

**Office of the Sr. Superintendent of Police, J&K SHRC Srinagar.**

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NO:SHRC\PIW/2011/1000

Dated: 02.7.2011.

Subject: Enquiry Report of Unmarked Graves in north Kashmir.

A sensational news appeared in "Kashmir Times" and "Greater Kashmir" on 18.4.2011 under the caption "Amnesty to India, Probe Kashmir Graves and Amnesties grave concern, Rights Body Demands Impartial Probe respectively". The Commission also received communication/queries/calls from public welfare spirited persons, NGO's, overzeal legal professionals, constitutional experts, Human Rights Activists, Professors and other dignified personalities about legal genesis of un-identified graves found. However, Amnesty International has also urged Indian Government to launch urgent investigation into some 1000 unmarked graves found in Kashmir Valley.

Kashmir Rights groups had also earlier said that it had found across dozen villages in the area around towns of Uri, Kupwara and Bandipora large number of unidentified dead bodies in unmarked graves, which may be victims of unlawful killings/ disappeared persons. On the above grounds, Human Rights Commission of J&K took suo-moto cognizance of the matter on 9.4.2008, and notices were issued to Jammu & Kashmir Govt through Financial Commissioner of Home department, DC Bla, P/S Uri, Bijhama, Bonyar, Bandipora, Kupwara through DGP J&K/DGP CID to file the reply/report, in addition to Sr. Supdt. of Police Investigating Wing of the Commission to submit the report after conducting proper enquiry into the matter.

Consequently, an investigation team was constituted under the supervision of undersigned comprising of:-

01. Inspr Mohammad yousuf
02. Inspr Baghwant Singh
03. Inspr Ashiq Hussain
04. Inspr veer Singh
05. SI(S) Khalid Mehraj
06. ASI(M) Farooq Ahmad
07. HC Gh. Mohammad,
08. HC Aijaz Ahmad
09. Sgct Gh. Qadir
10. Sg.Ct. Nazir Ahmad

The team proceeded to Baramulla, Bandipora, Handwara and Kupwara districts to verify on ground the figures of unmarked graves. During the course of enquiry, various witnesses at various places were cross examined and their statements accordingly recorded. The team visited



almost all the places in North Kashmir. At some places, though the witnesses corroborated verbally the existence of un-marked graves, but were not ready to record their statements in black and white due to their security concerns, as per their version. We have not included any statistics of un-marked graves given by such people in our report. However, at various places, witnesses have been willing to get their statements recorded in black and white, who's particulars are mentioned as below:

| S. No | Name                | Parentage           | Residence | Remarks |
|-------|---------------------|---------------------|-----------|---------|
| 1.    | Charlem Nabi Sheikh | Charlem Mohd Sheikh |           |         |
| 2.    |                     |                     |           |         |
| 3.    |                     |                     |           |         |
| 4.    |                     |                     |           |         |
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| 26.   |                     |                     |           |         |
| 27.   |                     |                     |           |         |
| 28.   |                     |                     |           |         |

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### SUMMARY

1. Total number of un-identified dead bodies (Claimed to be dead bodies of unidentified militants by local Police & handed over to locals for their burial) in various un-marked graveyards of North Kashmir =2730
2. Dead bodies identified later on as of locals  
Out of the preceding figure =0574
- a) Number of dead bodies identified as locals & shifted to their native graveyards after exhumation =017
- b) Number of dead bodies identified as locals but still buried in the above mentioned graveyards =0557
3. Number of dead bodies still buried in the above mentioned graveyards as un-identified =2156
4. Number of graves comprising of more than one dead body =018+
5. Number of dead bodies charred =020
6. Number of dead bodies comprising of only skulls =005

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**Different version with respect to the number of unidentified dead bodies buried in unmarked graves:-**

**(A) Local Police comprising of District Police Baramulla, Bandipora, Handwara and Kupwara :-**

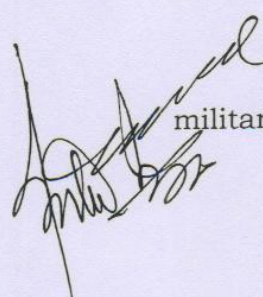
As reported by the local police of North Kashmir \_\_\_\_ only **464** unidentified dead bodies are buried in various un-marked graves at various places in North Kashmir which includes **09** unidentified dead bodies recovered from River Jehlum. (Annexures X & Y enclosed)

**(B) APDP/IPTK**

The organization has surveyed the North Kashmir and found **57** places where un-marked graves exist. The unidentified dead bodies buried at these **57** places are **2373**. (Annexures 1, 2 & 3 enclosed)

**(C) Police Investigating Wing of SHRC J&K Sgr:-**

Whereas the Investigating Team of Commission visited almost all the places leaving a few. The number of unidentified dead bodies buried in un-marked graves at various places in North Kashmir exceeds the figure i.e. **2373** as provided by APDP/IPTK. The locals have verbally corroborated existence of unmarked graves at various places in North Kashmir. But at some places witnesses got their statements recorded in black and white and at other places they did not get recorded their statements in black and white due to the apprehension of fear of torture and atrocities by Armed/Security agencies. Therefore, we have considered the statistical data's of **38** places only where people got their statements recorded in black and white and amounts to **2730** unidentified dead bodies, out of which **574** unidentified dead bodies have been later on identified as of locals thereby leaving behind the remainder of unidentified dead bodies still buried in un-marked graves as **2156**.

 The above **574**, were first buried as dead bodies of unidentified militants in various unmarked graves in North Kashmir. But they were later



north Kashmir but throughout the State wherever such unmarked graves are existing.

- If none of the above two steps are taken then State should be directed to go for suitable compensation to NOKs of all the disappeared/missing persons (not less than seven lacs-keeping in view the inflation of the present time) and take immediate steps for their proper rehabilitation.

**Precautions for future:-**

To stop the misuse of powers under AFSPA, PSA and disturbed areas Act, it is very much necessary that wherever any body is killed whether he is militant or (innocent killed during cross firing) his or her identification profile should be maintained properly. The identification profile should be prepared and should include DNA profile, supplemented with physical description, dental examination, distinctive medical characteristics if any, finger print etc so that no such doubt/claim arises in future, and if at all arises, and the same is neutralized/addressed within no time. The duplicate record of such identification profiles, should be also given to SHRC, for records\_\_ in future.

Hence final enquiry report is submitted for appropriate orders/directions.

  
**Sr. Superintendent of Police,  
J&K SHRC, Srinagar.**

|                       |                      |
|-----------------------|----------------------|
| <b>Enquiry report</b> | =17 leaves           |
| <b>Enclosures:-</b>   |                      |
| 1- Annexure-X         | = 25 leaves          |
| 2- Annexure-y         | =04 leaves           |
| 3- Annexure-Z         | =51 leaves(Original) |
| 4- Annexure-1         | =80 leaves           |
| 5- Annexure-2         | =04 leaves           |
| 6- Annexure-3         | =16 leaves           |
| 7- Misc. Annexure     | =08 leaves           |