditional mortuary rite). "We have the testimony of neighbours of crematoria who remember, horrifically, the smell. But the smell might be of the legitimately cremated, hence less atrocious: who can say for sure at this point how many bodies there were, at which cremation grounds, and most importantly - who was responsible? There are no bones left, no evidence that DNA tests can unravel and relatives can mourn over. In the absence of bones, all people have is memory" (Mahmood, 1999, p. 31).

"The presence of clandestine detention centres not outside or far away but within the confines of towns and cities", writes Pilar Calveiro (2006) in the context of Argentina, "is a key to understanding how violence permeated all of society". In Punjab, spaces like the Maal Mandi Interrogation Center; BR Model School (a school building taken over by the security

[20] Testimonies with the 1984 Living History Project highlight mass cremations after the Indian Army's attack on the Golden Temple and over 35 Gurudwaras in Punjab. For example, Manjit Kaur, a resident of Patiala speaks about the smell surrounding her village of Badoongar and the redness of the sky. "The smell gave us the idea of what was really going on…what was really going on was the mass burning of the bodies,". For the entire testimony in English, see: https://www.youtube.com/watch?v=Rg5MhcpLH8w

[21] Naveen Garewal's article, 'Watery Grave for Punjab Militants' (The Pioneer, New Delhi, 26 March 1992) points out that dumping the bodies in canals is the safest way of preventing identification. The article refers to bodies which surfaced when the water inflow into the Sirhind canal was stopped for repair work. News article preserved in digital archives as a photograph as no weblinks are available for the year 1992.

forces) in Amritsar district and Beeco Interrogation Center in Batala city of Gurdaspur district, exist in contiguity with busy street roads, shops, street vendors. They are not, "isolated from ordinary geographies and exist side by side with everyday spaces, interact and even overlap temporally with them (Schindel & Colombo, 2014, p.5).

Beeco: Memories of an Erstwhile Interrogation/Torture Center

Located on the Batala-Amritsar Road in the Gurdaspur district of Punjab, Beeco Interrogation Center, an erstwhile factory, is now an abandoned piece of land, lined by trucks and construction material. A large square shaped, rusted metal gate lies gutted in weed, garbage and soil. It is situated in contiguity to the city, enmeshed with everydayness of a busy crossroad, in the middle of which lay a traffic police pedestal with posters, "Justice for Asifa". From the route heading from the village I was staying in to Batala town, we drove rightwards to a busy road which is a home to shops, banks, eating joints, general stores. We stopped by a lemonade soda seller and enquired in Punjabi, "There used to be Beeco factory somewhere here?". The man was bewildered. After a few seconds he said, "There is nothing there now. If you go a little further, there is an empty plot near the peepal tree. That is where Beeco was." (translation mine).

I had known Beeco and the memories associated with it from the testimonies and archives gathered over a period of two and a half years of documentation work. Almost all testimonies of the cases documented were layered with meanings attached to Beeco wherein eyewitness accounts pointed out to a social order based on fear, discipline and potential for death. The Beeco, thus embodied a state of exception, contiguous to Agamben's camp, *'a space that opens up when the state of exception starts to become the rule'* (Agamben, 2000, p. 39, emphasis in original)

There are contesting meanings of denial, studied silence and vivid recollection of Beeco, which did "not effectively transform the entire city into a camp, but rather affectively transforms the relationship of the city to its inhabitants" (Mandolessi, 2014 p. 153)

Suresh Sharma- a local who also owned a *dhaba* on Batala-Amritsar road agreed to talk to me after unsuccessful attempts to begin a conversation with at least two locals who also owned shops in the vicinity. Before talking to Mr. Sharma, I had spoken with a group of three people surrounding a tea stall near the erstwhile interrogation centre. When I asked them if they knew anything about it, one of them said: "We know some things but cannot share them". They went back to their conversation, making it clear that they did not want to engage further.

Due to limitations of time, it was difficult for me to have a long conversation or explain in brief my purpose of enquiring about Beeco. The chances of return to the city, from the village I was staying in were not certain.

Excerpts from Interview with Suresh Sharma, resident of Batala, Gurdaspur:

> "There were three branches of Beeco factory, in Gurdaspur (Batala), Balabgarh and Bombay. It was a factory for making thin iron plates/rods. After, 1984, during troubled times, the factory owner was unable to give 20% bonus to the 250 workers, working for him. He could pay them 16%, following which the labour force went on a strike. The Communist Party filed a case in the Court. The owner who was a retired general locked the doors of the factory and left for Bombay. This was around 1986, during the wave of terrorism (colloquially described as "*uggarwaad da daur*", depending who one talks to).
>
> In the early 90s the police broke the lock of the factory and took over the place under their control. The factory was then used as an interrogation centre. During those days,

> many people who were brought here. We do not know if they were *atwaadi* (colloquial term for "terrorists"). We do not have any knowledge about what used to happen inside the premises. Police vehicles were always lined up on the road. Police officials used to come here to take food inside.
>
> After 1992, the owners of the factory tried to take their property back. It took them a few years of negotiations, maybe even a legal case to get back the ownership of the factory. Consequently, they sold off most of the land which is now used for residential housing, workshops and a bazaar.
>
> You see, we cannot make an allegation. As such, we did not see anything since no one could go inside. Why does one go to the police station? You know better that the police have to make inquiries."[22] (Translation mine)

Suresh Sharma's views coalesce with dominant understandings wherein denial or silence on the question of violence *against* the Sikhs is recurrent. Knowledge about torture is denied. The identity of those brought to Beeco either remains fixed to those of "*attwadi*" or "terrorist" or remains ambiguous much like that of the NHRC which refused to establish the identity of the 1513 individuals it compensated. Sharma used the colloquial phrase "*puch-tach*", to describe inquiries made by the police. This is markedly different from the English term, "interrogation" which the survivors of torture use to describe the treatment meted out to them. (In Punjab as in the rest of India, police interrogation is almost always accompanied by some form of torture)." His views are also informed by knowledge about the killings of the members of the Hindu minority by alleged militants. Consequently, the security forces were seen as protectors. He focuses on how the space once marked by militarization, intermingles with daily life and sprawling presence of economic activity. Sharma thus restores

[22] Interview conducted by author on 27-04-2018

"normalcy", like the routine of the factory before the troubled times or period of terrorism as he describes.

Excerpts from interview with Manjeet Singh resident of Batala, Gurdaspur:

"I was picked up by three police CATS (informers) in the afternoon of 2nd April 1992. On the same day I was tortured and interrogated for six hours.

Beeco was a huge, three storey building. There was no chance of sunlight entering the rooms. It was always dark. No voice could go out of that building nor any voice from outside could be heard when one was inside. Every evening around 7pm, the police who were mostly drunk, would begin torturing those who they would kill later (*jiss nu vi kutt de si, uda muqabla bana dende si*). They would brutally beat up detainees to the point of near death. Prior to the torture routine every day, the police would decide who would they will kill in a fake encounter.[23]

There was no-one there who would have sympathy for the detainees. For an hour or so they used waterboarding method on me. Later they hung me upside down and started beating me. They continuously tortured me for 4 days. I was detained at Beeco for 27 days.

The situation/condition there was horrendous. When one remembers those days, I get shivers down my spine.

Many people were killed during those 27 days. They would line up all the detainees and randomly select those they would torture. We would then know that person will

[23] The colloquial phrase to describe a "fake" staged encounter, is "muqabala banana", wherein 'muqabala' literally means a confrontation or an encounter and 'banana' means to make, thus translated as a fabricated or staged armed confrontation between militants and security forces.

be taken out in a car and killed. The person(s) who were tortured to the point of near death never came back with us to the cot.

Then they hung blood soaked clothes inside the factory and would threaten us, intimidate us saying that that of we do not divulge information then our fate would be like the ones killed.

Even today, I cannot sit on my feet for five minutes. One of my ear is almost defunct. They would give electric current by fitting wires in my ears which was connected to a 3-bolt battery. They would rotate an 85kg iron roller on my legs and after that pull each leg apart as much as they could. For 27 days, we were made to lie on a cot with our legs locked in separate holders. One could not have moved.

They would carry out the most grotesque form of torture. One could not have seen it. One cannot talk about it. One lost any hope for return. Only those who endured and witnessed know what it was like. *Even though there is no Beeco anymore as we knew it, but even today one's heart feels terrified*.

While I was detained there, 6-7 people were killed. *I still am haunted by their faces.*"[24] (translation mine)

Manjeet Singh's lived experience of torture and witnessing foregrounds prevalent meanings and memories of the Sikhs vis-à-vis Beeco. For them, thus, Beeco symbolises a place marred with violence and terror even as the entire paraphernalia of an interrogation/torture centre now stands dismantled. Recollections of methods of physical and psychological torture provide a chilling account and add to the already existing documentation by national and

[24] Interviewed by the author on 28-04-2018 in Gurdaspur, Punjab

international human rights groups. The inability to "put in words" or "talk about" what was experienced, described as unmaking of a person's world as it destroys their will and capacity for language (Scarry 1985) lingers in affective registers of survivors. Manjeet Singh's narrative is evidently different from Suresh Sharma's account, so are their understanding of "normalcy". While for Manjeet Singh starting life post experiencing torture has meant carrying its painful repercussions in everyday life, whereas for Suresh Sharma the space is how a busy city street should be: buzzing with people engaged in their means of livelihood.

A large portion of the space occupied by the factory still lies abandoned, even as residential houses, and shops have sprawled around the place. No efforts have been made either by the state or the society at large to change the landscape. It lies suspended between everydayness of city life and embodied experience as people like Manjeet Singh, "cannot sit on their feet even for five minutes to this day."

Acknowledging Enforced Absence: Counter-Archives and Counter-Memory

"It is the duty of human rights defenders to collect data. I believe it is the biggest service to history if you are able to document the number of people disappeared in Punjab. Then I believe the work of Jaswant Singh Khalra will be solidified. It will show that what [he] said was correct."

- Paramjit Kaur Khalra[25]

In the Footsteps of Jaswant Singh Khalra

Jaswant Singh Khalra, was the general secretary of the Akali Dal's human rights wing. In the year 1995, his meticulous perusal of (quasi) official records of three crematoria of Punjab's Amritsar district unearthed mass secret cremations of thousands of bodies labelled as unidentified by security forces.

Jaswant Singh Khalra was a pioneering figure whose path breaking work on systematic collection of information necessary to establish linkages between enforced disappearances and illegal cremations predates the age of the Right to Information (RTI) Act in India. His perseverance to demand accountability amidst increasing hostility led him to travel extensively, conducting interviews with attendants of cremation grounds who informed him that the security forces dumped multiple bodies on a single pyre for cremations, doctors who disclosed oversimplified post-mortem procedures and families of the victims who provided similar stories of abductions of their relatives. Khalra's work laid the cornerstone of the counter archive which culminated into a blueprint for documenting mass violence in Punjab.

[25] Paramjit Kaur, interviewed in 2015 by Ensaaf for "A Light of Justice: Commemorating Jaswant Singh Khalra", video available at www.ensaaf.org/programs/legal/khalra/

He helped in questioning the institutionalized silence around Punjab produced in continuum by a pliant media and an intransigent judiciary- which instead of working in the interest of justice have monopolized narratives of the past.

In pursuance of the circumstances of his friend, Dara Singh's death in 1994, Jaswant Singh found that the Punjab Police had killed him in an extrajudicial encounter and cremated his body at Durgiana Mandir cremation ground by labelling it as "unidentified and unclaimed". The discovery made him to investigate further and on 16 January 1995, the human rights wing of the Akali Dal held a press conference and released a press note.

The press release, signed by Jaswant Singh Khalra and Jaspal Singh Dhillon, mentioned that their investigations, based on the examination of firewood purchase registers for 1991 and 1992 revealed 400 hundred illegal cremations in Patti, 700 at Tarn Taran and about 2,000 cremations at Durgiana Mandir cremation ground in the period from June 1984 to the end of 1994. The press release pointed out that the police had been carrying out these cremations in violation of rule 25.38 in chapter 25 of the Punjab Police Rules 1934, under the Police Act of 1861, that lays down a clear procedure to be followed regarding unidentified bodies.

Following these disclosures, Khalra knocked the doors of Punjab and Haryana High Court with a public interest litigation (PIL) for an independent investigation on what later came to be known as the matter of police abductions leading to secret cremations in Punjab. But the court dismissed the petition, remarking that the petitioner had no locus standi in the matter. In September 1995, following his activism in India and abroad, Khalra was picked up by the Punjab police from his home and his whereabouts remained unknown. It was later found out that he was tortured and killed in custody and his body was thrown in one of the rivers of Punjab.

Documentation of mass human rights violations has been variously described as an important prerequisite to address needs of transitional justice processes; a means of enabling testimony and preserving memory, an exercise of collecting data for future use in prosecutions and lastly, as a means of "refusing invisibility". (Feldman, 2008)

For Verne Harris, the work of record-keeping is 'justice and resistance to injustice' (2007, p.256) and the call for justice ..is open to the future and to every "other"' (Ibid, p. 257).

Actual memory of events, writes Bassiouni, is necessarily transient; the people who lived at a particular time, and whose memories were shaped by the actuality of events, can pass on the artefacts of memory (in the form of written testimonies, caches of letters, family storytelling), but lack the law-making and mythmaking apparatus of the state." (Bassiouni, 2002, p. 387)

These memories weave the shared past of collectivities who have witnessed mass atrocity. Eric Ketlaar (2005) argues that, this shared past is, "a moral imperative for one's belonging to a community…To be a community… involves an embeddedness in its past and, consequently, in the memory texts through which the past is mediated" (Ibid, p. 54).

These, "memory-texts" or the mnemonic artefacts and spaces are what I refer to as the "counter-archive"

The Punjab Documentation and Advocacy Project (PDAP) began its documentation of enforced disappearances, extrajudicial executions culminating in mass illegal cremations, the socio-economic condition of victim-survivor families in 2008. It is, as will be delineated below, a critical intervention within and besides the legal process.

The documentation involved visiting the majority of 1500 villages in Gurdaspur. Writing on the role of memory in post-conflict reconciliation in Rawanda and Uganda, De Yaza and Fox (2013) point to the role of documentation as a highly effective way of commemorating

victims while also serving as a truth-seeking initiative to establish collective memory and provide a historical account of events that occurred during the conflicts.

Similarly, seven years of documentation work in the border district of Gurdaspur, one of the 26 districts of Punjab by the PDAP -cases which were clearly demarcated by the NHRC as being outside its ambit of investigations have laid pathways of preserving memories of state violence in Punjab, of what is also known as the "decade of disappearances". Importantly, Gurdaspur is the second largest affected area of disappearances and extra-judicial killings in Punjab, following Amritsar and Tarn Taran.

The work of PDAP as a counter-archival practice has thus sought to disrupt the linear unfolding of time, and the delimitation of space (as jurisdiction or community) that law inscribes when it deals with historical crimes or mass violence. (Motha and Rijswijk, 2016, 2)

Archives gathered and preserved are both evidence and storehouses of memory. In addition to the memory of the Sikh community, the everyday bureaucratic rigmarole of the state through maintenance of records has strengthened the counter-archive gathered over the years. These records, create an "aura of legal operation" even around overtly illegal (and often violent) acts. But their presence seamlessly weaves into the narrative of victim-survivor and points out to the illegibility of the state's own practices and documents in its own justice making processes, even while "the state is continually both experienced and undone" through these practices.

In Jaswant Singh Khalra's footsteps, the PDAP filed numerous applications under the Right to Information (RTI) Act to obtain data regarding cremations from civic bodies known as the Municipal Committees across Punjab. Simultaneously to the documentation of cases across villages, the PDAP received responses to the application which were filed intermittently for

different years beginning from 1989. The responses disclose the dates of cremations carried out on a particular day in a year and under which police station.

The banal procedures of bureaucratic state, provide important evidence which coalesces with the collective memory of the Sikhs in Punjab. The testimonies reveal that families of the disappeared remember dates of abduction of their kith and kin, the names of police officers and the police station the "raiding party" came from. Many families have also preserved newspaper clippings which reveal the date and place of supposed "encounters" in which their relatives were killed. These dates when read along with the dates and police stations provided in the RTI responses of the record from Municipal Cremation Grounds substantiate the claims of families: that there was a glaring probability that their relatives were eliminated in an extrajudicial encounter and cremated unceremoniously as being unclaimed. Since no official communication was made with the families of those killed, the circumstances of their deaths either remained ambiguous or their whereabouts remained unknown.

It needs to be stressed that, "there is a memory, then, of evidence itself" (Cook, 2013)- piecemeal memory of the records maintained by the state which the NHRC refuse to acknowledge and consider as a catalyst to adequately adjudicate matters entrusted upon it as a means towards transitional justice. Ascertaining the veracity of the claims made by the victims through the state's own records was the responsibility of the NHRC entrusted to it by the Supreme Court of India. That the state's archives which are a residue of its banal functioning, exist as a presence of and a potential for alternative histories, regardless of their veracity, is 'enough to trouble the state-directed histories' (Dar, 2007, p. 79).

Sacred Space as Site for Performing Memorialization and Protest:

Summer of June 1992 in Village Behla, District Amritsar, Punjab:

> On 8th June 1992, Superintendent of Police (Operations) Khubi Ram, Senior Suprintendent of Police Ajit Singh Sandhu, Central Reserve Police Force and Border Security Force used ten villagers as human shield in an encounter in village Behla in the Tarn Taran district of Punjab. The security forces surrounded the village following inputs about presence of militants in an abandoned house. They rounded up 7-8 villagers and used them as human shields in their search and cordon operation. Six villagers were killed in the firing which ensued between the security forces and holed up militants in the house (3 militants and 2 security officials were also killed), whereas, three other villagers bore serious injuries. The police cremated all the bodies themselves at Tarn Taran cremation ground and the families were not allowed to perform their last rites. The entire village was under siege for two days.

There was a widespread discussion in the media about the incident. The Punjab government ordered an enquiry, but the report was never made public. The statist repositories of this incident are unacknowledged testimonies submitted to the NHRC, statements of alleged preparators who reiterate the dominant discourse as they continue to benefit from the same after 25 years of the incident.[26]

We agreed to meet Virsa Singh, whose father was killed in the incident, at a decided location on our way to village Behla. On our way, Singh narrated anecdotes which are now an important part of the history of his village. Virsa Singh shared that post the incident the

[26] "A story on this after 25 years would not solve any purpose. Terrorism was a bad thing and it is better to forget it than digging old stories," Khubi Ram told an Indian Express reporter recently, See: Note 25

villagers started talking about how the abandoned house was haunted by the ghosts of those killed. People avoided going towards the house and asked others to not venture near it.

Avery Gordon has used the concept of haunting to describe how, "abusive systems of power make themselves known and their impacts felt in everyday life" (2011, p, 2). These systems which have ostensibly ended or their repressive nature is continuously denied, animate themselves or are experienced through haunting. "It is an animated state in which a repressed or unresolved social violence is making itself known, sometimes very directly, sometimes more obliquely." (Ibid.) Gordon's insights have been used to understand the phenomena of enforced disappearances wherein efforts to gather sufficient knowledge about the disappeared remain unsuccessful as "spectrality is still the form in which they inhabit the collective memory". (Mandolessi, 2014, p.151)

However, the violence at village Behla was distinct. The villagers were aware of the identity of those killed. They saw their bodies being taken away from the village to be cremated by the security forces. There was visceral knowledge about the circumstances of their death as well as the fate of the dead bodies.

Virsa Singh was disturbed with the talk in the village. The inquiry of the District Collector had not yielded. There was no recognition by the authorities that those killed were innocent. Virsa spoke to the people of the village. "How could those who died witnessing a massacre of innocents be ghosts?" he asked me. "How can this village which stood witness to the atrocities be haunted?", he continued. "Those who were killed are *shaheeds*, martyrs." Virsa Singh consulted with the villagers. He also spoke to influential lawyers who were working tirelessly to highlight the abuse of law in Punjab. Eventually, it was decided that every year on 9th of June the village Gurudwara will commemorate the incident and pay tributes to those

who were killed. The memorial at Behla was the first yearly memorial to be organised for the victims of extrajudicial executions in Punjab.

The victim, the martyr and the hero are narrative figures through which such conversion of the inexplicable into the meaningful may be channelled (Schramm, 2011, p. 7). The memorialization of the incident in the Gurudwara (sacred space) and remoulding meaning from ghosts to martyrs (religious-political implication) has historical linkages with revered tradition of martyrdom in Sikhism. A martyr in Sikh tradition means the one who as a witness, testifies against injustice (Fenech 1997; Mahmood 1996; Pettigrew 1992).

After reaching the village, Virsa Singh asked his son to arrange a meeting with one of the survivors of the incident, Sukhchain Singh. I was aware of this case during my investigations about the role of NHRC and the flaws in its schema for compensation. Sukhchain Singh, a man in his 40s, carried newspaper clippings from various Punjabi newspapers who reported the incident, stapled at one corner.

Sukhchain Singh, Virsa Singh, B Veerji and walked towards the house where the encounter took place. The house had been constructed again some five years back by the owners who had abandoned the place during the time of heightened conflict. We stood beneath jacaranda trees as Sukhchain Singh exclaimed that they even use helicopters during the operation. He then pointed out towards the entrance to the plot where he lay injured for hours until he was taken to the hospital by the security forces.

The NHRC granted a compensation of 1,75,000 (INR) each for wrongful cremation of their kith and kin. However, NHRC's arbitrary logic of granting compensation left the kith and kin out of the category of "deemed custody" despite at least six petitions testifying against the claim of state of Punjab's claim that all nine persons killed in the incident were "terrorists".

This case was highlighted again when the village observed the barsi (annual commemoration) of the incident. The Barsi coincided with another infamous incident in Indian Occupied Kashmir when a Indian Army Major forcefully tied a native civilian, Farooq Ahmed Dar[27], to the bonnet of his jeep and parade him through a number of villages for four hours- maybe the reason for a report which appeared in a mainstream newspaper.

On 9th June 2017, Khalra Mission Organization headed by Paramjit Kaur Khalra (wife of Jaswant Singh Khalra) along with the men and women of villager Behla commemorated the 25th anniversary of the incident at the village.[28]

Khalra Mission Organization was formed in 1995 after the disappearance of Jaswant Singh Khalra. Paramjit Kaur Khalra, who pioneered the struggle to keep memory of Punjab's fractured past in the personal and social realm alive to this day, pointed out to the importance of documentation as a mnemonic tool. KMO helps to organize memorial meetings along with victim-survivor families across Punjab, they issue statements highlighting instances of state excess across India and pass resolutions to continue the fight for justice.

De Yaza and Fox (2013) found that community centres and memorial sites allow for oral transmission of memory through storytelling, song, performance and testimony. This, they aver, is highly important to marginalized groups, as written history is often conceptualized as traditionally originating from a colonial perspective (Ibid, 355)

[27] For a brief report on the incidence and insights into patterns of impunity in India see: The Indian Express. (24 May 2017). Major Nitin Leetul Gogoi awarded for counter insurgency ops: Here's how things unfolded after 'human shield' incident. Retrieved from: : http://indianexpress.com/article/india/kashmir-budgam-chief-of-army-staff-coas-stone-pelters-major-nitin-leetul-gogoi-awarded-for-counter-insurgency-ops-here-is-how-things-unfolded-after-human-shield-incident-4671502/

[28] For a detailed reportage of the same, see: Brar, K.S., (10 June 2017). Amid human shield debate, a Tarn Taran village remembers its sons killed in encounter 25 years ago. The Indian Express. Retrieved from: http://indianexpress.com/article/india/tarn-taran-village-remembers-its-sons-killed-in-encounter-25-years-ago-4697030/

The commemoration/memorial meetings are organized every year by the victim-survivor families, Khalra Mission Organization and other supporting human rights activists. Villagers attend and participate in the memorial meeting, forging link between individual and collective memory. Since the meetings are held in the Gurdwara, religion plays a central role in memorialization. The victim families are recognized with a *siropa* (religious robe). The preservation of traditional cultural moorings is additionally important as an assertion of religious identity which itself became a signifier for potential violence regardless of any affiliation with militancy. The congregation participate in the *Ardaas* as they all stand facing the holy book, Guru Granth Sahib. A large wooden frame with photographs of those killed along with the burnt house where the incident took place is placed alongside. Derived from the Persian word 'Arazdashat', Ardaas means, "a request, a supplication, a prayer, a petition or an address to a superior authority". The Ardaas evokes the historical importance of martyrdom wherein the place of a martyr is sanctified and institutionalized and is performed before and after commencing significant tasks.

Memory is recalled and passed on by the village community through this yearly commemorative gathering, speeches, rituals, and a variety of performances. Violent memories are thus sacralised through embodiment of sacred space in this case a Gurudwara as a site of memorialization. There is an intermingling of tangible objects (photo frame, religious robe, protest pamphlets) as "containers of memories" alongside symbolic, ritual, oral and performative commemorations (speeches, prayers, votive) in line with religious traditions.

Along with representatives of the village, victim-survivor families address the gathering . Various local and state level activists are also invited to speak. The meetings involve acknowledging the occurrences of the past including multiple levels of wrongdoing, naming

the perpetrators and survivors of violence. The pamphlet[29] issued and distributed during the meeting specifically point out to the institutionalization as well incentivising of impunity in Punjab, as the police officer who led the operation in village Behla was promoted to the position of a security advisor to the current Chief Minister of Punjab.

They shed light on current affairs regarding state impunity across India thus creating spaces of cross-community solidarity. Statements in the form of pamphlets are issued in support for the human rights defenders. The pamphlets are also statements of protest and reproduction of memories of oppression and non-acknowledgement. Collective memory then does not remain confined within a community but paves way for cross-community solidarities and politics.

The entwining of documentation, testimony, religious traditions, language of human rights and solidarities across time and space challenge established forms of representing and responding to violence. It therefore disables a smooth unfolding of the mainstream narrative.

[29] See Appendix: 1 for a copy of the Pamphlet issued in Punjabi and a translated version of the same.

CHAPTER 5: IN LIEU OF A CONCLUSION

Since 2017, I noticed a stealth presence of posters of ostensible "Sikh terrorists" outside malls, police booths and random walls across New Delhi. By July 2017, there was a sudden proliferation. Almost every market corner, police *chowki* had fresh posters of "wanted Sikh terrorists". These are invariably placed with posters of the pervasive threat of "Muslim terrorists". This renewed marking of everyday spaces, in almost every nook and corners, gave a palpable sense of discomfort and anxiety.

On Canadian Prime Minister, Justin Trudeau's visit to India, in February 2018, aggressive framing of *all* Sikhs in Canada as terrorists or extremists dotted the Indian mediascape. Commentators urged the Indian Prime Minister to, "bury politics, take a nationalist view and cancel his visit". The underlying theme was that Canada harbours Sikh separatists, a remarking of threat from outside. Earlier in 2017, Shekhar Gupta, a prominent journalist (whose reportage of the counter-insurgency campaign should be analysed as an important example of manufacture of dominant discourse) wrote that "the dominant motifs of Punjab are the turban, bhangra, *balle-balle*[30] and the Golden Temple"[31]. This continued essentializing and depoliticization of an entire community along with the appropriation of public space with fictitious threats, solidifies pre-existing prejudices denying a diversity of meanings, the most important of them being glaring failure of every democratic institution in India in enabling justice to the Sikhs.

Symbolic violence against the Sikh minority, comes to the fore at various junctures to meet political ends and reproduction of threat from within and outside. Its lingering presence

[30] Famous traditional Punjabi dance form.
[31] Gupta. S., (March 25, 2017). Kejriwal could end up the Vinod Kambli of Indian politics. Rediff News. Retrieved from: http://www.rediff.com/news/column/kejriwal-could-end-up-the-vinod-kambli-of-indian-politics/20170325.htm

highlighting how supressed people oriented meanings/histories act as performative repertories which keep marked groups in interminable cobweb of suspicion. It also criminalizes their aspirations and ways of being.

In lieu of a definite conclusion, I will draw parallels from Indian Occupied Kashmir and Punjab to stress iteration in modes of governmentality and biopolitical underpinning NHRC's role in Punjab and a window into the role of symbolic violence in rendering lives ungrievable.

In 2016, during the peak of yet another uprising against Indian control in Indian Occupied Kashmir, a "security expert" on state run news channel, advocated execution of civilians, "like KPS Gill did in Punjab"[32]. Since then, numerous well-known personalities of the cultural industry including news anchors have openly advocated for genocide and carpet bombing of Kashmiris. There is little difference between the state and the media. The state which harps on global "war on terror" to legitimise its apparatus of discipline, punish and kill and role of the media in dehumanization through "diffusion and derealization" of this violence.

"Differential allocation of grievability", writes Judith Butler (2004), which "decides what kind of subject is and must be grieved, and which kind of subject must not, operates to produce and maintain certain exclusionary conceptions of who is normatively human: what counts as a livable life and a grievable death?" (Ibid, p. xiv-xv) According to Butler, such framing of discourse "delivers the message of dehumanization that is already at work in the culture" (Ibid. p. 34) and "serves the de-realizing aims of military violence" (Ibid. p. 37)

[32] Sikh Siyasat News. (September 21, 2016). Execute Civilians in Kashmir like KPS Gill did in Punjab: Indian Security Expert says on Rajya Sabha TV. Retrieved from: https://sikhsiyasat.net/2016/09/21/execute-civilians-kashmir-like-kps-gill-punjab-indian-secutiry-expert-says-rajya-sabha-tv/

According to the 2009 findings of the International People's Tribunal on Human Rights and Justice in Kashmir (IPTK)[33]: The actions of India's military and paramilitary forces in Kashmir have resulted in 8000+ enforced and involuntary disappearances, 70, 000 deaths, including through extrajudicial or 'fake encounters', custodial brutality and other means which include: rape, torture and arbitrary arrests. Kashmir is the most militarized zone in the world: the military to civilian ratio being 1:15 with the presence of 7lac soldiers (Navlakha 2011; Kazi 2010)

In 2011, State Human Rights Commission of Jammu and Kashmir (J&K) announced that it has recorded multiple unmarked graves containing 2730 bodies, acknowledging that at least 574 of the 2730 were identified as locals—rather than only "unidentified cross-border terrorists" as per the Indian government's prior claims. A further 3,000 unmarked graves were found in Poonch and Rajouri districts. The J&K government announced in its Action Taken Report to SHRC that it will *not* conduct DNA testing to identify the bodies. It reportedly, stated that India lacked resources to conduct large scale identifications; it feared triggering "serious law and order" situation; lastly, that the work was unnecessary as the police have records identifying most of those bodies; and any remaining unidentified bodies were of militants.

A similar mode of governmentality as elucidated in Chapter 3 of this thesis can be discerned here, simply by reading of these facts. A comparative analysis including NHRC's handling of extrajudicial execution cases in the state of Manipur provides scope for future research.

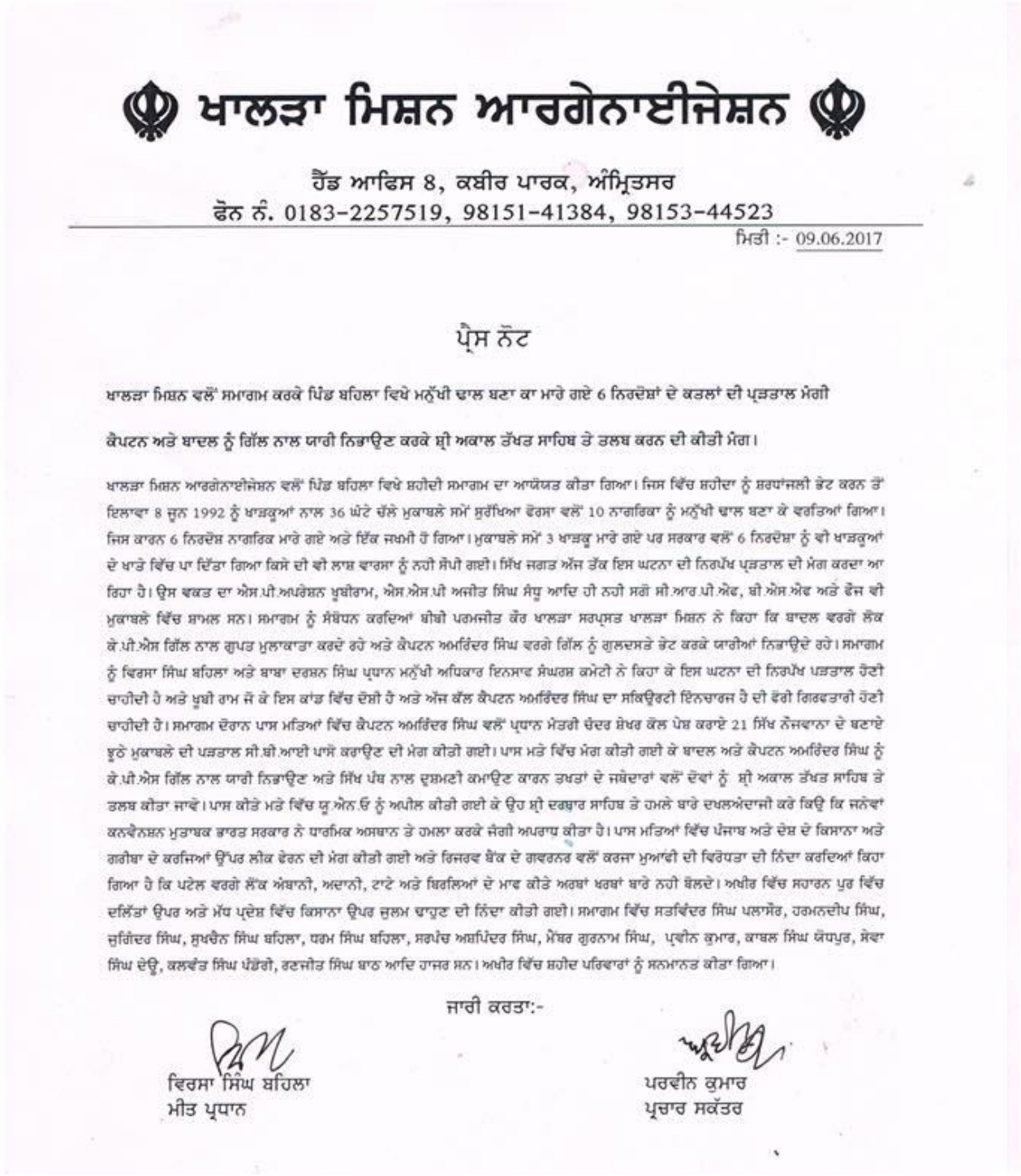
Dominant discourses are manufactured by employing symbolic violence, which is shot through multitude of ideological state apparatus. The reproduction of categories of groups

[33] Chatterji, A. P., Imroz, P., Nauvlakha, G., Zahir-Ud-Din, M. D., & Parvez, K. (2009). Buried Evidence: Unknown, Unmarked, and Mass Graves in Indian administered Kashmir. International People's Tribunal on Human Rights and Justice in Kashmir. Kashmir Process, 2. Retrieved from: http://kashmirprocess.org/

who are susceptible to ‘everyday, normative experiences of reification, depersonalization, and acceptable death’ (Scheper-Hughes, 2002, p. 373) help sustain regimes of impunity. The citationality of this reification and dehumanization directed at marked groups enables misrecognition of fragments of social reality; unravelling of which could in the least unsettle dominant discourses and pave way for intersectional solidarities.

APPENDIX: 1

PAMPHLET ISSUED DURING THE COMMEMORATION AT VILLAGE BEHLA ON 9TH JUNE 2017



ਖਾਲੜਾ ਮਿਸ਼ਨ ਆਰਗੇਨਾਈਜੇਸ਼ਨ

ਹੈੱਡ ਆਫਿਸ 8, ਕਬੀਰ ਪਾਰਕ, ਅੰਮ੍ਰਿਤਸਰ
ਫੋਨ ਨੰ. 0183-2257519, 98151-41384, 98153-44523

ਮਿਤੀ :- 09.06.2017

ਪ੍ਰੈਸ ਨੋਟ

ਖਾਲੜਾ ਮਿਸ਼ਨ ਵਲੋਂ ਸਮਾਗਮ ਕਰਕੇ ਪਿੰਡ ਬਹਿਲਾ ਵਿਖੇ ਮਨੁੱਖੀ ਢਾਲ ਬਣਾ ਕਾ ਮਾਰੇ ਗਏ 6 ਨਿਰਦੋਸ਼ਾਂ ਦੇ ਕਤਲਾਂ ਦੀ ਪੁੜਤਾਲ ਮੰਗੀ

ਕੈਪਟਨ ਅਤੇ ਬਾਦਲ ਨੂੰ ਗਿੱਲ ਨਾਲ ਯਾਰੀ ਨਿਭਾਉਣ ਕਰਕੇ ਸ੍ਰੀ ਅਕਾਲ ਤੱਖਤ ਸਾਹਿਬ ਤੇ ਤਲਬ ਕਰਨ ਦੀ ਕੀਤੀ ਮੰਗ।

ਖਾਲੜਾ ਮਿਸ਼ਨ ਆਰਗੇਨਾਈਜੇਸ਼ਨ ਵਲੋਂ ਪਿੰਡ ਬਹਿਲਾ ਵਿਖੇ ਸ਼ਹੀਦੀ ਸਮਾਗਮ ਦਾ ਆਯੋਜਨ ਕੀਤਾ ਗਿਆ। ਜਿਸ ਵਿੱਚ ਸ਼ਹੀਦਾਂ ਨੂੰ ਸ਼ਰਧਾਂਜਲੀ ਭੇਟ ਕਰਨ ਤੋਂ ਇਲਾਵਾ 8 ਜੂਨ 1992 ਨੂੰ ਖਾੜਕੂਆਂ ਨਾਲ 36 ਘੰਟੇ ਚੱਲੇ ਮੁਕਾਬਲੇ ਸਮੇਂ ਸੁਰੱਖਿਆ ਫੋਰਸਾ ਵਲੋਂ 10 ਨਾਗਰਿਕਾ ਨੂੰ ਮਨੁੱਖੀ ਢਾਲ ਬਣਾ ਕੇ ਵਰਤਿਆਂ ਗਿਆ। ਜਿਸ ਕਾਰਨ 6 ਨਿਰਦੋਸ਼ ਨਾਗਰਿਕ ਮਾਰੇ ਗਏ ਅਤੇ ਇੱਕ ਜਖਮੀ ਹੋ ਗਿਆ। ਮੁਕਾਬਲੇ ਸਮੇਂ 3 ਖਾੜਕੂ ਮਾਰੇ ਗਏ ਪਰ ਸਰਕਾਰ ਵਲੋਂ 6 ਨਿਰਦੋਸ਼ਾਂ ਨੂੰ ਵੀ ਖਾੜਕੂਆਂ ਦੇ ਖਾਤੇ ਵਿੱਚ ਪਾ ਦਿੱਤਾ ਗਿਆ ਕਿਸੇ ਦੀ ਵੀ ਲਾਸ਼ ਵਾਰਸਾ ਨੂੰ ਨਹੀ ਸੌਪੀ ਗਈ। ਸਿੱਖ ਜਗਤ ਅੱਜ ਤੱਕ ਇਸ ਘਟਨਾ ਦੀ ਨਿਰਪੱਖ ਪੁੜਤਾਲ ਦੀ ਮੰਗ ਕਰਦਾ ਆ ਰਿਹਾ ਹੈ। ਉਸ ਵਕਤ ਦਾ ਐਸ.ਪੀ.ਅਪਰੇਸ਼ਨ ਖੁਬੀਰਾਮ, ਐਸ.ਐਸ.ਪੀ ਅਜੀਤ ਸਿੰਘ ਸੰਧੂ ਆਦਿ ਹੀ ਨਹੀ ਸਗੋਂ ਸੀ.ਆਰ.ਪੀ.ਐਫ, ਬੀ.ਐਸ.ਐਫ ਅਤੇ ਫੌਜ ਵੀ ਮੁਕਾਬਲੇ ਵਿੱਚ ਸ਼ਾਮਲ ਸਨ। ਸਮਾਗਮ ਨੂੰ ਸੰਬੋਧਨ ਕਰਦਿਆਂ ਬੀਬੀ ਪਰਮਜੀਤ ਕੌਰ ਖਾਲੜਾ ਸਰਪ੍ਰਸਤ ਖਾਲੜਾ ਮਿਸ਼ਨ ਨੇ ਕਿਹਾ ਕਿ ਬਾਦਲ ਫਰਗੇ ਲੌਕ ਕੇ.ਪੀ.ਐਸ ਗਿੱਲ ਨਾਲ ਗੁਪਤ ਮੁਲਾਕਾਤਾ ਕਰਦੇ ਰਹੇ ਅਤੇ ਕੈਪਟਨ ਅਮਰਿੰਦਰ ਸਿੰਘ ਫਰਗੇ ਗਿੱਲ ਨੂੰ ਗੁਲਦਸਤੇ ਭੇਟ ਕਰਕੇ ਯਾਰੀਆਂ ਨਿਭਾਉਦੇ ਰਹੇ। ਸਮਾਗਮ ਨੂੰ ਫਿਰਸਾ ਸਿੰਘ ਬਹਿਲਾ ਅਤੇ ਬਾਬਾ ਦਰਸ਼ਨ ਸਿੰਘ ਪ੍ਰਧਾਨ ਮਨੁੱਖੀ ਅਧਿਕਾਰ ਇਨਸਾਫ ਸੰਘਰਸ਼ ਕਮੇਟੀ ਨੇ ਕਿਹਾ ਕੇ ਇਸ ਘਟਨਾ ਦੀ ਨਿਰਪੱਖ ਪੜਤਾਲ ਹੋਣੀ ਚਾਹੀਦੀ ਹੈ ਅਤੇ ਖੂਬੀ ਰਾਮ ਜੋ ਕੇ ਇਸ ਕਾਂਡ ਵਿੱਚ ਦੋਸ਼ੀ ਹੈ ਅਤੇ ਅੱਜ ਕੱਲ ਕੈਪਟਨ ਅਮਰਿੰਦਰ ਸਿੰਘ ਦਾ ਸਕਿਉਰਟੀ ਇੰਨਚਾਰਜ ਹੈ ਦੀ ਵੀ ਫੌਰੀ ਗਿਰਫਤਾਰੀ ਹੋਣੀ ਚਾਹੀਦੀ ਹੈ। ਸਮਾਗਮ ਦੌਰਾਨ ਪਾਸ ਮਤਿਆਂ ਵਿੱਚ ਕੈਪਟਨ ਅਮਰਿੰਦਰ ਸਿੰਘ ਵਲੋਂ ਪ੍ਰਧਾਨ ਮੰਤਰੀ ਚੰਦਰ ਸ਼ੇਖਰ ਕੋਲ ਪੇਸ਼ ਕਰਾਏ 21 ਸਿੱਖ ਨੌਜਵਾਨਾ ਦੇ ਬਣਾਏ ਝੂਠੇ ਮੁਕਾਬਲੇ ਦੀ ਪੜਤਾਲ ਸੀ.ਬੀ.ਆਈ ਪਾਸੋ ਕਰਾਉਣ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ। ਪਾਸ ਮਤੇ ਵਿੱਚ ਮੰਗ ਕੀਤੀ ਗਈ ਕੇ ਬਾਦਲ ਅਤੇ ਕੈਪਟਨ ਅਮਰਿੰਦਰ ਸਿੰਘ ਨੂੰ ਕੇ.ਪੀ.ਐਸ ਗਿੱਲ ਨਾਲ ਯਾਰੀ ਨਿਭਾਉਣ ਅਤੇ ਸਿੱਖ ਪੰਥ ਨਾਲ ਦੁਸ਼ਮਣੀ ਕਮਾਉਣ ਕਾਰਨ ਤੁਖਤਾਂ ਦੇ ਜਥੇਦਾਰਾਂ ਵਲੋਂ ਦੋਵਾਂ ਨੂੰ ਸ੍ਰੀ ਅਕਾਲ ਤੱਖਤ ਸਾਹਿਬ ਤੇ ਤਲਬ ਕੀਤਾ ਜਾਵੇ। ਪਾਸ ਕੀਤੇ ਮਤੇ ਵਿੱਚ ਯੂ.ਐਨ.ਓ ਨੂੰ ਅਪੀਲ ਕੀਤੀ ਗਈ ਕੇ ਉਹ ਸ੍ਰੀ ਦਰਬਾਰ ਸਾਹਿਬ ਤੇ ਹਮਲੇ ਬਾਰੇ ਦਖਲਅੰਦਾਜੀ ਕਰੇ ਕਿਉ ਕਿ ਜਨੇਵਾ ਕਨਵੈਨਸ਼ਨ ਮੁਤਾਬਕ ਭਾਰਤ ਸਰਕਾਰ ਨੇ ਧਾਰਮਿਕ ਅਸਥਾਨ ਤੇ ਹਮਲਾ ਕਰਕੇ ਜੰਗੀ ਅਪਰਾਧ ਕੀਤਾ ਹੈ। ਪਾਸ ਮਤਿਆਂ ਵਿੱਚ ਪੰਜਾਬ ਅਤੇ ਦੇਸ਼ ਦੇ ਕਿਸਾਨਾ ਅਤੇ ਗਰੀਬਾ ਦੇ ਕਰਜਿਆਂ ਉੱਪਰ ਲੀਕ ਫੇਰਨ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ ਅਤੇ ਰਿਜਰਵ ਬੈਂਕ ਦੇ ਗਵਰਨਰ ਵਲੋਂ ਕਰਜਾ ਮੁਆਫੀ ਦੀ ਫਿਰੋਯਤਾ ਦੀ ਨਿੰਦਾ ਕਰਦਿਆਂ ਕਿਹਾ ਗਿਆ ਹੈ ਕਿ ਪਟੇਲ ਫਰਗੇ ਲੌਕ ਅੰਬਾਨੀ, ਅਦਾਨੀ, ਟਾਟੇ ਅਤੇ ਬਿਰਲਿਆਂ ਦੇ ਮਾਫ ਕੀਤੇ ਅਰਬਾਂ ਖਰਬਾਂ ਬਾਰੇ ਨਹੀ ਬੋਲਦੇ। ਅਖੀਰ ਵਿੱਚ ਸਹਾਰਨ ਪੁਰ ਵਿੱਚ ਦਲਿੱਤਾਂ ਉਪਰ ਅਤੇ ਮੱਧ ਪ੍ਰਦੇਸ਼ ਵਿੱਚ ਕਿਸਾਨਾ ਉਪਰ ਜੁਲਮ ਢਾਹੁਣ ਦੀ ਨਿੰਦਾ ਕੀਤੀ ਗਈ। ਸਮਾਗਮ ਵਿੱਚ ਸਤਵਿੰਦਰ ਸਿੰਘ ਪਲਾਸੌਰ, ਹਰਮਨਦੀਪ ਸਿੰਘ, ਜੁਗਿੰਦਰ ਸਿੰਘ, ਸੁਖਚੈਨ ਸਿੰਘ ਬਹਿਲਾ, ਧਰਮ ਸਿੰਘ ਬਹਿਲਾ, ਸਰਪੰਚ ਅਸ਼ਪਿੰਦਰ ਸਿੰਘ, ਮੈਂਬਰ ਗੁਰਨਾਮ ਸਿੰਘ, ਪ੍ਰਵੀਨ ਕੁਮਾਰ, ਕਾਬਲ ਸਿੰਘ ਖੋਥਪੁਰ, ਸੇਵਾ ਸਿੰਘ ਦੇਊ, ਕਲਵੰਤ ਸਿੰਘ ਪੰਡੋਰੀ, ਰਣਜੀਤ ਸਿੰਘ ਬਾਠ ਆਦਿ ਹਾਜਰ ਸਨ। ਅਖੀਰ ਵਿੱਚ ਸ਼ਹੀਦ ਪਰਿਵਾਰਾਂ ਨੂੰ ਸਨਮਾਨਤ ਕੀਤਾ ਗਿਆ।

ਜਾਰੀ ਕਰਤਾ:-

ਵਿਰਸਾ ਸਿੰਘ ਬਹਿਲਾ
ਮੀਤ ਪ੍ਰਧਾਨ

ਪਰਵੀਨ ਕੁਮਾਰ
ਪ੍ਰਚਾਰ ਸਕੱਤਰ

PRESS NOTE 09/JUNE/17

Khalra Mission Organisation held a Martyrs Confluence at Village Bhelañ in which they paid a tribute to the martyrs. They also protested the use six young Sikh men as human shield. They demanded a fair investigation in their murder.

On 8th June 1922, in an encounter with the militants, 10 civilians were used as human shield by the security forces, because of which 6 of them were killed and one person was injured. During the encounter 3 militants were also killed but the security forces presented the 6 civilians killed as militants to the government and none of the dead bodies were handed over to the families. The Sikh community has been asking for a fair investigation in this case. The then Superintendent of Police (Operation) Khoobi Ram, SSP Ajit Singh Sandhu etc, along with CRPF, BSF and Army were a part of the encounter.

While addressing the confluence, Bibi Paramjeet Kaur Khalra, head of Khalra Mission Origination mentioned that people in power like Badal used to hold secret meeting with KPS Gill and Capt. Amrinder had a good friendship with Gill.

During the confluence, Virsa Singh Bhehleñ and Baba Darshan Singh Pradhan of Human Rights Justice Struggle Committee demanded that there should be a fair investigation in this case and Khoobi Ram (who is currently the security in-charge for Amrinder Singh), accused in this case should be arrested.

During the confluence, the following resolutions were passed:

1. CBI inquiry into the case of 21 innocent Sikh men who were killed in a fake encounter. This case was presented by Captain Amrinder Singh to the then Prime

Minster Chandrashekar.

2. Capt. (Amrinder) and (Prakash Singh) and Badal, who were accused of friendship with (KPS)Gill (at the cost of wellbeing of Sikh community), were demanded to be presented before the Akal Takht for a hearing.

3. The also appealed that the UNO intervenes and investigates the attack on the Golden Temple because the Govt of India violated the Geneva Convention which prohibits the attack against historical, religious and cultural objects and buildings (which amounts to War crime).

4. Farmers should be exempted from paying back of loans. Reserve Bank of India was condemned for exempting Big business houses from paying back of loans and speaking against waiving off former loans.

5. Lastly, attack on Dalits in Saharanpur and use of force on farmers of Madhya Pradesh was condemned.

At the end the families of the martyrs were felicitated.

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