SIT Report on 1984 Anti-Sikh Riots

Why in news?

The special investigation team (SIT) set up to probe on 1984 anti-Sikh riots handed over its report to the Court.

What was the case on?

- The 1984 anti-Sikh riots broke out after the assassination of Indira Gandhi who was then the Prime Minister of the country.
- As many as 3,325 people from the Sikh community, including 2,733 in Delhi alone, were killed in the pogrom.
- Some senior politicians, many of them from the Congress party, were accused of inciting violence and stirring up tensions.

How did the present SIT come up?

- Another SIT had earlier scrutinised 293 cases, and closed 199 of them.
- A two-member team of retired apex court judges scrutinised these 199 cases, along with 42 other matters that had been closed earlier.
- The supervisory committee gave its views on these 241 cases.
- The Bench headed by the then Chief Justice of India, Dipak Misra, was informed that 186 cases merited further investigation.
- Thus, a fresh 3-member team, headed by retired Delhi HC judge, S.N. Dhingra, was constituted on the direction of a three-judge bench in January 2018.
- It was asked to examine these 186 cases.
- This came up on a petition filed by a riot victim Gurlad Singh Kahlon.

What is the present report on?

- The SIT had taken up the probe into cases on 1984 riots that had been closed by the police.
- On the completion of the investigation, the report was handed over in a sealed cover to the top court.
- It was also requested that the team be discharged.
- The court has taken the report on record and adjourned the case for two weeks.

What are the earlier developments in the case?

- In November 2018, two men were convicted of murder.
- One of them was sentenced to death, and the other to life.
- In December 2018, the Delhi High Court had convicted former Congress MP Sajjan Kumar for his role in the riots.
- He was sentenced to life imprisonment (after being acquitted by the trial court 5 years earlier). [His appeal is pending in Supreme Court.]
- Otherwise, the 35-year-long quest for justice is largely a story of failure due to political influence, hurried investigation and shoddy prosecution.
- The country has seen other large-scale riots and pogroms after 1984, but has not been able to ensure substantive justice.

What is the significance?

- It is not easy to secure convictions in instances of communal riots and sectarian violence.
- This is especially challenging when thousands of offenders are gripped by mob frenzy.
- Moreover, in 1984, there was little effort in the early days to bring to justice the high political functionaries who were suspected to have instigated the riots.
- Given this, fresh SIT report on 1984 riots may pave the way for reopening the probes.
- It may be a precedent to correcting the country's poor record in securing justice for the victims of the 1984 anti-Sikh pogrom.
- Regardless of how many cases out of these result in prosecution, the development does offer a glimmer of hope to the victims of 1984.
- It is time to consider the Delhi High Court's suggestion in its verdict on Sajjan Kumar.
- It suggested that there could be separate legislation to deal with mass murders that amount to genocide or crimes against humanity.

Source: Hindustan Times, The Hindu

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