



Commonwealth Human Rights Initiative

New Delhi, India. London, UK. Accra, Ghana
NGO in Special Consultative Status with the Economic & Social Council of the United Nations

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THE COMMONWEALTH HUMAN RIGHTS INITIATIVE'S STATEMENT ON THE ACQUITTAL OF ACCUSED PAC PERSONNEL IN THE 1987 HASHIMPURA KILLINGS.

The Commonwealth Human Rights Initiative is deeply concerned by the acquittal of all 16 accused PAC (Provincial Armed Constabulary) personnel in the murder of 42 young men and boys from Hashimpura, Meerut in May 1987, subsequent to the Meerut communal riots.

It is beyond dispute that security personnel from the PAC had picked up the men and boys from the locality even though Hashimpura neighbourhood had seen no rioting. Vibhuti Narayan Rai, Superintendent of Police, Ghaziabad, UP at the time has publicly asserted that 42 innocent Muslims were killed in cold blood by the personnel of PAC.

“28 years to reach the conclusion that no one murdered these young people is unforgivable. Hashimpura demonstrates once again what we all know and complain of everyday: the justice system is not working. It highlights weaknesses of accountability within the police, the leniency and indulgence of the court, the laxity of the prosecution. The only thing that has remained strong is impunity. The victims of Hashimpura must get justice. The state must ensure this”, said Wajahat Habibullah, Chair of CHRI.

CHRI urges the Government of India to set up at the very earliest a fully independent judicial inquiry with a time-bound mandate to scrutinise every aspect of the Hashimpura matter and, drawing lessons from this tragedy, proceed vigorously with reforms across the justice system including reforms in policing, which all governments have doggedly resisted for too long.

CHRI also calls upon the UP government to follow the Supreme Court judgement in State of Gujarat vs Kishanbhai (2014), review this acquittal and fix responsibility by initiating disciplinary proceedings against investigating and prosecuting agencies if they are found to have failed in their duty.

In CHRI's opinion, the unfortunate conclusion arrived at in this case demonstrates gross failure at all levels. In the 28 years, the accused continued to pursue regular careers in the UP police, some even with promotions and honours. In no way were their careers affected by the fact that the then Prime Minister Rajiv Gandhi himself, having visited Meerut, had insisted that the accused be charged with murder under Section 302 IPC, in itself a first in crimes of this nature. Even so, superiors writing their Annual Confidential Reports chose not to mention that the accused were facing serious criminal charges.

Throughout the case, which had to be transferred from Meerut to Delhi the UP administration had been stalling the appearance of the accused before the trial court on specious grounds of untraceability. When attendance was finally secured lackadaisical investigation ensured that reliance would rest largely on

the evidence of survivors, who themselves at the time would have been in fear of their lives, hardly looking out in the dark to identify their attackers. "All this has to change and must change now. Everyone in this country must feel confident that the State will not play with their lives and when they approach the justice system they will get effective redress - not delay and denial" said Maja Daruwala Director, of the Commonwealth Human Rights Initiative.

A handwritten signature in black ink, appearing to read 'M Daruwala', with a horizontal line underneath the name.

Maja Daruwala