

# 1984 SIKH GENOCIDE – DSGMC ARGUMENTS

Written Arguments on Behalf of Delhi Sikh Gurdwara Management Committee

Before Justice R.N. Misra Commission of Inquiry

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# Chapter One

## Part One

Written Arguments on Behalf of Delhi Sikh Gurdwara Management Committee  
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1. The Delhi Sikh Gurdwara Management Committee is handicapped in submitting any effective arguments. A large majority of documents which were collected by the Commission at the back of DSGMC, were never disclosed or made available to it.

Even the statutory report of Investigating Agency has not been made available. Only conclusions of Investigation regarding 25 affidavits has been furnished. This matter was of such vital importance that the Citizen's Justice Committee has to withdraw from the participation in the proceedings of this Commission.

The Delhi Sikh Gurdwara Management Committee also at times considered that its presence before this Commission had become irrelevant but because Delhi Sikh Gurdwara Management Committee happens to be premier organisation of Sikhs in Delhi and came to the conclusion that it was of utmost importance that the case of victims who suffered untold brutalities and barbarities should not in any event go by default and the facts at least should be brought to the notice of this Commission in order to complete the record.

2. Immediately after the holocaust (dictionary meaning "a burnt sacrifice", a complete or thorough sacrifice, especially by fire or nuclear war and insistent demands were made for the appointment of a Commission of Inquiry to make in-depth enquiry into the genesis of disturbances; the planned manner of their execution and for determination and identification of the elements who were responsible for the same.

Since independence, there are a large number of precedents where Commission of Inquiry had been appointed for investigating into the origin and nature of the riots of much lesser scale. But in the present case the resistance to take such a step on the part of the Government was astoundingly stout. There was not even a semblance of concern for this massive massacre of November 1984 on the part of those who found themselves installed in place of power and authority after the said assassination of Mrs. Indira Gandhi.

The entire tragic episode was dismissed and sought to be brushed aside as if it was only a ripple on the surface of the secular democracy. But the deep suspicions that the whole thing was the handiwork of some highly placed peoples who had during those three fateful days, caused a deliberate paralysis of the machinery for maintenance of law and order so that the Sikh community receives full blast of the operation "Teach them a lesson".

All of those citizens, many of them highly eminent, imbued with deep concern for human values as also for the values of secularism and democracy which formed the founding faith of our Republic, on their own, conducted investigation and inquiries to find out how the horrifying carnage could take place in the metropolitan capital of the metropolis from midnight of 31st October, 1984 – 1st November, 1984.

Some of these reports are:-

- a. Report of Citizen's Commission
- b. Report of Citizens For Democracy (CFD) "Truth about Delhi Violence"
- c. Report of Peoples' Union of Civil Liberties and Peoples' (PUCL) Union of Democratic Right (PUDR) "Who are the Guilty?"
- d. Reports of Nagrik Ekta Manch (NEM)

These reports have been placed on the record of Commission.

3. These reports not only detail the horrifying events locality-wise, but also are unanimous in their conclusion that the said carnage was organized one. One of the reports gave the names of those against whom a strong suspicion existed for their role in the organization of the carnage. There nevertheless was complete unanimity in respect of the role of the police which it was found not only guilty of negligence, but at places, of active complicity with the organisers and perpetrators of the violence as well as with the mobs.

4. A Writ Petition under the Article 226 of the Constitution was filed by Peoples' Union for Democratic Rights against the Union of India and Delhi Administration on or about 26.11.84 in the High Court of Delhi by way of public interest litigation claiming the following reliefs :-

a. By an appropriate writ, order or direction, appoint a Commission of Enquiry to carry out an investigation into the role of the police and political interference in the recent carnage as done in public interest litigation cases.

b. By an appropriate writ, order or direction direct, the CBI or the Crime Branch to investigate into the role of the police and politicians in the recent carnage and submit its report to this Hon'ble Court.

c. By an appropriate writ, order or direction, direct the relevant Executive Magistrate to take security measures for keeping peace in the area under section 107, 108, 109 and 110 of the Criminal P.C. from the people (police and politicians) named by the survivors in the petition's Report and the report of the Delhi University teacher's and in the statements and affidavits of the survivors.

d. By an appropriate writ, order or direction direct that an identification parade of all the people named by the survivors be held so that valuable evidence is not lost.

e. By an appropriate writ, order or direction direct those so identified from going to those areas for a period of at least 6 months so that an atmosphere of security and trust is created."

5. This petition was vehemently opposed by the Respondents. An affidavit of S.S. Jog, the then Commission of Police, Delhi was filed to buttress the case of these Respondents. The locus standing of the petitioner to approach the court in exercise of its jurisdiction under Article 226 of the Constitution was questioned and it was submitted that no writ, order or direction could be issued for directing any particular agency to investigate the matters with regard to the November riots or for taking proceedings as prayed for in the aforesaid prayers (c.), (d.), and (e.) of the Writ Petition. It was submitted by the Respondents that the Delhi Police was taking full action in relation to the said disturbances and a large number of cases had been registered in various Police Stations and a number of persons had been arrested.

A statement was furnished in regard to the number of persons under custody, the persons who had been released on bail, the persons who had been arrested under Prevention Laws etc. It was further averred that by an order dated 25th November, 1984, Ved Marwah, Assistant Commissioner of Police of CID had already been nominated to identify the causes and the officers/men behind the alleged failure of the Delhi Police to maintain law and order during the disturbances. It was stated that the inquiry by Ved Marwah will be held on the following points:-

(i) To identify incidents of serious failure and negligence, if any, on the part of individual police officers / men.

(ii) To identify good work if any done by individual police officers/men so that they are suitably rewarded.

(iii) To identify the deficiencies and limitation of power and equipment of the police force and to suggest measures to tone up the functioning of the Delhi Police to meet the challenge in the days to come.

6. This writ petition was dismissed on March 11, 1985 by a Bench of the Delhi High Court comprised of Yogeshwar Dayal and B.N. Kirpal JJ. (the Judgement is reported as AIR 1985 Delhi 268). Some more writ petitions which had been filed in the Supreme Court of India were also dismissed.

7. Notwithstanding the dismissal of the various writ petitions by the High Court of Delhi and the Supreme Court of India, deep sense of outrage and horror continued to prevail amongst the right thinking citizens of India. Insistent demands were made by eminent citizens, intellectuals, and academicians calling upon the Government to appoint a Commission of Inquiry. Ultimately by a Notification dated 26.4.85, the present Commission was constituted. Meanwhile, valuable time had been lost and sufficient time given to the political elements under suspicion to make attempts to tamper with and if possible to erase the evidence against them and fabricate alibis.

8. The attitude of the Government, both at the level of the Ministry of Home Affairs, Govt. of India and Delhi Administration, was far from satisfaction in relation to this Hon'ble Commission. The terms of reference as drafted were wholly inadequate and absolutely defective. These terms of reference were not formulated distinctly and pointedly. They were left deliberately vague leaving scope for the escape routes.

It was not pointedly stated in the terms of reference that this Hon'ble Commission should (a) inquire into the nature, extent and the character of violence; (b) whether the same was organized; (c) if so, who was responsible for such organizations (d) was there a failure, negligence and or complicity on the part of the authorities responsible for the maintenance of law and, if so, at what level such failure, negligence or complicity took place and finally what measures were necessary to prevent recurrence of such disturbances.

These are the essential features of any meaningful inquiry. The Central Government and its leadership was not aware of the fact that the allegations of deliberate inaction and complicity on the part of some highly placed persons were being freely and publically made in the press as well as from many responsible and respectable quarters. How is that the Delhi Administration could frame the terms of reference of Marwah Inquiry with preciseness, the Central Government could not spell them out with any degree of definiteness generally characteristic of all other Commissions of Inquiry.

Take the terms of reference of any Commission and this Hon'ble Commission will instantly notice the contrast. The only explanation for such inaptitude is that Central Govt. never desired sincerely the appointment of this Commission and when compelled by a near unanimous hue and cry, both inside the country and abroad made a hash of the terms of inquiry. The Govt. ignored the hue and cry raised in the Press by various persons / parties against the vague and unusual reference.

9. Nevertheless if the terms are so interpreted as to exclude from their scope, the identification of all those, whatever position of authority they might be occupying and also the determination of the nature, character and of the violence and its organization as well as the role of various personalities and organs of State in that behalf, the entire inquiry will become a meaningless exercise if not a farce. We feel sanguine and hope that this Commission will not so interpret the terms of reference as to let the hidden design of the framers of the terms of reference succeed.

10. The deliberate design and indifference on the part of the Central Government is evidenced by the fact that although the terms of reference provided that the report would be submitted within a period of 6 months, no attempt was made to provide the Commission with the wherewithal for the Inquiry. Sufficient staff was not placed at the disposal of the commission.

No Investigating Agency was constituted under section 5 –A of the Commission of Inquiry Act. The premises at 5 RajIndira Prasad Road, New Delhi were made available only in July 1985 i.e. more than 2 months after the appointment of the Commission and it was only towards the end of July 1985 that some staff was provided.

11. It was left to the Citizens' Justice Committee to move this Hon'ble Commission to seek the appointment of an investigating agency and pursuant

to said request, this Commission directed on 29.7.1985 that an investigating agency be set up. The appointment of Sh. D. R. Mina was made some time in September, 1985.

Even then, the investigating agency was not supplied with full and sufficient strength to meet the requirement of its charge. For sometime officers of the investigating Agency who had come from outside, could not become operative because they were not given accommodation noted this position in its conduct of the Union of India and Delhi Administration in this regard.

This deliberate indifference reinforced the belief that the Government had appointed the Commission under some kind of pressure, but was not anxious to render its true and genuine assistance to it. This attitude of the Government vastly hurt the injured feelings of the victims of violence.

12. This attitude of the Government became still more apparent when neither the Union of India nor the Delhi Administration placed the relevant materials in the form of documents, statements or affidavits before this Hon'ble Commission.

In fact, no affidavit was filed by any government officer explaining the genesis and circumstances, character and the nature of the disturbances. No attempt was made to lay bare before this Hon'ble Commission, the facts in possession of the authorities concerned identifying the persons which according to the Administration were responsible for the carnage.

It is relevant at this stage to mention that before the High Court of Delhi the Administration had taken a positive stand through the statements and affidavits filed by its officers that hundreds of cases had been registered, thousands of people had been arrested, security proceedings had been taken against hundreds of people and special investigating cells had been created for dealing with the complicated cases, that special officers were engaged in the

task of identification of the individual police officers who were guilty of serious failure and negligence in the discharge of their duties.

But sadly no attempt whatsoever was made on its own initiative by Delhi Administration or the Union of India to place any material at all on record of this Hon'ble Commission or to file affidavit/affidavits of its officers narrating the facts and circumstances relating to the said disturbances. Even the so called facts detailed before the High Court of Delhi in response to the aforementioned writ petition were not tendered before this Hon'ble Commission.

It was again left to the representatives of the victims to seek the production of the necessary documents and records in possession of the Delhi Administration, Ministry of Home Affairs and other governmental authorities. Once again tough opposition was displayed by the Govt. against the grant of the prayers for the production of documents and materials.

The representatives of the victims were then directed to file interrogatories seeking necessary information. The application for delivering interrogatories was also opposed by the Delhi Administration and the Union of India.

It was only when this Hon'ble Commission passed a pre-emptory order directing the Delhi Administration or Union of India and other governmental authorities to furnish the information sought in the interrogatories and when left with no other option that the Union of India and the Delhi Administration and the other authorities purported to give part of the requisite information. However, even then the information as placed was also not full and complete.

13. In principle and in law, a Commission of Inquiry is appointed by the appropriate government " for the information of its own mind" in order to enable the government to make up its mind as to what legislative or administrative measures should be adopted to eradicate a particular evil.

The law enjoins that a Commission be appointed in respect of a definite matter of public importance. In the words of Sir Cyril Salmon, a Commission is appointed " when a nation wide crisis of confidence comes into exist" in the integrity of public life or other matters of vital public importance. The object of the inquiry is to search out and establish the truth.

The public confidence can only be effectively restored by a thorough, deep and impartial probe. It is therefore a matter of deep regret and great irony, that neither the Union of India that is the Government which is expected to assist this Commission to inform its mind nor its agency (the Delhi Administration) was sincere enough to render to this commission its helping hand by furnishing voluntarily ( or even otherwise) whatever materials possessed by them appertain and apposite to the present inquiry.

14. Similar attitude was adopted both by the Delhi Administration and the Union of India. In response to the directions of this Hon'ble Commission to disclose their stand, the stand taken was very nebulous. It consisted of bare denial of the stand taken by the representatives of the victims.

It was stated that the allegations that the disturbances were organized are denied. It is thus beyond any doubt that both the Delhi Administration and the Union of India were participating in the proceedings of this Hon'ble Commission in a spirit of utmost obstructiveness. There was no attempt to give ready and willing cooperation. No attempt to place true and full facts in possession on record was made.

No attempt was made to furnish even the details in respect of various steps and acts allegedly taken by the Administration to bring the guilty to book and to prevent the recurrence of the trouble over again. If this Hon'ble Commission will peruse the judgment of the High Court of Delhi as reported in AIR 1985 Delhi Page 268, Your Lordship will notice the grossness of the contrast between the two attitudes, that is, one before the High Court and the other before this Hon'ble Commission.

The attitude before the High Court was overzealous merely in order to defeat the relief sought in the Writ Petition by pretending that active and vigilant action was in process against the offenders. The attitude of the Government in the present proceedings has been of calculated indifference towards its duty to volunteer even the elementary information on its own initiative.

One more reason why the two governments stayed away from putting the material before the High Court on the record of this Commission is that any indepth probe will expose the hollowness of the claim of having taken any sincere and effective action against the offenders of the November carnage.

15. One more factor may also be considered at this stage. Marwah inquiry was appointed on 25.11.1984. A suit was instituted in the High Court of Delhi challenging the validity of the appointment of Mr. Ved Marwah.

This suit was instituted by none other than two IPS officers: Chander Prakash and Sewa Dass, both of whom were DCP's of South Delhi and East Delhi respectively at the time of November disturbances. The Lt. Governor was one of the Respondents. Other Respondents were Mr. Ved Marwah, S.S. Jog and the Union of India.

At the instance of the police officers an ad-interim injunction was issued by Mr. Justice M.K. Chawla on 25.11.1985 against the Defendants 1 and 2 from publishing the inquiry report or submitting the same to Defendants 3 and 4 i.e. Lt. Governor of Delhi and the Union of India for taking any action in the matter. The Delhi Administration or the other defendants in the suit did not produce before the learned Judge relevant material to show the importance and legality of the departmental proceedings. The ad-interim injunction was granted on the grounds namely:

i) That an inquiry can be instituted on a definite matter of public importance only under section 3 of the Commission of Inquiry act 1952. Ved Marwah inquiry not having been so constituted is without jurisdiction.

ii) The Commission of Inquiry Act 1952 provides an elaborate procedure consistent with the principles of natural justice for conducting an inquiry. So far as the Ved Marwah Inquiry is concerned, no procedure has been laid down providing the manner in which the said inquiry is to be completed. Hence the inquiry is violative to the principles of natural justice.

16. The reasoning on the basis of which ad interim injunction was issued is highly doubtful. But be that as it may, Delhi Administration did not chose to prefer an appeal against the said ad interim injunction.

The circumstances in which the said order has been allowed to stand without any challenge by way of appeal are highly suspicious. Net result is that what was being trotted out as evidence of zeal of Delhi Administration was got consigned to cold storage by resorting to an abuse of the process of law.

The pattern set up in similar circumstances to thwart the Gurnam Singh Commission of Inquiry in Haryana ( ) appears to have been followed. No inquiry can be held in respect of any of these terms of inquiry. Even the officers if any who did good work are also not to be identified and rewarded; no inquiry is to be made into deficiencies of manpower and equipment.

The Union of India and its Administrator running the Delhi Administration have both let the dogs sleep under the shelter of the interim injunction. On a matter of such vital importance, no appeal has been filed. The period of limitation has expired. The suit may take another decade before it is disposed off. The administration which rushes to high courts in appeal even on the drop of a needle has shown complete indifference to get the order set aside.

The said suit is listed as suit no. 677/85 titled as Chander Prakash and another Vs. Ved Marwah and others. L.R. Gupta, Senior Advocate is representing the plaintiffs.

On the failure of the Govt. to file an appeal for setting aside the order of injunction an eminent citizen Lt. Gen. J. S. Arora filed an application in the court to be impleaded as a party in the above said suit and for setting aside the injunction order.

The Delhi Administration and Union of India though sought time twice to give reply but have failed to do so. The counsel for the Union of India also opposed the request for early hearing of the counsel of Lt. Gen. J. S. Arora. This Hon'ble Commission can summon the record of suit 677/85 titled Chander Prakash and Anr. Vs. Ved Marwah and Ors., from the Delhi High Court, for perusal.

An application filed by Lt. Gen J.S. Arora is attached herewith as Annexure –A. A perusal of the application and the annexure attached thereto would clearly show that the Delhi Admn.. (represented by Y.K. Sabharwal, Advocate) and the Union of India represented by R. K. Anand, Advocate, did not whole heartedly oppose the request of the plaintiff's therein for grant of ad-interim injunction. Through a copy of the order dated 25.11.85 granting ad-interim injunction is already on the record of this Hon'ble Commission but another copy of the same is annexed herewith for reference, as Annexure – B.

The counsel of Delhi Administration and the Union of India even did not place on record of the said suit an order passed by a Division Bench of the Delhi High Court in Writ Petition filed was dismissed on the basis that since Ved Marwah ACP has been deputed to inquire into all aspects of the unfortunate events between 31.10.1984 and 3 / 4.11.1984, and the enquiry conducted by Ved Marwah is likely to be completed and report submitted upto the end of April 1985.

The Court further held :-

" it is not for this court to lay down the procedure for administrative enquiry. If on the conclusion of the administrative enquiry, any one's rights are adversely affected the flaw in the said inquiry can perhaps be considered under various governing judicial review of administrative action."

Similar point was involved in the suit under reference but the Delhi Administration as well as the Union of India chose not to draw court's attention to this order of the Division Bench and got the injunction against them. The said Writ Petition is No. 2667/84 titled as Rahul Kuldeep Bedi Vs. Union of India. This Hon'ble Commission may call for the record of the said writ petition.

17. Even after the Government's decision to appoint this Commission doubts and suspicion continued to lurk in the minds of the victims of the disturbances regarding this sincerity of the Government in taking this action. It was widely believed that the object of the appointment was only seek the affirmation of the government's stand that the disturbances were not organized, but were the result of a spontaneous upsurge and rage against the assassination of Mrs. Indira Gandhi.

There existed, also persistent apprehension in the minds of the victims that in case they filed their affidavits and placed other relevant materials before this Hon'ble Commission they would be exposing themselves to the wrath of all those responsible for the organization of the carnage and might be subjected to vindictive action by them.

According to victims, organizers of the violence and perpetrators of various crimes against their community were strutting about at large. They were openly trolling about their connection with those who wielded political power and threatening the victims with dire consequences. The victims knew that most of those who had been arrested, had been released on bail. It has also come to their knowledge that the cases launched against them had been deliberately kept flimsy in nature.

No attempt had been made to collect the relevant and cogent evidence as is ordinarily done in other cases by the police. On the contrary, there was a mix up between police and the offenders who had full assurances that in the basis of evidence cited against them, they would most certainly get judgment of acquittal. That these apprehensions were not without foundation stands proved by subsequent events.

A period of full one year and 7 months has elapsed since disturbances. Not one single conviction has been disclosed to the Commission by the Delhi

Administration. On the other hand whatever cases have been decided, they have ended up in acquittals. Almost all the accused in pending cases are on bail. Most of the persons who were subjected to arrest were released either on the same day or the day next after.

A large number of them were so released by the police itself. This was against the law on the subject. In cases involving the sentence of life imprisonment or death, bail is not the normal rule. In any case, there is no power with the Magistrates or with the police to grant bail in such cases.

The victims also were aware of that those of their community who were charged with offences of murder or causing grievous hurt or with other associated crimes and in most cases falsely found themselves being prosecuted with great deal of zeal and fervour by the very same prosecutors. Their bail applications had been vehemently opposed.

The charges against them are being actively pursued and their self-defence was being deprived. It was for these reasons that the Commission had received only one affidavit in response to its first Notification under Rule 5(2)(c) of the rules.

18. In spite of all these apprehensions, the victims were persuaded to come forward and file their affidavits narrating the true facts in order to enable this Hon'ble Commission to arrive to the truth. About 600 affidavits were filed before this Hon'ble Commission. Out of these, this Hon'ble Commission has examined 100 victims of the carnage.

Nearly 10 more persons through not victims of the carnage by themselves were also examined because they were witnesses to the carnage against the Sikhs. All of them have been closely examined. Their testimony stood the test of cross-examination. The veracity and creditability of their evidence could not be shaken. Many amongst of the organization of the carnage.

This part of the evidence also stood unshaken by cross-examination. There are a large number of affidavits on the record where persons, some of them highly placed political functionaries (like M.Ps, Member of Metropolitan Council, or Municipal Corporation and even a Minister of Central Govt.) have also been named by the victims and other eye witnesses. In the selective process

conducted by the Registry of this Hon'ble Commission some of the deponents whose evidence of the thugs responsible for the carnage were left out of the array of those called for oral examination. Nevertheless the Commission may kindly take notice of their averments in affidavits for purpose of identification and also proof of the facts that the riots were organised and sponsored by the top level.

19. Having found to their chagrin, the unshaken character of the evidence, an attempt was made at the last stages of the inquiry to introduce oral evidence in support of the theory of spontaneous outburst. Practically all these witnesses who were thus produced had filed stereotyped affidavits which have been cyclostyled prior to filling of blanks by insertion of their names and addresses by hand and in ink.

Each affidavit reproduced almost in the same language what had been said in other affidavits. Almost entire evidence was hear-say. Although the witnesses who appeared in the witness box had been intensively tutored, they could not make reliable or credible case.

This kind of evidence can easily be mobilized. That they were intensively tutored is proved by the fact that none of these deponents had in their affidavits either mentioned the names of the persons providing protection or of the M.P. or the Congress (I) leaders who had allegedly rendered help and succour to the victims of the disturbances.

20. The assertion by these witnesses that the Congress (I) had rendered great service to the victims is ex-facie unbelievable. There is no objective demonstrable evidence of such help and succour. If such help or assistance had really been provided, evidence could be led that the Congressmen had come to the aid of the victims by organizing their party men in the form of peace morchas at the very inception of the eruption of the disturbances; by seeking the aid and assistance of police to protect the victims; by lodging reports against the offenders; by leading delegations to Congressmen in authority to take prompt and urgent action.

The Congress Party was then, as now, the party in power. The police could not have dared to show indifference if Congressmen had approached it to rush to protection of the victims. For full three days, the Sikhs were being killed and brutalized. While all other political parties and social organizations engaged themselves in rushing to seek protection for Sikhs, not one Congressmen was seen on the scene.

Not one Congressman of any status and importance has filed an affidavit or has stepped into witness box to narrate the kind of aid and protection rendered by him. If this Hon'ble Commission sees the video tapes of the T.V. broadcasts of 1st, 2nd and 3rd November, 1984 or the newspapers of the period, this Commission will find that not one Congressmen who mattered, even paid lip service to the cause of peace by issuing an appeal.

The M.P. from East Delhi (as described in affidavits of witnesses produced by the other side) who had been Minister of Information appeared on T.V. on the third day to make his appeal but by then Sikhs had been 'taught a lesson'. No concrete evidence apart from oral assertion was produced that any attempt was made by Congressmen to open a relief camp on these crucial days.

An examination of the newspapers of the relevant time will also show that various other sections of Citizens both political and non-political, and belonging to social, religious and other organizations were quite active in the formation of the peace committees and taking out peace marches, in organizing pickets in the mohallas and in visiting and touring the affected areas, persuading the people to remain peaceful, instill confidence and in visiting and touring the affected areas, persuading the people to remain peaceful; instill and inspire confidence in the victims.

Statements were issued by various leaders of the political parties condemning the violence during this very relevant time This was the kind of objective and demonstrable material which would have spoken more eloquently than the oral testimony of the tutored and mobilized evidence. None of those who

came to the witness box to support the case of the Administration, Police and the Congress (I) claimed that he/she was in any way connected with the work of protection of victims and in any case associated with any particular relief camp. In fact most of them were unaware of the extent and enormity of the carnage in Delhi which fully reflects the kind of interest and concern they had for the victims. Some of the affidavits disclose an extremely dangerous and insidious way thinking. To illustrate, it has been stated;

- i) That the disturbances took place because Mrs. Indira Gandhi had been assassinated by her two 'Sikh' security Guards. This was treacherous.
- ii) That the people who indulged in carnage had only reacted to what had happened in Punjab.
- iii) Jubilation and celebrations and distribution of sweets by some Sikhs in certain areas had taken place. Therefore Sikhs as a whole were suspect.

If this way of thinking becomes an acceptable norm of the country, then it is time that we cease to call ourselves a civilized society and bid farewell to Rule of law and to human values. It is also then the time to declare that faith of the founding father of freedom movement as also of our Constitution in justice, liberty, equality, fraternity as also in a secular democratic polity was wholly misplaced.

The implication of the above theory is that for the misdeeds of some misguided members of a particular community, the other members of the same community irrespective of their personal beliefs and commitments are liable to be punished. In offering these grounds the said deponents who were produced as witnesses by the Arya Samaj, justify the doctrine of collective sin (the sins of the brothers shall visit you). Implicit in this theory is that the person are of no consequence.

If a member of one community has killed a member of the other community, then all other members of the former are partners in his crime.

In the present case, a number of victims have appeared before his Hon'ble Commission who have deposed that they belong to the Congress (I) Party. Some of them even were officer bearers of the Congress (I) of their area. Nevertheless merely because they happened to be Sikhs were subjected to violence.

The fact that these witnesses who propound the above theory were produced by the Arya Samaj and other allied parties before this Hon'ble Commission incidentally disclose the mental outlook and make up of those parties as well. They are mushroomed before this Hon'ble Commission to uphold the said values.

The case put up by these parties as stated above, is mere excuse to cover up the sinister conspiracy and organization behind the carnage.

There was no cogent reason for the victims to name the Congress (I) party without any foundation. There are in existence in this country a number of Hindu Extremists Organizations. They would have been the natural suspects in such a communal battering. But how did it happen that none of the victims pointed their accusing finger at any of such extremist organizations. How did it happen that invariably all the victims coming from all walks of life and of different persuasions both political and otherwise as well as from various distant parts of the Union Territory of Delhi were unanimous in naming one and only one organization that is Congress (I) which was held responsible for organizing the violence.

Included amongst such witnesses were those who had themselves spent most of their lives in service of the Congress (I) party itself. A large number of Sikhs have stood by the Congress since very inception of their adult life. This Commission can take judicial notice of the fact that Sikhs made supreme sacrifices for the sake of freedom of the country. Annexed herewith as Annexure – B II is an article by Gilbert Labo detailing statistical data of the contribution and sacrifices made by Sikhs for freedom of the country.

The Sikhs form 2% of the population of the country and the proportion of the contribution and sacrifices as tabulated compares favorable with others. Those, who have studied the freedom movement of this country can't forget the part played by Namdharis (Keekas) Gadar Party, Akali Movement in 1920-25, Babar Akalis, Sikhs in Congress and other Sikh revolutionaries.

Some of the witnesses who have suffered during the course of the disturbances have deposed that till recently, a large majority of Sikhs in Delhi stood firmly by the Congress Party. After the defeat of the Congress Party in Karnataka and Andhra Pradesh, morale of the Congress was at its lowest abb.

Then came the election to the Delhi Metropolitan Council and the Municipal Corporation. It is widely known that the Congress- (I) could win these elections with the help of block vote by the Sikhs and this gave a moral booster to the waning party. Nevertheless and notwithstanding their personal political affiliation the entire community without any exception was punished.

On 31st October morning, news of the unfortunate attack on Mrs. Gandhi was broadcast at about 10.00 am There was sense of deep shock all around. Large number of people started gathering at All India Institute of Medical Sciences where Mrs. Gandhi was under treatment. Amongst them were also sizeable number of Sikhs. In this regard kindly see the following affidavits:

1. Jagjit Singh, S-363 School Block, Shakarpur, Delhi
2. Kuldip Singh, B5/28 Safdarjang Enclave, New Delhi

On 31.10.1984 the President of India was on a visit abroad. He arrived at the Palam Airport at about 5 pm and reached the All India Institute Of Medical Sciences about 20 minutes thereafter.

A small group of 15 to 20 persons amongst the persons present outside the Institute indulged in throwing stones at the President's car. Mr. Jagjit Singh, S-

364, School Block, Shakarpur Delhi was present at the site and he was a witness to the stone throwing, has deposed as follows on this subject:-

"At about 4 pm. H.K.L.Bhagat came out of the hospital, got seated in his car and went away. Immediately thereafter Lalit Maken, Dharam Dass Shastri, Arjun Dass and one more person whom I don't know came out of the hospital and went away in their separate cars. All these people came out of the hospital and went away in just about 10 minutes time.

That within 15-20 minutes of their departure about forty-fifty people who were shouting slogans came from I.N.A. side and stood a bit away from me. After some time President Giani Zail Singh Ji's car came and these people stoned the car and even President's bodyguard were also hurt. Those stones were thrown only by those people who were shouting slogans- "Giani Murdabad" and also that "Sikhs are traitors", they also shouted " Khoon ka Badla Khoon". Amongst thousands others, who were present there, no body shouted any slogans and no stones were throw by any one. Lot of people were commenting that it is very wrong they should not have stoned the President. On seeing the situation turning Anti-Sikh, the Sikhs standing there started moving away slowly and even Hindus started dispersing.

I stood at my place and from I.N.A noises and slogans continued. But these were few people only who were shouting provocative slogans. Around me a large number of Congress workers were standing. Most of them knew me and due to that I did not feel any sort of fear and kept standing there. After some time a tall and well built person whom I did not know, came and holding me by the arm, he came nearer and said to me that "Sardarji you should go away from there." But I refused.

Thereafter two- three Congress Workers who knew me and asked me to go away from there. The same tall person again came and told me that he has been directed to told me to go away for there – to me that person seemed to be from the Police. I came out from there towards Sarojini Nagar side through Safdarjang Hospital. I took a scoter to go home. At the time also, shouts of the

slogans were coming from INA side but towards Safdarjang Hospital side, there was noting of this sort. From the slogans I could hear the following :-

"JAB TAK SOORAJ CHAND RAHEGA INDIRA TERA NAM RAHEGA" AND "SARDARS ARE TRATORS" AND " KHOON KA BADLA KHOON SE LENGE."

In respect of this incident interrogatories were issued to the Delhi Administration. The Delhi Administration in its reply to the interrogatories has stated that no such incident was reported to Delhi Police. Nevertheless the fact that this incident has taken place is corroborated by the reports in the newspapers.

These reports were never contradicted by the Governmental authority. An attack on the car of the President of India should have given a signal to any Govt. with a sense of responsibility to declare a general alert to prevent any untoward happenings.

In any event a great national tragedy had taken place on 31.10.84. In all such situations the first thing that is ordinarily done is putting the entire machinery of law and order to alert. As a matter of fact even the army is ordered to stand by to meet the exigencies of any unexpected situation that might arise. The declaration of such an alert was all the more necessary because the Govt. media was repeatedly blaring out the news that Mrs. Indira Gandhi had been attacked by two of her "Sikh" security guards.

There was every likelihood action being initiated by politically interested groups or parties against Sikh community as a whole. It was the bounden duty of the State to protect its citizens, especially those whose lives and properties were likely to be threatened in this situation of crisis. It appears that no such step were taken. The entire Government machinery both at the level of the Central Government as well as Delhi Administration acted in most derelict and criminally negligent manner.

This inaction, if not deliberate action of omission, on the part of the Central Government and the Delhi Administration, is in complete contrast to the steps taken by the Government of U.P. During the course of enquiry proceedings in respect of Kanpur incidents, it has come to the notice of this Hon'ble Commission that the U.P. Government declared an alert at 11 am on the 31st of October 1984 itself and the Chief Secretary sent urgent and immediate instructions to all the Deputy Commissioners in the State to take all precautionary measures that are taken in any situation of crisis.

From the morning of Nov. 1st, 1984 some highly eminent and respected citizens like Inder Kumar Gujral (former Minister, Govt. of India), Air Chief Marshall Arjun Singh (Retd.), Lt. Gen. J. S. Arora (Retd.) and others met the President of India and the Home Minister and made frantic appeals to them to take emergency measures for the protection of the lives and property of the Sikh minority which was under attack. The opposition like leaders Sh. Charan Singh, Karpuri Thakur, Ram Bilas Paswan and some others met the President of India and requested him to instruct the Ministry of Home and other concerned authorities to take all expedient measures to protect the lives and property of Sikh community.

The President asked them to contact the Home Minister. These persons tried to do so from the telephone of the Rashtrapai Bhavan itself. The Home Minister was not available. Although these persons were there at President's house for about one hour and made an attempt to contact the Home Minister 2-3 times but in vain.

All these persons were over-whelmed by the sense of frustration at the callous indifference and deliberate disregard of the authorities of the Central Government towards the carnage that was taking place especially in Delhi at that time.

The disturbances could be brought under control within very short time if the authorities had moved into the matter immediately, sincerely and bonafidely.

The truth of this is demonstrated by the example of what took place in Calcutta. Immediately after the receipt of the news of attack on Mrs. Gandhi, disturbances in some parts of Calcutta broke out and Sikhs were subjected to attack by mobs but because of the prompt, stern and stringent steps taken by the West Bengal Government, the situation was brought under control within a matter of 2-3 hours. By the afternoon, the entire Calcutta was peaceful. No recurrence of any incidents took place thereafter. It may be mentioned that the West Bengal Administration acted with alertness, so much so that the army was called on the 31st of October 1984 itself.

The laxity and the relaxed and leisurely manner in which the steps to control the situation in Delhi were taken, clearly evidences a state of deliberate inaction on the part of authorities, both of the Central Government and the Delhi Administration. The first order of curfew was declared on 1st November, purportedly effective from 6 pm (1800 hours) and confined only to the areas covered by the Central Delhi, South Delhi and North Delhi Districts.

Thereafter one more curfew order was issued whereby all other districts of Delhi except the District of New Delhi, were covered. It is a matter of record that the lives, property and the person of the Sikhs in various parts of Delhi were under full blast attack at the hand of rampaging mobs from the mid night of 31st October and 1st of November, onwards (evidenced both from affidavits and oral testimony).

All over Delhi, Sikhs were being seized on the roads and were being set on fire by dousing them with petrol and other petroleum products. Their properties were being looted and burnt. Their houses were being trespassed into and those who were found inside were being put to death and their bodies exumed by fire. Smoke from the burning houses and properties was billowing and was overcasting the sky. On roads all kinds of vehicles, i.e. trucks, motor cars, scooters, taxis were being stopped and put to fire. Neither any Sikh nor his property was safe in Delhi.

It is astounding as to why the authorities responsible for the maintenance of law and order could not act with promptitude. Why did they chose 6 pm as the time from which the curfew orders were supposed to go into operation? Why is it that frantic calls for calling out the army and taking other effective measures by eminent citizens were ignored with total indifference by the high authorities of the Central Govt. and even after the issue of curfew orders they were never made effective either from 6 pm onwards or any time thereafter.

The only conclusion that a reasonable man can draw from such a situation is that this indifference and deliberate disregard for the lives and property of a particular section of Indian citizens was a part of a calculated plan.

The other aspect that needs examination is the manner in which the army was called. The order to call army was issued at 2.30 on the 1st of November, 1984. The first unit of the army reached Delhi Airport at 4.30 pm No arrangement was made to provide civil assistance to the army in Delhi area. The order of appointment of Special Magistrate to be attached to the army in its work was issued only as late as 3rd of November, 1984.

On the 1st and 2nd November, 1984, the army was moving about in Delhi as a lost force. It did not know the topography of Delhi. It did not know where to reach in order to render help and assistance. The police authorities were highly indifferent. There is no record of police authorities rendering any assistance to the army at any time. The army, in whatever area it was, was patrolling only the main roads. The carnage was taking place in the interior portions of mohallas and streets.

The curfew was never made effective. The mobs continued to roam and indulge in their nefarious activities without any let or hindrance as if no curfew existed. It is doubtful whether the army had any orders to intervene and protect the citizens. It appears that the only orders that the army carried out were to show their presence. On this aspect Mr. Rahul Bedi's affidavit says as follows:

(Extracts from the affidavit of Rahul Kuldip Bedi son of Late Dr. Kuldip Chand Bedi resident of A-14, Neeti Bagh, New Delhi)

"8. We headed for the Kalyanpuri Police Station and asked the duty officer, a Sub Inspector, whether there was any trouble in Block 32, Tirlokपुरi. He too said that the area was perfectly calm and "shanti" prevailed. No deaths, he said, had been reported in the area covered by his police station.

9. A parked truck nearby attracted our attention and a closer inspection we found the back of the vehicle littered with three bodies, charred beyond recognition, and a half charred, barely alive Sikh man told us he was from Punjab and had come to visit relatives in Tirlokपुरi. In the early hours of the same morning, a rampaging mob, he said, had killed his hosts and set him alight after pouring kerosene oil on his body. He had been brought to the police station around 11 am about four hours before we spoke to him. He had laid there ever since.

10. When the three bodies in the truck and the half-alive man were pointed out to the duty officer, he denied all knowledge of them saying that they were the responsibility of the Station House Officer, Shoor Veer Singh. "The SHO", he said, "was away in Delhi in connection with the post-mortem case and would return only in the evening."

11. We met an army patrol commanded by Colonel P. Police Station Bains who assured us that he would send help to the beleaguered Block 32 in Tirlokपुरi. We returned to Tirlokपुरi around 4.00 pm only to find that no army or police patrols had visited the re-settlement colony.

12. Seeking help, we met an Air Force Patrol, led by a Squadron Leader, near the ITO Bridge. The officer, however, refused to help on the plea that the Prime Minister, Mr. Rajiv Gandhi, was to visit Shahdara area in few hours time and he had been instructed to make secure the route leading to the colony. He referred us to an army truck parked nearby.

13. The NCO commanding the truck full of troops said that he had lost his formation and could do nothing for us. However, he asked us to go to ITO flyover bridge where the army had posted a wireless look-out.

14. The Second Lieutenant manning the wireless post also pleaded helplessness as he too had lost his formation somewhere in the Model Town area of North Delhi and was in search of it. He advised us to go to the nearby Delhi Police Headquarters Building.

15. We arrived at Police Headquarters around 5 pm and went straight to the room of the then Police Commissioner, Mr. Subhash Tandon. Mr. Nikhil Kumar, II Additional Commissioner of Police, manning the telephones in the office, was informed of the situation that we thought prevailed in Block 32, Tirokपुरi.

16. Mr. Nikhil Kumar, asserting that he was a "mere guest artist" informed the police control room, the maximum he was prepared to do. The other officers present at the juncture were Mr. N. S. Rana, IPS, Deputy Commissioner of Police and Mr. F.L.R.Sina, IPS, Deputy Commissioner of Police (later promoted Additional Commissioner of Police). These officers were present whenever I went to the Commissioner's room the next couple of days.

17. On returning to Tirokपुरi around 6 pm we found the Kalyanपुरi SHO Shoor Veer Singh, accompanied by constables, arriving in a van. Shoor Veer Singh said that he had radioed his senior officer, particularly his DCP Seva Dass, IPS, Deputy Commissioner of Police, of the massacre.

18. Shoor Veer Singh, waking over the sea of hundred of charred and mutilated bodies in block 32, told us, " the Musalmaans are responsible for this."

It appears from the evidence as contained in the affidavit as well as from the oral testimony of the victims that the only other job that the army did during the period was to evacuate the Sikhs. There is no evidence of army having

taking action against the rampaging mobs till 3.11.1984 that the army was put into action for purposes of controlling and dispersing the rampaging mobs.

That the army was under the same kind of instructions not to take any precipitate and protective action is corroborated by the answer to the interrogatory issued to the Delhi Administration, where in it was stated that no person was killed or injured by army resorting to firing while quelling the violence (See Interrogatory No. 15 and the answer thereto).

Although the army reached Delhi area on 1.11.1984 at 4.00 P.M, no joint Control Rooms with the civilian authorities were established. The Delhi Police had its own Control Room opposite I.T.O. Building. The army had its own Control Room in cantonment. Both stood separated by a distance of about 10 kilometres.

All this leads to one and the only conclusion that there was a definite plan not to take any effective action to save the person and property of Sikhs on 31st October and 1st, 2nd and 3rd November, 1984.

The persons in authority at the level of Home Ministry as well as at the level of Delhi Administration were well experienced administrators. There was no reason why they should have acted in such perfunctory and callous manner. The ineffectiveness or the paralysis, if any, was only pretence, otherwise there is no reason why they could not have acted effectively and with great promptitude. This certainly is not the manner in which civilized Governments are run. That only one august body lying in state could paralyse the entire machinery consisting of police, para military or military force, for enforcement of internal security, is an argument which is only to be stated to be rejected.

At one stage of the proceedings, the Union of India took a stand that the maintenance of law and order in the Union Territory of Delhi was the function

of the Delhi Administration and Union of India had no role to play in that behalf. This position is wholly incorrect and untenable.

Article 239 of the constitution of India provides that save as otherwise provided by Parliament, by law every Union Territory shall be administered by the President, acting to such extent as he thinks fit, through an Administrator to be appointed by, with such designation as he may specify.

Article 74 provides that there shall be a Council of Ministers with the Prime Minister at its Head to aid and advise the President who shall, in exercise of his functions, act in accordance with such advice. It is a settled position in law that the advice tendered by the Council of Ministers is binding on the President.

In effect, therefore, the administration of Union Territory is to be conducted in accordance with the advice tendered by the Council of Ministers. In the allocation of business the administration of the Union Territory of Delhi falls within the ambit of Ministry of Home. Virtually, therefore, the Constitution puts the Union Territory in the charge of the Home Ministry.

Even otherwise under Section 27 of the Delhi Administration Act, the Executive Council of the Delhi Administration can exercise its function to assist and advise the Administrator in respect of all matters which fall in list II and III of the 7th Schedule of the Constitution of India except in so far as he is required to act by or under the Delhi Administration Act.

The Section further provides that maintenance of law and order and the organization of the police force are matters within the exclusive discretion of the Lt. Governor. In this manner the law and order has been put outside the pale of the jurisdiction of the Executive Council established by the Delhi Administration Act. Virtually, therefore, all matters pertaining to law and order and the organization and discipline of the police force in the Union Territory of Delhi are within the jurisdiction of the Lt. Governor who is a delegate of the

President of India and who in turn has to exercise his powers and functions in accordance with the advice tendered to him by the Council of Ministers, which advice is binding upon the President. Hence, the Central Government cannot claim lack of jurisdiction in respect of its charge to maintain law and order in Delhi nor can it abdicate such functions and duties.

Throughout the various parts of the country, one uniform patterns was employed by the mobs and the mobsters to commit the carnage. Identical weapons of offence, manner of killings and burnings, refusal to admit large number of casualties in public hospitals, playing down the enormity of the crime on official media, destruction of evidence, recording deliberately vague and misleading F.I.R.s (wherever those were belatedly recorded), not properly investigating and prosecuting cases against those who were guilty, refusal of law and order authorities to give any assistance and trying to justify the heinous crimes against a whole community known for its sacrifices for the nation- all speak for themselves.

The overall anxiety of the mobs led by the mobsters was not to leave any trace of the person killed. With this object, they had at their disposal sufficient quantities of petrol, kerosene and other petroleum products as also a certain kind of highly inflammable powder and also equipped with used motor tyres. They had used all these materials deftly and most efficiently to ensure that the victims were rendered to ashes within a matter of minutes. All these materials are quite costly. They are also not easily procurable.

The aggressors had at their disposal trucks, tempos, private buses and even DTC vehicles. They were fully armed with pointed iron rods, mostly of the same cut, length and size. They had also crowbars which they used to break open the hardest of rolling shutters, doors and the locks. They roamed from one area to the other freely and unchecked. They knew the places which were to be subjected to their attacks. They had, in certain cases, the list of the Sikhs houses, some of which had been chalk marked to ensure identification.

The attackers also had a method. The first target was Gurdwaras. The reason being that these places of worship held a special place in the life of Sikh community. The Sikhs draw their inspiration from the Gurdwaras. The destruction of the Gurdwara was therefore the first step towards demoralizing the community and to leave no safe common place to get together in the emergency.

This method was uniformly adopted in Delhi, Kanpur and Bokaro. The systematic attacks on places of worship found its place in the history of riotous disturbances in this country for the first time. Never before during any communal riots, the places of worship were treated as objects of the first attack in such a systematic manner. Even during the disturbances following the partition, neither in India nor in what is now Pakistan, the places of worship were made targets in this manner.

During the course of these disturbances and inspite of the farcical declaration of curfew, the mobs operated freely and indulged in various nefarious activities without any let and hindrance. Not only this, the Police and the Para-Military force did not make their presence visible. They simply disappeared from the scene which could be expected under a design and direction. Whenever any force was present, it simply looked away. If any activity participated in the carnage.

Victim after victim has appeared before this Hon'ble Commission to state that their anguished entreaties and beseeching prayers for help were simply laughed away with contempt. Evidence has come on record that certain policemen either in uniform or in plain cloths actively participated in the carnage.

The argument of inefficiency of force is completely meaningless. Wherever some conscientious policemen took upon themselves to protect the victims, one simple shot in the air was enough to scare away the mob. At some places, the mob started dispersing at the very sight of the policemen, but were called

back and encouraged to continue to indulge in their nefarious acts. The affected witnesses examined on affidavits are some of those who were called before the Commission to depose orally, could have no reason to put blame unjustly on the police. Had they received the protection as suggested by the Delhi Administration during the cross-examination, such witnesses would have certainly acknowledged the same with gratitude.

In the exceptional cases where some police officials did render help, this fact was openly acknowledged by the witnesses. This Hon'ble Commission had the occasion to watch the demeanour of the witnesses. Most of them had either lost their kith and kin or had suffered immense loss of property.

The testimony of not even single of them could be shaken in the cross-examination. Firstly, it was being suggested that sufficient protection was given by the police force, then quietly the stand was taken that proper action could not be taken because of inadequacy of police force and vastness of a police station area. One relevant fact, however, needs to be notified that is: wherever the Sikhs tried to join together and defend themselves with whatever little licensed arms they possessed, the police force, notwithstanding its alleged handicaps, displayed its efficiency and speed with remarkable alacrity to disarm them leaving them to the mercies of the mob.

Moreover, whenever the Sikhs indulged in their defence, they were arrested and cases were registered against them. Whenever joint peace committees were formed by the residents to safeguard their localities or mohallas, they were asked by the police to withdraw themselves to their houses and at number of times the mobs came to attack the localities after the withdrawal of the members of the Peace Committees from the pickets.

Wherever the Sikhs were arrested, they continued to rot in the lock-ups for days together. Their bail applications were opposed and usually refused, but on the contrary, the members of the mobs were released practically on the very day or a day or two after the arrest.

Mostly the members of the mob were released by the police itself. This was certainly in contravention of the law. Most of the offences they had committed were non-bailable and the police had no jurisdiction to release them on bail. It had also come in evidence that certain political leaders exercised their pressure to obtain the release of such people straightaway. Many who had been taken to the police stations were allowed to go scot free under pressure from these political quarters.

A half-hearted attempt was made to recover the looted properties. This was stopped suddenly and abruptly and an announcement was made that those who were possessors of the looted property should place them on open grounds in their areas so that the police can take them away.

Most of these properties which were so placed were deliberately damaged before such placement. Some victims were able to retrieve only an insignificant portion of such properties. No serious attempt was made to recover the properties which had not been voluntarily surrendered. The direction to place the looted property outside the house was most astonishing and unparalleled.

The only object could be that the looters and receivers of the stolen property may not be identified. It was an open and unabashed attempt to condone and destroy evidence of extremely serious crimes. A small thief when caught is tried and convicted. Large scale loot and robbery committed by rampaging mobs ceased to be a crime at all.

From early hours of 1st November, 1984 onwards the rumours were floated that trains had arrived in Delhi with the dead bodies of non-sikhs. A deliberate attempt was made to inflame the sentiments of non-sikhs and to conceal the fact that the Sikhs were being killed in trains in an organized manner. The police jeeps equipped with loud-speakers roamed about in the city spreading false rumours that the water reservoir had been poisoned by the Sikhs. This led to further exacerbation of the feelings.

Meeting were held at some places during night of 31st October. By the morning of 1st November, 1984, the mobs were roaming free in the streets of Delhi in the manner described above. On November 1, 1984, respectable citizens like Lt. General J.S.Aurora (Retd.) Air Marshal Arjun Singh (Retd.), I.K.Gujral, S.Gurbachan Singh I.F.S. rushed from President to Prime Minister requesting them to take preventive measures but to no effect. The T.V. continued to blast out provocative slogans like "Khoon Ka Badla Khoon", "Sardar Kaum Ke Gaddar" by those visiting the Teen Murti House. We are not aware of the exact kind of video film of 1st November, 1984 which was displayed before this Hon'ble Commission.

But the witnesses who appeared to depose before this Hon'ble Commission had no reason to indulge in falsehood as to what they had themselves seen. A number of them stated before this Hon'ble Commission that they had themselves seen and heard such slogans-mongering on the T.V. screen, but it appears that even the doctored version of the video tape could not completely erase such slogans.

The mobs that indulged in carnage were no mourners. They were gleeful, boisterous as if enjoying the whole act of perpetration of murder, loot and arson. They were mostly from those sections of the society who usually offer their services for payment, whether for political rallies or for committing the crimes.

The organizations of such people to serve certain political ends by certain political elements has now become a notorious fact. Such people are packed in buses and trucks and are organized to demonstrate the strength and power of the political parties.

There is sufficient evidence on record that the composition of mobs consisted of various elements; firstly of leaders who guided the operations; secondly of

executors who executed the operation of murders, opened the doors and locks with the equipment at their command using the said equipment for quick action, burning of the victims by throwing tyres round the necks, by dosing them with petrol and thirdly of the lumpens who were then left free to indulge in loot and pillage the spoils. The state agencies then helped at certain places in disposal of half burnt and charred dead bodies.

A perusal of the record supplied by the Fire Brigade show that the violence started in the evening from areas around All India Institute of Medical Sciences. The first call which the Fire Brigade received about fire was at 5.30 pm on 31.10.1984. A careful scrutiny of the record shows that the rioters formed different groups, started from All India Institute of Medical Sciences and indulged into violence. One of such groups proceeded towards Defence Colony from All India Institute of Medical Sciences and on the way indulged into arson at Kidwai Nagar, NDSE I & II, Andrews Ganj Chowk and then Defence Colony. Another group proceeded towards R. K. Puram from there and indulged violence on the way.

One group proceeded towards Prithvi Raj Road and a different group towards Hauz Khas. Till about 8 pm there is no incident of violence throughout the city other than those by these groups. The route followed by these groups can be easily traced from the perusal of the record of Fire Brigade. A map showing this route is enclosed herewith and marked as Annexure C. The relevant entries from the record supplied by the Fire Brigade which show the route of these mobs are enclosed herewith and marked as Annexure C1 to C3.

By about 8 pm on 31.10.1984 the word spread throughout the city and at some places in the city some persons indulged in violence. But till late night the main incidents of violence in the city were reported from the areas of South Delhi where aforesaid groups were operating.

The behaviour and pattern of the violence by these group of persons stated above leaves no doubt that the violence against Sikhs was not spontaneous but

had started at some direction or instigation. along with the word that violence be lashed against the Sikhs, the rumours were also spread to instigate the general public.

A number of witnesses have deposed before this Hon'ble Commission that rumours like 'poisoning of water' and 'train loads of dead bodies of Hindus from Punjab reaching Delhi etc.' were being spread in their colonies. Such evidence has come from different parts of the city. The evidence is also on record that at number of places the police was instrumental in spreading these rumours. Deponent from Hari Nagar Ashram area, Shakarpur and a number of other places in Delhi have deposed that these rumours were being announced on loudspeakers.

The records submitted by the Delhi Fire Services reveal following:-

1. The fire brigade could not attend to all the calls.
2. Arson in Delhi continued upto 5.11.1984 Even calls were attended to by the D.F.S. on 5.11.1984
3. The police did not escort the Fire Brigade tenders and at many places the mob stopped these vehicles and the fire continued to rage for days together.
4. The fire tenders attended only a few calls from Tans Yamuna area:-

31.10.1984 1 Call

01.11.1984 2 Calls

02.11.1984 13 Calls

03.11.1984 9 Calls

04.11.1984 4 Calls

05.11.1984 3 Calls

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Total 33 Calls

1. No fire tenders reached the following areas.

Mangolpuri

Sultanpuri

Nangloi

Palam Colony

Delhi Cantt.

2. Only one fire tender reached Tirlokpuri. This fire tender reached Block 32 Tirlokpuri, on 2.11.1984 at 1810 hours.

3. The first call came at 1730 hours on 31.10.1984 that a vehicle was on fire at Chowk A.I.I.M.S. & Safdarjag Hospital, New Delhi.

4. D.F.S. extinguished fire in the following four Gurdwaras only.

i. Vinay Nagar Gurdwara.

ii. Basti Panjabian Gurdwara.

iii. Azad Market Gurdwara.

iv. Ali Ganj Gurdwara.

In many Gurdwaras D.F.S. could not reach. For example Amar Colony Lajpat Nagar, Kardampur, Yamuna Vihar, Chuna Mandi, Preet Vihar, Ashok Vihar Phase II, Maujpur, Nanakpura, Defence Colony etc. In many other Gurdwaras like Gurdwara Lajwanti, Sheikh Sarai, Gurdwara opposite Vishal Cinema, the fire got extinguished before the arrival of D.F.S. In Bala Saheb Gurdwara, DFS could not extinguish fire.

From the records it appears that the mob stopped the fire tenders at various places and police did not take any action to clear the route so as to enable the fire brigade to extinguish the fire promptly. The record shows that police did not use any force whatsoever to prevent mob from stopping fire tenders. It appears that this was also a part of design of the organizers that no timely help should reach the helpless victims.

## Part Two

Police Station Delhi Cantt.

The most peculiar feature is that despite so much violence in the area coming under this Police Station, no arrests were made on 31.10.1984 to 7.11.1984 ( vide Annexure 'I' P. 14 in reply to interrogatories).

1. FIR No. 410 dated : 1.11.1984 Police Station Delhi Cantt.

Place of occurrence 3 K.M. from Police Station.

Some anonymous caller informed the Police Station at 11.40 am that in Sagarpur, across the drain, mob comprising of many persons was moving about and, with a view to avenge the death of Indira Gandhi, beating Sikhs and setting their houses on fire.

When the ASI and other police personnel reached at site, they found many groups of people (group of 50) having kerosene soaked rags tied to stick in their hands and performing bhangra were causing loss to property and person of Sardars. On being challenged by the Police party, the mob ran here and there. Heaps of ashes were seen at many places and at the police party came to know that Sardars were killed and completely burnt at those places.

Comments:- The police party reached the site when so many innocent people had been burnt alive at various places. The police reached the place when rioters were engaged in criminal acts, yet nobody was arrested at the spot. Though lot of violence had taken place in various parts of the city on 31.10.1984 the police, deliberately become more lax. The place of occurrence is only 3 Kms. from the police station and motorcycle takes hardly five minutes to reach there. Killing so many person and then burning them to ashes takes couple of hours. The police knowingly allowed the miscreants to have their way and reached the site to complete a mere formality. Later on 20 persons have been shown as accused in this case. It is submitted that if these persons had been arrested on 1.11.1984 itself and dealt sternly in accordance with law as is done in usual cases of murders or if the police had the 'will' to control them, there would have been no violence.

2. FIR No. 412 dated : 1.11.1984 Police Station Delhi Cantt.

An anonymous caller informer telephoned at Police Station at 9.15 am that the mob was stopping buses beyond Nangal Raya and indulging in beating and looting.

SI Om Parkash along with rider Hazari Lal reached the place of occurrence on motorcycle ( a Govt. vehicle). He stated that other officers along police force also came there. He saw that an excited large mob was on rampage, setting shops on fire, brick-battering burning vehicles. The men in the mob had burning rags (soaked in Kerosene oil) and tied to sticks in their hands. The police personnel found fires at Lajwanti Garden, Vashish Park, Pankha Raod, Raghu Nagar, Sita Puri. They also found heaps of ashes here and there regarding which they came to know that at those places, Sardars have been killed and burnt completely.

Comments : Police arrived at the spot when so many innocent Sikhs had been killed and burnt to ashes and arson had taken place at so many places. The police party did nothing to stop, let alone open fire on the murderers or apprehend them. The murderers did their job in time before the arrival of police. This clearly shows that the police was aware of all the happenings which is merely at a distance of 3 Kms. from the Police Station.

3. FIR No. 416 dated : 2.11.1984 Police Station Delhi Cantt.

Baljeet Kaur d/o Avtar Singh r/o WA-108, Raj Nagar, Palam Colony, reported that on 1.11.1984 at about 3.30 P.M a mob of about 400-500 men came and stoned her father and mother. Father fell injured. She told the mob that her father had died and the mob left. On the next day i.e. on 2.11.1984, the assailants came 5 to 6 times, but went away. When they came for the seventh time, they sighted her injured father who had cut his hair by then. Many persons in the mob said that he be spared as he had become a Hindu but one person named Mohinder Singh Sharrabi who in their neighbour and was having a phrasa(axe) in his hand, gave a blow in the abdomen. Others also hit him and his brain came out. They sprinkled kerosene and put some bedding and cot on father who was still breathing and set him alive on fire.

Comments:- This FIR clearly show that the assailants move about freely on November 1st and 2nd, hunting for Sikhs. Wide spread violence had taken place in the area on 1.11.1984, on 2.11.1984 and till noon of 3.11.1984. Is it possible for the murderers to move scot-free and carry on their killings spree for 3 days without blessings of the police?

4. FIR No. 418 dated : 3.11.1984 Police Station Delhi Cantt.

Reported by Surjeet Kaur wd/o Late Harchand Singh r/o. Raj Nagar, Palam Colony. The assailants attacked her house on 3.11.1984 at 3.00 hours. They broke open the door and started beating her son and husband. The assailants who had come to her house were 10-15 in number and the mob was waiting in the street. The assailants were armed with lathies, iron rods, rifles, kerosene oil and petrol cans. These people had been searching for the houses of the Sikhs for the last many days and therefore, she stated that she can identify them if they happen to come before her. They burnt, both her son and husband alive. The military truck came on 3.11.1984 at 11 am and rescued her.

Comments:- This FIR also substantiates the above comment that the murderous mobs moved about unchecked in the area looking for and murdering Sikhs on November 1st, 2nd and 3rd. Where was Police ?

There are only 2 accused in this case.

5. FIR No. 419 dated : 6.11.1984 incident time 1-2/11/1984 (11 pm to 4 am)  
Police Station Delhi Cantt.

Reported by Col. S. S. Uppal s/o Bhagat Singh Uppal r/o RZ- 1106/BC 66, Gali No. 11, Sahd Nagar, Palam Colony.

Reported that his brother Manmohan Singh and Rajinder Singh, brother's wife Mrs. Jaswant Kaur, brother's son Savinder Singh and his mother Mrs. Nand Kaur who were burnt to death along with the house.

Their factory was also burnt to ashes. Two boys aged about 16 and 8 had however, been saved by neighbours.

Comments :- Even though five members of a family were burnt alive and their house and factory was also totally destroyed by fire, the police did not register any offence suo moto. FIR was registered when Col. Uppal went to police station on 6.11.1984 and reported the heinous crime. The police remained oblivious of this heinous and fiendish crime for 6 days and did not apprehend any culprit.

This case has been filed by the police as UNTRACED

6. FIR No. 420 dated : 3.11.1984 Police Station Delhi Cantt.

Reported by Kulwant Kaur wd/o Trilok Singh r/o RZ-86, Vijay Enclave stating that her husband was murdered by three persons on 3.11.1984 at 9 am and thrown in the culvert and looted their house. Military came thereafter, and rescued her.

Comment:- This FIR corroborated the comments regarding FIR 418 that there was no check at all on the murderers on 1.11.84, 2.11.84 and till about noon time of 3.11.84. Military vehicles rescued people on 3.11.84 by about 11 am

7. F.I.R. No. 421 1.11.1984 Police Station Delhi Cantt

Reported by the widow of Rajinder Singh r/o RZ-1/225, Geetanjali Park, West Sagarpur that on 1.11.1984 at about 10 A M. when her husband late Rajinder Singh and father-in-law late Sardul Singh were in the house, the mob attacked. She sought shelter in the adjoining house. The house was set on fire and both the victims thus burnt alive. The semi-charred dead bodies of the victims were put in a sack by the assailants and taken to some unknown place.

COMMENT: The widow has named three persons as the assailants. They are Lal Babu, Surinder Bihari and Charan. In the case challaned, Charan has not been put up as an accused person.

8. F.I.R. No. 422 2.11.1984 Police Station Delhi Cantt

Reported by Jasbir Kaur wd/o Trilok Singh r/o RZ-1/84, West Sagarpur.

Mob attacked their house on 2.11.84 in the morning. Her husband Trilok Singh was murdered and house was looted.

COMMENT: FIR No. 421 also pertains to West Sagarpur area. The house no. of the victim there was 1/225 and the attack was launched there on 1.11.84 at 10 am Police took no action at all on 1.11.84 to apprehend the culprits or to protect their life and property of helpless sikh residents of the area, thus going a free hand to the murderers and arsonists and looters.

9. F.I.R. No. 423 2.11.1984 Police Station Delhi Cantt

Reported by Vir Kaur r/o RZ-2/2, Dwarka Puri, that mob of 1000 persons looted and burnt her house on 2.11.84. The assailants burnt her son alive. She has named three persons i.e. Sultan, Kami Ram and Bihari, all residents of the same area who were leading the mob.

COMMENT: The accused who is facing trial is only one person namely Ashru s/o Niwaja ( vide P. 49 of Annexure 'J'). How can conviction be possible in these circumstances?

10. F.I.R. No. 425 2.11.1984 Police Station Delhi Cantt

Reported by Paramjit Kaur wd/o Baljinder Singh r/o RZ-B/24, Dwarka Puri that they were attacked on 2.11.84 in the morning and the assailants included many persons from her mohalla. Her husband and brother-in-law S. Diler Singh were burnt alive by the assailants and the house was looted.

COMMENT: Same as with respect to FIR No. 420 dated 3.11.84, Police Station Delhi Cantt.

Police Station R.K.Puram

1. FIR No. 417 dated 1.11.1984 time 12 Noon to 9 pm

Information reached at the police station on 1.11.1984 at 10.00 am that there was arson in the shops of Palika Bhawan. ASI Dharm Pal, H/C Mohinder Singh and Ashok Kumar reached there. Sub Inspector Gobind Ram and one other SI was already there on the spot. A mob of about 300-350 persons raising slogans 'Indira Gandhi Zindabad', 'Khoon Ka Badla Khoon' were looting, damaging and burning the shops at Palika Bhawan. On seeing the police party, the mob

proceeded towards R.K. Puram and burnt taxi stand and taxis parked there. Then the mob proceeded towards Malai Mandir. Two hundred persons came from Vasant Vihar side and joined the mob which burnt 4 taxis parked at the Taxi Stand Malai Mandir. Then they proceeded towards sector 8, R.K. Puram, Gol Market. When the police party tried to disperse the mob, it went towards sector 9, Gurdwara and burnt it. The mob also damaged many shops there. The mob had, by now, swelled to 2000 and the mob could not be controlled because the police party was heavily outnumbered. The mob, in the course of committing violent acts, damaged house no. 1601/1, 919/5 and then proceeded towards Munirka. There one person was beaten who died in his own house.

Comments:- This FIR makes it clear that the police was present with the mob throughout. This corroborates the deposition in various affidavits filed by the victims stating that the police was moving with the mob and was inciting them. The further fact that the mob continued to swell in presence of police proves complicity of the police. The police encouraged / incited the culprits. The police party did not control the situation when the mob was 300 strong but later on because of police siding with the rioters, when the mob swelled to 2000, the police carved an excuse that as the mob was strong therefore, they could not control it. The police party followed the mob wherever it went. This fact is clear from the vivid description of the entire route traversed by the mob and the violent acts committed enroute. Even then none of the rioters were apprehended and even minimal force like lathi charge, firing in air was not resorted to by the police.

Police Station Srinivas Puri

1. FIR No. 374 dated 1.11.1984 time 10 am to 10 pm

Reported by Sarvajit Kaur wd/o Kulwant Singh r/o 68 A, Hari Nagar, Ashram that their house was first attacked on 1.11.1984 at 10 am Their car was taken out and set on fire. The doors of the house were also burnt. Then the mob came again at 10 pm and started looting and burning the house. Then her father-in-law and brother-in-law were burnt alive in front of the house.

Comments:- Successive attacks by the murderers clearly show that no police worth name was there to stop them or to take any step to protect the life and property of helpless victims.

2. FIR No. 375 dated 1.11.1984 time 9 pm

Balwant Kaur reported that her husband Gurdev Singh r/o 88 Sunlight Colony was caught hold of by boys of Sunlight Colony and was burnt alive along with his scooter.

Comments :- In spite her statement that the assailants belonged to Sunlight Colony, the case has been filed by the police as UNTRACED.. This shows the most casual approach by the police while investigating the case.

3. FIR No. 376

Reported by Paramjit Singh s/o Nanak Singh r/o Bhagwan Nagar. His two brothers were abducted. One later found dead in hospital, other not tracable amongst the assailants, he named and identified Dalip Singh, Suresh, Naresh and his two sons.

Comments:- Persons facing trial are Dalip, Suresh and Naresh. Two sons of Naresh have not been made accused by the police.

Police Station Badar Pur

1. FIR No. 286 dated 1.11.1984

Reported by Parkash Singh s/o Anek Singh a worker of a factory ( B-23, Okhla, Phase II). A mob of 1000-1500 attacked the factory where he was working. They were raising slogans to kill the Sardars. They set on fire various things, looted some and started beating Sikh employees. Vehicles parked were burnt and the factory was also set on fire. One employee Charan Singh was beaten mercilessly to death. In the meantime the police came and the culprits ran away on seeing the police.

Comments: - The police reached when the culprits were engaged in violent acts of arson, looting and killing. Even then the police made no arrests or lathi charged or open fire in air. This case has been filed by the police as UNTRACED.

#### Police Station Mahrauli

From 31.10.1984 till 7.11.1984 only 8 accused were arrested for committing murder under FIR's 413 and 406

1. FIR No. 406 dated 1.11.1984 at 2.15 pm place Village Mahipal Pur

SI Kishore Lal along with Constable Mushtaq Gaje Singh, Balbir Singh reached Mahipalpur at about 2.15 pm H.G. Constable Daya Singh, Constable Ram Kumar and Constable Rahimmuddin had also come there.

2 to 3 thousand men were raising slogans under the leader ship of J.P and the mob dispersed but had no effect. A Sikh family had secured itself in their house on the main Raod and the mob was bent upon killing them which was lathi charged. The mob broke a shop and looted it and then it entered the house of Mauji Ram in a street in the village. They beat five Sikhs youth whose name are not known. On being informed about the mob SHO Mahipal Pur also reached at the spot and fired in the air to scatter the mob and the Sikh family was saved with great difficulty. But when we reached the house of Mauji Ram in the street in the village with great difficulty, the mob had beaten the five Sikh youths who were badly hurt they were sent to hospital. No lathis, deamdass and stones?

Comments :- Innocent people were killed in presence of police. Large scale violence had taken place. But even then the police did not arrest any miscreants. It is claimed that the police opened fire in the air. But nobody got hurt.

2. FIR No. 413 dated 1.11.1984 place Chhatwal Farms, Samalkha

When the information came that a big mob had gathered at Chhatwal Poultry Farm and was going to set it on fire, SI Kishori Lal along with H/C Daya Singh C Ram Kumar, Ct. Ali Hussain, Ct. Rahimmuddin were at Mahipal pur. They reached at the place of occurrence at about 7 pm.

They found that a mob of 2500 to 3000 men had surrounded the farm and were engaged in arson and violence. ASI Ganesh Tiwari along with Constable Ram Karan and Constable Ram Kishan was also present on the scene of occurrence and trying to disperse the mob. The mob included residents of Samalkha Village and Ragpuri.

Among them were the Vice President Kawal Singh and his brother and other people whom I can recognize by face. The report says that the police party lathi charged the mob and also fired in the air but the mob was uncontrollable. The mob members beat Jagjit Singh Chhatwal, his wife Sukhjot Kaur, his two sons Ravinder Singh and Inderjit Singh and daughter Rosy in their residential house which was set on fire.

With great difficulty, it is reported, that the police managed to disperse the mob. Nobody could go inside the raging fire and all the five family members stated above were burnt to death in the house.

Comments : - From the above narration of facts it is clear that when the mob assembled around the ill-fated house, the police party was there. Had they taken effective steps, five innocent deaths could have been averted. When the second police party arrived at the scene even then the inmates were not saved. Though the allegation is that police resorted to lathi charge and firing, yet how is it possible that none of the attackers was hurt. The police did not arrest any accused persons from the spot.

Police Station Najafgarh

1. FIR No. 356 dated 1.11.1984 at 10.45 am to 7 pm

On being informed by the wireless operator Head Constable Tara Chand, a police party comprising of 13 persons namely SI Omvir, SI Balkishan, ASI Ramchander, ASI Jagdish Singh, Head Constable Raj Singh, Head Constable Raghu Nath, Cts. Ravi Dutt, Brijender Singh, Rajveer, Bheem Singh, DAP's Arjan Singh, Manohar Lal and Tej Pal reached Gaushala Road where disturbance was reported

The police party saw a mob of 300-400. One scooter (two wheeler) DLS 2910 was burning. When the police interrupted the rioters they ran towards Chhawla Stand and started burning the shops. Two shops were totally burnt. In

the meantime the SHO also reached there. On being interrupted the mob ran towards Bijwasan Road and then at Roshan Pura and set fire to a Gurdwara there. Five houses, one truck and four tractors, all belonging to the Sardars were set on fire.

The mob also injured many Sardars who ran towards Dhaansa Stand. On being interrupted, the mob proceeded towards Dharampura and set on fire a thread factory belonging to a sardar. The mob, by that time, had swelled to 1500. Then the mob came towards Chhawla Stand, set a shop on fire and ran towards Najafgarhand set on fire 8 shops and houses.

Then the mob proceeded towards Delhi and, enroute burnt a truck parked on the road opposite Nangli Sakrawati. Then the mob proceeded towards Dichau village and set on fire three buses there. Then the mob entered the PHC Hospital and started beating those Sardars who had come there for dressing and treatment of their injuries.

SI Ramchander, with the help of staff, dispersed the mob and after the mob had left, it was found that it had killed 8 Sardars whose identity could not be ascertained. They received injuries on head, face and forehead etc. Five persons seriously injured by the mob were sent to RML Hospital in a private truck.

When it grew dark, the mob left the scene and during the entire period, more force and fire brigade could not come even though intimation was sent many times.

COMMENT: This is a typical case showing collaboration between police and the culprits.. Police remained with the rioters throughout the above narration of events which shows that the culprits had no fear from the police. Even the victims who got injured at the hands of the culprits did not run to the police for help but ran towards Dhaansa Stand makes it clear that the police was in league with the culprits and was not protecting the innocent Sikhs.

The police was there in a large number including SHO but it acted merely as a commentator to enumerate the 'brave deeds' of the mob. Despite so many murders, arson and violence, the police did not arrest any of the culprits from the spot. The police did not take any action to stop the culprits or to extend any help or protection to the helpless victims of horrible violence.

To whom can a victim look for if the saviours are bent upon decimating them? Initially the strength of the mob was 300 but later it had all the reason to swell to 1500 when it found that the police was also at its back. Needless to say that the FIR shows that there was a total disregard of the duty imposed upon the police to protect the life of innocent citizens at all costs.

## 2. F.I.R. No. 257 Time not given Police Post Kapas Hera

SI Ram Kishan Head Constable Sohrab Khan, DAP Jagdish Singh, Driver Devi Singh (Police Jeep No. DEG 4502) were on patrol duty and reached Kochhar Farm Bijwasan Road at about 2.15 pm The Farm had already been burnt as some antisocial elements had set the building on fire but nobody was injured. When the police party reached Railway Crossing, Bijwasan, they found many persons burning between the Railway tracks and a mob of about 400-500 had collected there.

This mob, it is claimed by the police, was dispersed with great difficulty. When the police party proceeded towards Kapashera, it met another police party comprising of ASI Jagdish Prasad, Ct. Balwant Sindgh, DAP Moti Lal, DAP Satbir Saingh and DAP Nihal Singh. They were standing near two trucks HRX-870 and DEG 1112, both loaded and parked near Kapashera village. Both the vehicles were burning. A mob of about 500-600 was standing there. 'We dispersed the mob which went towards Kapashera Border'.

In the meantime 700-800 persons came from Tundahera towards Kapashera border and the mob set fire to 13 trucks, one road-roller parked at the Gill and Sandhu Petrol pump. The pump was also set on fire. The mob had also set on fire two Dhaabas on the border. In the meantime there was firing from the roof of the petrol pump (which was on fire). Additional force and Fire Brigade did not come.

The SHO and ACP Transport Nagar also reached at the scene of occurrence and the mob was dispersed. The mob beat and burnt to death four Sardars.

COMMENT: The case is a sad commentary on the dubious role being played by the police. The property and person of innocent citizens was being destroyed before the police. The police party following the mob on the entire route being followed by the murderous mob does give an impression that the police was

giving protection to the culprits to commit the violent crimes with impunity. Dozens of vehicles had been set on fire and charred bodies of Sikhs were found on the road.

From all this it can be easily inferred that the police was at the back of the culprits supporting them. All the inmates of these vehicles had also been thrown in the burning vehicles. This is substantiated by the fact that neither the inmates of the vehicles were located by the police nor their identities established. Thus the burning of vehicles and killing of inmates by throwing them in the vehicles or burning the vehicles was done in the presence of police party.

Police Station Janakpuri

F.I.R. No. 526 1.11.84 9 am

Reported by SHO Sheodin Singh, SI Jagdish Singh and ASI Jetha Nand who along with other junior staff was on patrol and maintenance of law and order duty in the Police Station Janakpuri when at about 9 am many Hindus and Sikhs assembled and in no time started raising slogans, brick-battling, arson and looting. Lawlessness prevailed in the entire area and flames could be seen from main gurdwaras and bungalows. People stopped vehicles running on the road and set them on fire. Reports of dead bodies lying here and there were received from various places. Till now 11 dead bodies have been found ( 2 from Pankha Road, 1 from D Block, 1 from C Block, 3 from Arya Samaj Road Gurdwara, 2 from Matiala Road, 2 from Vishwas Park and Shanker Garden). Search for more dead bodies is continuing. Arson had taken place at A3, B3, B1, C1, C3, D1 Blocks, Uttam Nagar, Vishwas Park, Matiala Road, Gurdwara at Ram Dutt Enclave, many shops and houses, Janak Cinemas, Factory complex has also come to the notice. Dead bodies have been kept at the police station for identification but till now none has been identified.

The FIR further states that under the circumstances and on enquiry it has been found that the Hindus and Sikhs having indulged in arson, violence, rioting, murder, burning religious places etc. have committed offence under section 147/148/149/436/295/296A/307/395/302 IPC.

COMMENT: The above narration of facts clearly show that the mass scale violence resulting in the murders of dozens of innocent victims and arson, looting etc. took place in the knowledge of the top police officials. They reached the spot well in time i.e. 9 am and the violence continued unabated till late night in their presence.

Further, even the SHO has recorded wrong facts that Sikhs had also assembled and also taken part in arson, violence and burning of religious places. All the 66 persons arrested were non Sikhs.

Police Station Parliament Street

F.I.R. No. 601 1.11.1984 Police Station Parliament Street

Report lodged by SI Hoshiyar Singh I/C. PP North Avenue

x x x there was lot of resentment amongst Hindus on the death of respected mati Indira Gandhi. It was anticipated that Hindu community might commit some grave incidents. Likewise, the sewadaars and other Sikhs were roaming inside Gurdwaras Rakab Ganj having their kirpans with them. At about 12 noon a big mob of Hindu boys surrounded the Gurdwara from Church Road and Pt. Pant Road and both the groups started throwing stones upon each other. Police tried to stop them but the mob became uncontrollable and entered into the Gurdwara and brick-batting continued from both the sides. The mob scaled the Gurdwara wall from Central Sectt. side and broke the glass panes of Gurdwara by throwing stones and damaged a taxi parked in the 'aangan'. The SI and police personnel tried to stop them but could not succeed. Then there was a shot fired from Sikh community side inside the Gurdwara and seeing the situation worsening, SI fired three rounds in the air.

When another shot came from inside the Gurdwara injuring one person in the leg, then it came to known that the members of the Hindu community had burnt alive two Sikhs on the other gate of the Gurdwara. I (SI) felt that the situation had worsened and therefore, informed senior officials.

The members of the Hindu community caught hold of SI and beat him with fists and toes resulting in injuries on legs and chest. The members of the Hindu community became more excited and got the petrol from the petrol pumps and set on fire a temporary stall. They got petrol from the pump and started

throwing burning rags doused with petrol inside the Gurdwara. x x x the members of the Hindu community snatched the revolver of Satpal Malik M.P. who was passing from that side. x x x DCP New Delhi, ACP Parliament Street, CRPF and DAP personnel arrived but the firing continued from the Gurdwara.

The police used to push back the agitated rioters whenever they came towards the Gurdwara and the shots from inside the Gurdwara came after intervals. ACP warned not to shoot but they did not stop, then the CRPF Jawans fired many rounds in the air. The firing from Gurdwara stopped. When the situation became normal it was learnt that 3 persons have been killed in the incident. Two have been burnt to death (outside the gurdwara) whereas one got killed because of firing.

COMMENT: The above narration of facts show that the Sikhs had never been the aggressors. Two Sikhs were burnt on the gate of the Gurdwara. A taxi, khokha etc. were also set on fire at the Gurdwara. If person from inside the Gurdwara could not protect two innocent Sikhs being burnt alive to death could the inmates of gurdwara expect anything better. They, in fact had no option but to act in self defence to save themselves from being burnt alive.

The police along with all the paraphernalia a neither arrested the murderers outside gurdwara nor protected the helpless innocent being burnt alive.

From a perusal of record it appears that only Sikh had been arrested by police. He is being tried u/s. 302 etc. The police took no action to disperse the murderous mob. Police rewarded the culprits by letting them go scot-free and apprehended the Sikh who was compelled to act in self defence.

Police Station Moti Nagar

FIR No. 593 dated 1.11.1984 time 11.30 am

2 ASI's and 5 constables were on the Zakhira Chowk when at about 11.30 am a mob of 2000-3000 persons raising slogans came from Inderlok side and started setting ablaze shops near the Railway line. Then the mob raised slogans at Zakhira Chowk " Finish the Sardars", "Burn all the shops of Sardars". They set on fire the office of Delhi Kota Transport and the vehicles parked there and tyres etc.

In the meantime ACP Sajjan Singh (Moti Nagar) and SHO along with his staff reached there. ACP announced on loudspeaker and asked the mob to disperse but the mob started throwing stones at police and did not care for warning and set more shops on fire. ACP (it is claimed), fired 4 rounds in air. Then the mob proceeded towards Najafgarh Road, Moti Nagar side. Some Sardars were injured by mob by stones and lathi blows but they managed to run away to save their lives.

COMMENT: The police was present at the site of occurrence but no rioter was arrested. Why did the police not requisition additional force if it was feeling helpless before the mob ? The answer is obvious: the police wanted violence to continue because of central direction from 'above'.

Police Station Punjabi Bagh

F.I.R. No. 511 Police Station PUNJABI BAGH 1.11.84 Morning

Reported by R.C. Singh SHO Punjabi Bagh, that due to the brutal assassination of the Prime Minister of India mati Indira Gandhi and due to strong resentment in the people of Delhi, Capital of India, the public after having illegally associated, indulged in arson, looting and general massacre. And there are reports of firing from various Gurdwaras and houses of Sikhs which have resulted in the loss of many lives, such reports have come from East and West Punjabi Bagh, Raj Nagar, Anand Bagh, Sri Nagar, Shakur Basti and from the circumstances it appears that offence under section 302/307/395/397/427/436 and 25/27, 54/59 Arms Act has been committed x x x It is stated further that Gas Squad was also sent at the spot.

COMMENT: This FIR shows the bent of mind of an SHO who is supposed to protect every citizen belonging to any community. The tenor of the FIR shows bias against the Sikhs. The FIR further records that many persons (presumably non-sikhs) have lost their lives. It further mentions that such reports of having resorted to firing from Sikhs have come from various other areas also. Can a citizen of India, who has preferred Sikh religion, expect of getting protection and justice from such biased police officials?

It is submitted and prayed that this Hon'ble Commissioner which has always expressed a deep concern for human values and endeavoured to foster the spirit of equal respect for all religions may kindly look into the matter seriously and recommend appropriate against the erring officials for making such reckless and irresponsible statement officially.

It may be noted that the language of FIR No. 351/84 (Police Station Nangloi recorded on the statement of Ram Pal Singh Rana SHO) and FIR No. 174/84 (Police Station Mangolpuri recorded on the statement of Rajinder Singh SHO) are recorded in the same language as this FIR (i.e. FIR No.511 Police Station Punjabi Bagh). The comments under the instant FIR applies to those two FIR's as well.

Police Station Sultanpuri

F.I.R. No. 251/84 dated: 3.11.84

An anonymous call was received at the Police Station on 3.11.84 at 3.34 pm that thousands of persons of Budh Vihar have entered into two blocks of Sultan Puri.

They got incited by the assassination of Indira Gandhi and entered the area. They were raising slogans like 'Indira Gandhi Amar Rahe', 'Khoon Ka Badla Khoon'. They were setting on fire the shops and houses belonging to Sikhs and throwing the men in Naala after killing them.

SI along with a constable went there and found that the mob was setting on fire shops and houses and mob in thousands was indulging in arson and looting. He reported the matter to the SHO who came there along with his force.

COMMENT: The FIR itself reveals that the place of occurrence is only ½ Km. from the Police Station. How is it possible that mass scale violence and killing is taking place hardly ½ Km. away and the police does not have any knowledge about the fact that the mob in thousands has attacked the Sikhs?

The innocent Sikh residents of the affected blocks were subjected to unbelievable violence.

When the police reached the scene, the rioters were busy in executing their violent acts but even then the police did not arrest the culprits. Nothing was done to protect the helpless victims who were left at the mercy of the rioters.

Mass scale violence had been reported on 1.11.84 and 2.11.84 throughout Delhi. Military had arrived on 2.11.84 to assist the civil authorities but the massacre of Sikhs continued upto 3.11.84 as is clear from this FIR.

In this area also the violence had erupted on 1.11.84 and 2.11.84 but even then no arrangements were made to protect the lives and properties of Sikhs and the murderous attacks continued unhindered upto the evening of 3.11.84.

F.I.R. No. 252 of 1984 dated: 2.11.1984 Police Station Sultanpuri

From this FIR it stands proved that the looting, arson and killings took place in this area on 2.11.84. The place of occurrence is only ½ Km. from the police station as has been stated in the FIR.

Police Station Mangolpuri

F.I.R. No. 176 dated: 1.11.84 Police Station Mangolpuri

Reported by Gurdeep Singh that his two brothers Kulwant Singh and Rattan Singh both residents of House No. Q-6/119, J.J. Colony, on 1.11.84 were dragged out of the house, injured grievously and then burnt alive by pouring kerosene oil and some inflammable material over their bodies.

He further reported that Mrs. Davinder Kaur wd/o Late Kulwant Singh was subjected to rape. The names of 6 culprits residing in the same area are mentioned in the F.I.R. He has stated that though he does not know the names of other assailants but he can identify them.

COMMENT: The scene of occurrence is only ½ Km. from the police station. Is it possible to imagine that violence of such a great magnitude was taking place near the police station, yet the police had no knowledge about it? The police did not come to the rescue of victims and helpless women who were being criminally assaulted. Apart from the accused named by the complainant, the police did not investigate into the matter properly and apprehend other culprits.

Police Station Subzi Mandi (North Delhi)

1. F.I.R. No. 639 1.11.1984 Police Station Subzi Mandi

Reported by Jaswant Singh s/o Udham Singh r/o Kabir Basti, Subzi Mandi, that ten persons were murdered and thrown in fire.

He has clearly stated that under the pretext of Indira Gandhi, with a criminal intent and to achieve their goal, the mob has murdered and burnt our men and houses.

COMMENT: No investigation worth its name has been made in this case though a mass scale massacre of Sikhs have taken place.

Jaswant Singh has stated the motive of the killers. Probably he was too scared to name the culprits. In this regard one Mrs. Pritam Kaur wd/o Mangal Singh has appeared as a witness before this Hon'ble Commission. She deposed that her deceased husband and other Sikhs were killed in the presence of the top police officials who were instigating the mob. She maintained this stand even though was cross examined at length.

In the circumstances, when the high police officers are themselves involved, how can the aggrieved persons expect that the culprits shall be apprehended. In such case, impartial investigation would have exposed the direct complicity of high police officials in mass murder of this magnitude.

This FIR has also been filed as 'Untraced' by the police.

2. F.I.R. No. 641 3.11.1984 Police Station Subzi Mandi

Reported by Kanshi Ram about the murder and burning of his son Surinder Singh along with his two wheeler scooter.

SI Mohan Singh along with H/C Satpal Singh, Constables Satvir Singh, Suraj Bhan, Prahlad Singh, Padam Singh and some Home Guards were on Patrol duty in the area of Gulabi Bagh at about 11.30 am Slogans of 'Indira Gandhi Amar Rahe', 'Khoon Ka Badla Khoon' were heard coming from Gulabi Bagh gate side.

The police party immediately went there and on seeing it, a mob comprising of 500-600 persons entered the various blocks. Soon smoke was seen coming from Gurdwara Nanaksar.

The police party found a scooter in burnt condition at Kalidas Marg and they also found some fire inside the Gurdwara. There they found only the bones of burnt human body.

COMMENT: This case shows that even on November 3, 1984, Sikhs were being killed and burnt alive on the main roads. The tall claims being made by the Govt. that the situation has been brought under control and that the military was patrolling on 2nd / 3rd November fall to the ground. The police continued to remain ineffective on 3rd November, 1984 as it was on 31.10.84, 1.11.84 and 2.11.84.

In this case the police party saw the mob of 500-600 but did nothing to stop them. Burning a scooter and burning human body to bones is not an instantaneous process.

How can it be possible that though the police saw the movement of the mob, they reached the scene of occurrence only to find the burnt scooter and bones of a burnt human body?

The contents of the F.I.R. clearly show that the police party was present at the site when the miscreants were engaged in their criminal acts. That the police party did not arrest any of the rioters at the spot, speak volumes about their 'efficiency'.

This case has also been filed by the police as 'Untraced'.

Police Station Alipur

F.I.R. No. 315 1.11.1984 Police Station Alipur 3 pm

Reported by R.M. Singh SHO Alipur, Delhi that he along with police officials Raj Singh, Maha Singh, Karamvir, Constables Ram Chander, Prem Chand, Tara Chand, Driver Prem Singh was on patrolling duty it came to known that a mob had assembled on the G.T. Karnal Road and was setting vehicles on fire.

He reached there and found that loaded trucks were on fire and many persons of the mob were standing in the middle of the road and are stopping the vehicles and some beating Sardar women and men.

He persuaded the mob and arranged for sending the women/children to Adarsh Nagar Police Station. The mob then proceeded towards Hargovindsar Gurdwara. SI Arvinder Kumar, H/C Dhaara Singh, Ct. Banwari Lal along with 4 other police personnel were already at the Gurdwara to check the mob. In the meantime a shot was heard from the Gurdwara side which made the mob run. In the confusion Gurdwara was set on fire.

It is claimed that the SHO fired 5 rounds which hit the rioters in the leg and the injured were taken away by the members of the mob. The police apprehended five persons. From the Gurdwara three charred bodies were recovered from the pond of Gurdwara. Similarly 16 charred bodies were found in three trucks. In all 19 charred bodies were recovered.

COMMENT: The police party already present in front of the gurdwara did not take any steps to disperse the mob. Recovery of so many charred bodies from the burning trucks illustrates that the mob dragged out sikh drivers and passengers from their vehicles and threw them alive in the burning trucks.

It sounds very strange that despite such a mass scale massacre and violence, only five persons were apprehended by the police. Had proper investigations been conducted, it would not have been difficult to arrest all the culprits or a majority of them.

Police Station Roshan Ara Road (North Delhi)

Police Station Roshan Ara Road F.I.R. No. 377 2.11.1984 9.30 pm

Occurrence at Chandrawal Road

SI, ASI Harbans Lal, H/C Ram Sarup, H/C Nobat Ram, H/C Om Parkash, Dharambir Singh, Cts. Sompal and Lakhi Ram (total 10 police personnel) got information at 9.30 pm that mob had collected in street no. 3, New Chandrawal. All of them reached there. They found that many people were standing on the roofs of houses in Gali no. 3 and 4. Brick batting and fire shots were also heard. We tried our best to control the mob but could not succeed. I

fired 6 rounds and the staff fired 10 rounds but no one was injured. Officers also reached there. Mob set fire to house no. 5703. Fire Brigade also came and the mob dispersed. Daryao Singh, Ajit Singh, Kamaljit Singh, Rajinder Singh, Manjit Singh and Pappu got injured. Amar Singh died because of firing by the mob.

COMMENT: The place of occurrence, as is mentioned in the FIR, is only ½ Km. away from the police station. 10 police personnel including SI and ASI etc. reached in time and the senior police officials also reached there but did not save the residents of one house. The police did not arrest any of the attackers.

The case has been filed by the police as 'Untraced'.

Police Station Kashmiri Gate (North Delhi)

F.I.R. No. 764 Police Station Kashmiri Gate

One SI along with H/C Kallan Khan and three constables were at the ISBT Departure Block at 2.45 pm when they heard commotion from taxi stand complex.

On reaching there the police party found that 15-20 taxis were on fire and a mob of about 500-600 having lathis, dandaas, stones etc. were raising slogans, 'Indira Gandhi Amar Rahe' 'Sardaron Ko Phoonk Do', etc. ASI Amarnath and Ct. Sunder Lal were also there.

The police tried to apprehend the rioters but ran away here and there. When the police ran after the rioters it found two Sardars badly injured. In the meantime Vigilance Inspector along with staff and vehicle reached there and the injured were sent to Hospital.

COMMENT: Even though the police party was there at the place of occurrence but none of the culprits was apprehended. The taxi stand is just near the place where the police party was present. It is therefore evidently clear that the rioters indulged in violence in the presence of police who did not stop them at all. Even the minimal force was not used to apprehend the culprits.

This case has been filed by the police as 'Untraced'.

Police Station Bara Hindu Rao

F.I.R. No. 316 1.11.1984 Police Station Bara Hindu Rao - Illegible

Police Station Adarsh Nagar

1. F.I.R. No. 910 Police Station Adarsh Nagar 1.11.1984 9 am to 2.30 pm

Reported by SHO Adarsh Nagar Police Station that to show resentment on the assassination of Shmt. Indira Gandhi, people assembled at various places and took out processions. He, in his vehicle and other police officials were patrolling the area. He further states that by forming unlawful assembly and by burning many Gurdwaras in Jahangirpuri, Shalimar Bagh, Pitampura, and by resorting to firing in MahIndira Park and Sanjay Nagar and by injuring many persons out of which some had died, and to control the mob, 10 rounds were fired, have committed offences under various sections x x x

COMMENT: From the narration of sequence of events in the form of a running commentary it is clear that the police was moving along with the miscreants and this encouraged the rioters to act with impunity. Despite such a large scale violence, the police did not arrest any culprit. None of the rioters got injured in the police firing. These facts speak for themselves and no comment is needed.

2. F.I.R. No. 911 Police Station ADARSH NAGAR 2.11.1984 10 am

Information came that some persons had set on fire a house in J Block, Jahangirpuri. SI Jai Bhagwan, ASI Ranveer Singh, Constables Varinder Pandey, Rajvir Singh, Davel Singh and Tap Raj (police party of 6) reached J Block. They found that a mob of 200 persons having lathis, spears etc. was operating there. On seeing the police, the rioters ran here and there. SI and Constable fired in air but the rioters succeeded in escaping. The police found three dead bodies on the road and two on the roof of a house. The bodies bore injuries from sharp edged weapons. Out of five bodies, four were identified.

COMMENT: Though there was wide spread violence on 1.11.84, no arrangement was made on 2.11.84 and 3.11.84 to protect the lives of Sikhs. The murderous expeditions of the mob went on unchecked. The police reached at the place of occurrence when the violence was in a full swings but

even then the police did not arrest any culprit on the spot. As has been seen in earlier cases, the police could lay its hands only on the dead bodies of Sikhs. It is claimed in the FIR that the police resorted to firing to disperse the mob but, strangely enough, no rioter got injured.

Police Station Kingsway Camp (North Delhi)

F.I.R. No. 785 Police Station Kingsway Camp 1.11.84 8 am

Reported by SHO Durga Prasad that he along with other police personnel was on patrol duty in the police vehicle. He found mob near taxi stand which was setting fire to the taxis. When the police party dispersed the mob, it proceeded in different directions. He further states that the police party tried to maintain law and order but people numbering thousand were burning trucks, gurdwaras, shops, houses and indulging in loot and arson. The police party found many dead bodies.

COMMENT: Despite such a large scale violence in presence of the police party, no arrest was made at the spot. Not even minimal force was used to check the rioters. This fact alone is sufficient to prove the complicity of the police.

Police Station Kalyanpuri (East Delhi)

F.I.R. No. 426 Police Station Kalyanpuri 3.11.1984

Place of occurrence: Trilok Puri

Reported by Rijju Singh s/o Jaimal Singh r/o 32/146, Trilokpuri that on 1.11.84 at about 2 pm, mob comprising of thousand of persons came and started indulging in violent acts. They indulged in rioting at Block 36 Gurdwara.

Today (i.e. 3.11.84) these persons again came at about 3.30 pm in Block 32, Trilokpuri. Their number was about 1000. In no time they assumed dangerous posture. They got kerosene oil and set our houses on fire. They brick-batted our houses and looted the household articles. They started beating and killed men, women and children and threw them in raging fire. Many deaths have been caused. He states that his brother-in-law Lakha Singh has also been killed  
X X X.

The police official, on reaching the place of occurrence found that houses no. 123/124/484/485 and many others were on fire. 107 arrests have been claimed by the police.

COMMENT: Trilokpuri was one of the worst effected area and this FIR shows the miserable plight of about 300 sikh families residing in Blocks no. 30,32 and 34 Tarilokpuri. In spite of wide scale violence throughout Delhi and this area on 1.11.84 and 2.11.84, the police neither itself arranged nor deployed military to cover those areas where Sikhs resided.

In this case, as is clear from the above statement, the violence started on 1.11.84 and if the police had the requisite 'will', it could have deployed adequate force to protect the lives and properties of Sikhs from the onslaught of murderous mobs. But in the absence of police, the murderers had their 'hay day' on 1.11.84, 2.11.84 and 3.11.84 hunting and killing innocent Sikhs in the locality.

F.I.R. No. 427 3.11.84 10 A M. Police Station Kalyanpuri

It is recorded that the mob was found a burning alive three Sardars on the main road of Block B, Block 24 on 3.11.84 at 10 am

COMMENT: This FIR also shows that the killing of Sikhs in Trilokpuri continued upto 3.11.84 and military was not deputed till this time to afford protection to them from the murderous mobs.

Police Station Seemapuri (East Delhi)

F.I.R. No. 499/84 1.11.84 1.30 to 3 pm Police Station Seema Puri

Place of occurrence: Sunder Nagri, New Seema Puri

Reported by SI at 8 pm that information was received that at New Seema Puri D.D. Quarters Road, houses of Sikhs have been attacked and DDA gurdwara has been set on fire.

SI Asutosh Chatterjee along with Ct. Satvir Singh went there at 8.30 pm and found many house burning. Mob had left after damaging the gurdwara. The

police party found 4 badly burnt bodies lying in front of house. The police party came to know that Gurdwara Sunder Nagri had also been burnt.

COMMENT: The police reached the scene of occurrence as usual after the damage had been done. It did not take any precautionary measures to protect the lives and properties of Sikhs or to prevent violence in the area.

#### Police Station Shahdara

F.I.R. No. 608 2.11.1984 11.30 am Police Station SHAHDARA

An anonymous caller informed the police station that a mob consisting of hundreds of persons from Nand Nagri, Ashok Nagar, West Jyoti Nagar and armed with lathis, iron rods, kerosene oil have come to 100 Foot Road, Mandoli Road Durgapuri, Jyoti Colony, Balbir Nagar and advancing towards Shahdara area. It was informed that the mob swelled as it advanced further.

They burnt the houses, shops of Sardars that came in their way. Some people loot goods. When they find any Sardar on the road, they beat him and set him on fire after sprinkling kerosene oil on him.

SI informed the senior police officials and reached Durga Puri and found that the mob indulging in violence was proceeding ahead via streets and bazaars.

The police party warned the mob that it was an unlawful assembly but the mob continued advancing while bursting crackers (aatishbaazi) and beating and killing x x x They killed and burnt any person who tried to stop them.

Charred bodies are found in various areas like Ram Nagar, East and West Gorakhpur, Balbir Nagar, Durgapuri. On roads and in front of houses.

#### Police Station Shakarpur

F. I.R. No. 369 Police Station Shakarpur 1.11.1984 11.30 am

SI along with Cts. Satyapal and Amichand were on patrolling duty on Vikas Marg. Because mati Indira Gandhi was assassinated and there was lot of resentment among public against Sardars, at about 11,30 am an excited mob raising slogans 'Indira Gandhi Amar Rahe' and 'Sikh Gaddar Hain' having lathis,

bamboos, iron rods etc. came and proceeded towards Laxmi Nagar side and started setting on fire shops and houses belonging to Sardars and started beating them. The police party warned them not to do all this but they did not listen. The mob set on fire trucks and vehicles on Vikas Marg. One Sardar was killed because of burning of vehicles. On being challenged they ran away. Two dead bodies were found in Laxmi Nagar.

COMMENT: This FIR is yet another illustration of the fact that the police did not take any step either to protect the victims or prevent the miscreants from committing such heinous crimes. Not even minimal force was used by the police to check the culprits and their violent acts continued in presence of the police personnel. The police was there probably to count the number of dead bodies or the vehicles burnt by the miscreants.

Police Station Yamuna Puri

1. F.I.R. No. 277 Police Station YAMUNA PURI 1.11.1984 5.30 pm

Place of occurrence : Bhajanpura, Near Petrol Pump, Wazirabad Road.

Reported by SI Hem Chand that he along with three constables was on duty as Bhajanpura Bus Stand near Petrol Pump because yesterday mati Indira Gandhi had been shot dead by two of her own body guards, there was lot of resentment in public against Sardars. Today at about 5.30 pm the residents of Chand Nagar and Bhajanpura and having lathis, dandaas in their hands converged on the Wazirabad Road and set it on fire. One truck coming from Loni Road towards Khajuri Khas was also set on fire. The police party tried to stop them but could not succeed. They set on fire two houses of Sikhs x x x

COMMENT: The violent occurred and continued in presence of police party but no action was taken against the culprits. No protection was afforded to the helpless victims by the police present at the spot.

2. F.I.R. No. 275 Police Station YAMUNA PURI 1.11.1984 4 pm

Place of occurrence: Loni Road to Bhajan Pura, Wazirabad Road.

Reported by ASI Chanderpal that he along with Constables Sri Prasad, Udey Singh and Ashok Kumar was on patrolling duty on Gokalpuri crossing, Wazirabad Road. Because yesterday mati Indira Gandhi had been shot dead by two of her own guards, there was lot of resentment in public against Sardars. From 10 am residents of Chand Nagar, Yamuna Puri, Yamuna Vihar, Gokal Puri, Bhajanpura ... came to Wazirabad Road with the intention of rioting. The force of police station was busy in making arrangements. The police party was still persuading the rioters that in the meantime a group of 1000-2000 persons arrived on the road which could not be controlled. As the mob had collected at various places in New Delhi, more force and the help of fire brigade could not be procured. A group from the mob proceeded towards West Jyoti Colony and after setting fire to trucks, also burnt Takshila, Guru Harkishan School and gurdwara.

3. F.I.R. No. 276 Police Station YAMUNA PURI 1.11.1984 5.25 pm

Place of occurrence: Maujpur

Reported by SI Maniram that he along with Constable Dharambir was on duty at Wazirabad Maujpur Road. Because yesterday mati Indira Gandhi has been shot dead by her security guards and both the bodyguards being Sardars there was lot of resentment in the public against the Sikhs. Today, since morning, residents of B & C block Yamuna Vihar, had come on the Wazirabad Road and the residents of Vijay Park Maujpur had come on the Maujpur Road. The police patrol was also patrolling at various places. The SI and Constable were busy persuading these people that a mob of 700 to 800 came at 5.15 and immediately set on fire a private bus. This mob set on fire the houses of Sikhs in C Block, and then set a truck on fire near B Block, Yamuna Vihar and beat the residents X X X X X. The mob could not be controlled.

COMMENT:-From the above it is very clear that the mob had started collecting on the main road Wazirabad since morning. The police party was present there and patrolling at various places. But the police did nothing to control the rioters. The mob continued to indulge in violent acts from morning till late night evening. The police did not arrest any person on the spot. No action was taken by the police to protect the helpless victims.

East Delhi

Case of Swaran Singh r/o 5/6 Krishna Nagar the owner of Swaran Cinema

Swaran's Singh house is only 200 Yards away from the police station Kirshan Nagar. They were attacked on 1.11.1984 at about noon time and the house building was set on fire. All the family members numbering eleven, including women and children got roasted alive in the fire.

FIR No. 485/84 dated 1.11.1984

Place of occurrence Swaran Singh's House 5/6 Krishna Nagar. 200 yards from police station.

Reported by ASI Ram Swaroop that he along with other police personnel had gone to Swaran Singh's House to enquire into FIR No. 482/84 under section 307 IPC that a mob comprising of 700-800 persons arrived at 5/6 Krishna Nagar. They were highly excited and raising slogans " Khoon Ka Badla Khoon", "Indira Gandhi Zindabad" were mourning the death of Mrs. Indira Gandhi. They pelted stones and shouted that Swaran Singh has injured a man and they will avenge the same they were setting his Kothi on fire. The mob was in the form of procession and was uncontrollable.

COMMENT:- FIR no. 482/84 Police Station Krishna Nagar(referred above in the FIR 485) has been lodged by one Rajnish r/o F-1/28, Krishna Nagar, stating that at 2 pm he, along with other colleagues were taking part in a procession to mourn the death of Mrs. Indira Gandhi and the same was bleeding. He reported the incident at 2 pm

All the FIR's reported by police describe the activity of unlawful assembly and procession taken out by the culprits under the protest that it was mourning procession. Every where it has been stated that the men in these so called procession were armed with iron rods, lathies etc. and they killed Sikhs and burnt the property of Sikhs which came in their way.

In this case also the mob must have surrounded the Kothi of Swaran Singh and set it on fire. The poor helpless victims might have to act in self defence in the vain hope that the culprits may run away and their own lives be saved. But as was stored for them in destiny the entire family of eleven members were burnt alive. These included children and women as well.

The lone rioter ( Rajnish vide FIR 482/84) who allegedly got hurt because of defensive act of unfortunate Swaran Singh immediately reported the matter to the police station and police took no time in recording the incident, sent SI Ram Swaroop along with three other personnel at 2.30 pm to enquire into the complaint. The time can be verified from FIR 482/84.

When the mob was putting Swaran Singh's house on fire, four police personnel were present at the spot. They did not take any action to prevent the culprits from their nefarious acts. Was it not their prime duty to protect innocent lives? The police station is hardly 200 yds. Away. Why was the unfortunate family not saved by the police?

Swaran Singh's Cinema (Swaran Cinema) was totally burnt and destroyed. His house was reduced to ashes. Even members of his family got burnt alive. Can anybody tell as to what was their fault?

FIR NO. 340 Police Station Seelampur 1. 11. 1984 at ( A. M.)

Reported by Inspector Bheem Singh. He along with Head Constable Prehlad Singh, Constable Rajbir Singh, and Driver Virender Singh reached Main Road Maujpur at 9.30 am in the Govt. Vehicle DED 902. There he found that a mob comprising of 500-600 person having lathis, dandas, hockey sticks in their hands had set on fire Sri Guru Singh Sabha Gurdwara situated on the Main Road, Maujpur. They were raising highly inciting and provocative slogans. Slowly and slowly this mob scattered in various areas in the form of groups. They set fire to shops of Sardars at Main Road, Maujpur. Sometimes this mob used to split in group on seeing the police. They have created havoc in Brahmpuri, Ushmanpur, New Seelam pur, Jagjit Nagar, Gamri etc. and have burnt shops, houses and gurdwaras. This mob swelled to 2- 2½ thousand. These people also set fire to those houses at Gamri where Sardars were present. To control the situation the Inspector fired four rounds in the air \_\_.

COMMENTS :- This FIR also proves that the mob indulged in the acts of violence in the presence of police. The assembling of mob started in the morning but the police did not act to disperse them. Instead it appears the culprits got encouraged because of deliberate in- action of police to check

them and the mob swelled further. Various heinous crimes like arson, burning Sardars alive along with their houses have been committed within full view of the police, and the latter did not arrest any accused person on the spot.

FIR NO. 432 Police Station Farash Bazar — 2. 11. 1984

Place of occurrence : Yudhister Gali Near Bus stand, Vishwas Nagar.

S. I. Vidya Bhushan along with other police personnel while going to enquire into some other case, found a Rajoot Motorcycle in a burnt condition and a badly charred body was lying on it. On enquiry he came know that many people came that side raising slogan " Indira Gandhi Zindabad " mourning over her death and they stopped this Sardar and burnt him along with his motor-cycle.

COMMENTS :- This FIR shows that the culprits who pretended to be mourners of the death of Indira Gandhi burnt alive every Sikh whoever came in their way. It appears either the police was not there to protect innocent victims or was in league with the culprits

FIR NO. 1340 Police Station Pahar Ganj 2. 11. 1984 at 8. 05 pm

Occurrence 5419, Laddoo Ghaati, Paharganj Distance from police Station:3 furlongs.

Reported by Onkar Singh s / o Baldev Singh that on 2. 11. 1984 at 8.05 P. M. a group of 25 - 30 persons came shouting to our house. They had iron rods hockey sticks etc.

In their hands and they started breaking the window panes. They started beating him with lathis and iron rods. Then they threw his father on the road. He died in the hospital.

COMMENTS : - It was clearly stated in the FIR that 4-5 persons among those who killed Baldev Singh were well known to the complainant but even then the police filed the case as UNTRACED.

CENTRAL DELHI

FIR NO. 473 Police Station Rajinder Nagar 1..11.84 6 P. M.

Reported by SI Randheer Singh that he along with Head Constable Ameer Singh, Constables Daya Ram, Charan Jeet, Inder and Tej Singh were at Inderpur at 6 pm when mob of about 400-500 Hindus having lathis in their hands and raising slogans " Khalistan Murdabad" came from Inderpuri side and indulged in the looting burning of houses, shops, scooters, cars. The police party challenged them but they did not listen and moved unchecked in the J. J. Colony, Inderpuri, burning shops, houses etc. of sardars. On being challenged, they succeeded in escaping.

COMMENTS :- The violent acts were committed by the mob in presence of the police party but nobody was arrested at the spot.

FIR NO. 474 Police Station RAJINDER NAGAR 1.11.1984 at 5.30 P. M.

Reported by SI Ram Chander that he along with two constables was on duty at Inderpuri at 5.30 P. M., when he heard the sound of shot and also that Jagjit Singh Chawla's house was on fire. He found that house No. WZ-235 Inderpuri was on fire and Kirpal Singh Chawla and his brother Jagjit Singh Chawla were firing which resulted in the death of two persons. The S. H.O. and ACP was also there at the place of occurrence. Mob was dispersed in their presence with great difficulty.

COMMENTS Both the brothers Jagjit Singh Chawla and Kirpal Singh Chawla acted in self defence as is clear from the contents of FIR. Their house had been set on fire after looting. FIR No. 473, clearly shows that the mob was uncontrollable and bent upon killing Sikhs. The house of Chawla was surrounded from all sides by the mob. Instead both the brothers were arrested and their licenced weapons were seized and now they are facing trial under section 302/307/34 I.P.C. though they have never been aggressors. Had Chawla Brothers not acted in self defence, all their family members would have been burnt alive by the mob.

This is a typical case illustrative of our submission that wherever Sikhs acted in self defence, they have been booked u/s 302 IPC and made to face the courts for having committed serious offences.

FIR NO. 1349 Police Station Paharganj 5.11.1984 at 8 P. M.

Occurrence 2176 Chuna Mandi, Paharganj, New Delhi.

Reported by Constable Rajinder Singh that when he was near Hari Masjid he heard the sound of firing from Chuna Mandi Paharganj, at about 8 pm The people were running due to fear. In the meantime one person sustained bullet injuries and he died on the road. Constable Rajinder Singh, along with other constables took position and fired 10 rounds, In the meantime SHO came and fire with his service revolver, and also sent a message to call military. After some time DCP (C) and ACP Paharganj also came at the spot with military platoon. The military took position and fired. DCP and ACP also fired. When the inmates found themselves surrounded by Army and Police, they surrendered Sixteen persons, all members of same family have been made accused. Out of sixteen, there are six women. Two Sikhs were shot (killed in police firing ).

COMMENTS : - This is a typical case where the entire top brass police including SHO, DCP, ACP and the military has arrived at the scene of occurrence when a Sikh family acted in self defence.

From the log book of Fire Brigade submitted by Delhi Fire Services in response to interrogatories it can be seen that the rampaging mobs were moving about even on 5.11.1984. The house of Sikhs were being set on fire after looting. A perusal of last page of the log book shows that on 5.11.1984 the fire tenders attended fire at house no. 2021/7, Chuna Mandi, Paharganj, and one more fire tender attended in House No. 2015/7, Chuna Mandi, Paharganj, New Delhi. At the same page entry no. 20 pertains to attending a call at 21.40 hours, at Laddo Ghati, Shora Kothi, Paharganj. The last entry (item No. 24) shows that

severe fire was attended to at 23.32 hours on 5.11. 1984 which broke out at house No. 5342, Laddoo Ghati, Paharganj, New Delhi.

Thus, from the above it become crystal clear that the inmates of the house were compelled to act in self defence when surrounded by violent mobs. All of them would have been burnt alive, had they not acted in self defence to disperse the mob. The situation in Delhi at that time was far from normal as arson was going on at Paharganj area itself as has been seen above. The entire police force and military was summoned, deployed and ordered to open fire on Sikhs who were compelled to act in self defence. On the other hand none of the rioters was arrested.

To add insult to injury, the police has implicated all the sixteen members including six ladies of the house as accused under S. 302 IPC.

This shows the highly prejudice bent of mind of the police against Sikhs. On the other hand the police deliberately did not take any action against the mob which has indulged in killings arson, looting etc. as in clear from the aforesaid record of the Fire Brigade.

FIR NO. 558 Patel Nagar 3.11.1984 at 10.45 am

Place of Occurrence : Sarai Rohilla

Police Post: Sarai Rohilla

Reported by S.I. Dharam Pal that be along with ASI Harpal Singh, H. C. Prithvi Singh, Constable Mohinder Singh and another Constable Kusheshwar were on patrol duty at 10. 45 am at Gali No. 9 Sarai Rohilla when a mob of 300-400 persons raising slogans came from Harijan Basti side. They started pelting stones at a middle aged Sardar standing in front of factory No. 13-14. The victim fell down but the mob continued stoning. The police party came and fired thrice in air to disperse the mob. The injured was taken to hospital where he was declared brought dead.

COMMENTS The FIR shows that in this area the murderous attacks by the mob continued up to 3.11.1984. Here the victim was stoned to death in presence of a strong armed police party but none of the culprits was arrested. As was bound to happen, the case has been filed as UNTRACED BY THE POLICE

FIR NO. 559 Police Station Patel Nagar 3.11.1984 at 5 P. M.

Place of Occurrence : Prem Nagar

The FIR also substantiates the observation that the attacks by mob on helpless Sikhs continued upto late evening of 3.11.1984 in this area even though the military had been called on 1.11.1984.

FIR NO. 560 Police Station Patel Nagar 3.11.1984 at 4.15 P. M.

Place of occurrence : 38/4 West Patel Nagar

In this case also the attack was launched by the murderous mob on 3.11.1984 resulting in the killing and burning alive of helpless Sikhs. No measures were taken by the police and Army to protect the Sikh citizens.

FIR NO. 798 Police Station Karol Bagh, New Delhi 1.11.1984

The FIR is illegible. Hence the contents are not being reproduced and no comments can be offered.

FIR NO. 598 Police Station Desh Bandhu Gupta Road 1.11.1984

Time of Occurrence : 8 am to 5 pm

Place of Occurrence : D. B. Gupta Road, Military Road, Faiz Road

Reported by S.I. Davinder Kumar I/C P.P. Govt. Quarters, Delhi that he along with other was at Anand Prabat Bus Terminal that a mob of more than 28/30 persons raising slogans " Indira Gandhi Zindabad ", " Indira Gandhi Amar Rahe

" came to D.B. Gupta Road from Bapa Nagar side. They were bent upon indulging in violence but the police persuaded them not to do so and they dispersed. Then information came that some persons were stealing goods from Prahlad Market. On reaching there it was found that the goods of M/s Murphy Machine had already been stolen and some persons had set on fire Baveja Stores after looting T.V's. and VCRs. Near Maharana Partap Market a motor cycle was found in burnt condition. On seeing police, the mob dispersed. Then the mob set on fire to more shops No. 781, D. B. Gupta Road. The mob indulged in arson at Anand Parbat. There the police found that M/S Soni Electricals at Military Road had been looted and House No. 1704/T and Gurdwara Government Quarters, Anand Parbat, D.B. Gupta Road was also on fire. The information came that the mob had thrown a young Sikh boy alive in fire inside the main gate of Arya Samaj Mandir. On extinguishing the fire with water only bones of human beings were found.

COMMENTS : - This FIR clarifies that the police party was present throughout when the mob was engaged in the acts of violence. The culprits indulged in arson, looting, murder etc. But the police did not take any action or use even minimal force to stop the rioters or afford protection to the victims. No arrest was made at spot though every thing was being done in presence of the police.

Further more, the area like Prehlad Market, Maharani Partap Market are situated near the D. B. Gupta Police Station where a large contingent of police is always available. Yet no action was taken to stop or arrest the rioters.

A comprehensive analysis of all the FIRs produced by the Delhi Adm. is not possible within the short time at the disposal of the Delhi Sikh Gurdwara Management Committee. However, it is hoped that this Hon'ble Commission will direct its Registry to carry out exhaustive and comprehensive analysis of all the FIRs. Nevertheless in case this Hon'ble Commission requires the assistance of the Delhi Sikh Gurdwara Management Committee in this behalf, a direction be issued to that effect and four week's time be granted for purposes of such analysis by the Delhi Sikh Gurdwara Management Committee.

The above analysis is only limited to such FIRs that pertain to murder cases. This analysis is being submitted by way of illustration.

A general survey of all the FIRs reveals that no conviction would be possible and ultimately all the accused would go scot free. In almost all cases the cases have been registered for lighter offences though prima facie the accused should have been challaned for capital offences. This has resulted in securing bails from the courts immediately after the accused persons were arrested. Though so many murders have been committed but very few Special Reports have been sent, deliberately to suppress the enormity of crime.

This uniform pattern stated above has been followed throughout Delhi by various police stations. It is needless to say that the same was not possible without a central direction to that effect. Similar approach was followed by police and Distt. Administration at Kanpur and Bokaro as well.

Under these circumstances it is submitted that this Hon'ble Commission may be pleased to pass appropriate directions like in Kanpur and Bokaro, for reinvestigation of all the cases. A special legal cell be created to process and prosecute all such cases properly so that the culprits get the punishment they deserve under the law of the land.

## Part Three

### ROLE OF RAILWAY ADMINISTRATION (ON THE BASIS OF DOCUMENTS PRODUCED BY THEM)

In para G-3 of its reply the Northern Railway Administration has stated that it, G-3 "Reacted promptly to the situation and did commendable job in providing shelter and protection to passengers on the trains and railway premises. "

In the same para, the last sub-para says :-

"The RPF resorted to firing on 2.11.1984 at two places i.e. at Tughlakabad and near Seelampur Colony between Delhi Shahdara and Yamuna Bridge in an effort to protect the Sikh passengers on train No. 25 DN Deluxe Express and 32 DN Frontier Mail from the violent mobs. At Tughlakabad 4 rounds were fired and at Seelampur seven rounds were fired."

The 'commendable' job the Railways performed becomes clear from the following facts :-

(1) Vide its letter D.O. No SR/HC/Misc./8 dated 18/Nov. 1985 from Mr. M. R. Khosla General Manager Northern Railway addressed to Mr. R. L. Gupta, Secretary of the Commission, the Northern Railway has stated that the RPF, Northern Railway did not arrest any person during the riots after the assassination of the late Prime Minister Though hundreds of innocent citizens were killed in the trains and on the railway station, the R. P. F. did not arrest any person.

(2) Though the tension started on the night of 31.10.1984 when miscreants started beating or killing Sikh passengers after pulling them out of trains at

various places, RPF, as per its own statement, started escorting the train from November 4, 1984 onwards. Most of the murders took place on 31.10.1984, 1/11/84, 2/11/84 and 3/11/1984.

(3) Though various trains were stopped unauthorisely at 46 places either at railway stations or without railway stations over Delhi area on 1.11.1984 and 2.11.1984, yet nothing has been done to ascertain the railway personnel responsible for such unauthorised stoppages. It is needless to say that the railway employee in so doing not only acted illegally but collusively with the criminals who murdered hundreds of helpless victims. It is therefore submitted that a thorough enquiry into the conduct of signalmen and other railway personnel responsible for movement of train be held and the guilty be dealt sternly in accordance with law.

(4) That there are on record, seven FIRs regarding incidents in Railway which may kindly be perused. The relevant contents of some of these FIRs are given below :-

(A) F.I.R. No. 355/84 1.11.84 at 12. 30 P. M. Reported by Rameshwar Dayal, Booking Clerk, Railway Station Tughlakabad. He has narrated the incident of Bombay-Janta train. "When this train was at Tughlakabad Railway Station, at about 12. 30 noon on 1.11.1984, about 300-350 ' dehati' men (villagers) having lathis, sticks and iron rods came to the railway station. They searched the entire train and dragged out Sikh passengers and started beating them mercilessly. Those dehati men had kerosene oil with them. These men burnt alive 25-30 Sikh passengers and their semi-charred bodies were lying here and there on the station. He further stated that on seeing the police party, the dehatis (villagers) succeeded in running away. 27 semi charred bodies were recovered by Police. Senior Police officers were informed about the incident."

COMMENT : The facts narrated in the F.I.R. clarify that the police at the Railway Station did not raise even a little finger at the inhuman massacre of innocent Sikh passengers. The culprits moved unhindered in the furtherance of

their murderous attacks. The police did not afford any protection whatsoever to the passenger victims either by arresting the culprits or opening fire. After burning alive 27 Sikhs the culprits were allowed to run away.

(B) F.I. R. No. 357 2.11.1984 at 10 A. M.

Tughlakabad Railway Station Police Station New Delhi Railway Station

Reported by Roop Narain, Railway Guard of 25 DN Train

Because of signal, the train (25 DN) stopped at Tughlakabad Railway Station (not a normal stop). A mob of 2000 men surrounded the train. They removed hose pipes of the train. The men had lathis, sticks, iron rods in their hands. They started pulling out Sikh passengers from the train, beating them mercilessly and set their clothes on fire. Police party reached the station at about 11.30 hours. The mob was operating when the police came but ran away on seeing it.

He states that the train started at 13. 27 Hrs. When it was cleared of mob and reached New Delhi Railway Station (Platform No.4 ) at 14.05 Hrs. whereupon checking, 8 dead bodies were recovered from three different coaches. In its letter (Annexure D) by Divisional Security Officer, New Delhi vide Special occurrence Report No. ASO/11/SR-11/TDR/84-85 dated 5.11.1984 it is reported in the last para that 6 bodies were taken into custody from the Station Area.

In the F.I.R. it is stated in the end that the police had made the unruly mob run by resorting to firing :

COMMENTS : This F.I.R. brings out clearly the utter disregard and unwillingness to protect scores of innocent passengers, F.I.R. No. 355/84

clearly states that the members of mob indulged in mass scale killing on.11.1984 and 27 Sikhs travelling in the train were murdered and burnt alive. The police deliberately did not provide protection to the passengers at Railway Station on 1.11.1984. The grave situation on November demanded extra force at the station to protect innocent passengers but nothing was done. This F.I.R obviously proves that the miscreants murdered all the Sikhs who came by train on 1.11.1984 and 2.11.1984 at Tughlakabad. Had even minimum action been taken by the Railway Protection Force on 1.11.1984 in the morning, many brutal killings of Sikhs could have been averted.

(C) F.I.R. NO. 356 Police Station New Delhi Railway Station 2.11.1984 at 7 A. M.

Place of Occurrence at Nangloi Railway Station

The report is in the form of a memo sent by R. S. Soni, A. S.M. Delhi Kishan Ganj. " Please arrange to remove 12 dead bodies lying on platform at Nangloi to avoid panic. Also arrange armed force to protect staff and Station. Heavy mob collected in and around Railway Station. Staff not in a position to perform duties. Chances of Station closing down. On getting the message, one Sub Inspector along with staff went to Nangloi Police Station and got removed 12 bodies on the platform and railway track.

COMMENTS : The F.I.R. proves that after large scale violence and mass killings of Sikhs at various railway stations on 1.11.1984, it was the prime duty of police to stop the violence and depute sufficient police personnel to ensure the safety of property and person of Sikhs. But nothing was done. Instead the marauders were deliberately allowed to indulge in massacre of helpless victims in a most barbaric manner. May one ask, why additional force was not deputed at all railway stations. Even action of closing down of the station as threatened by A.S.M. would have saved precious innocent lives.

Is it not the duty of Railway Administration to protect the lives and property of its passengers ? A thorough enquiry should have been conducted to identify the administrative staff at the Railway Station, who did not give an alert call to the high authorities. Is the police merely to act as scavengers and remove the dead bodies after the mass killings of innocent passengers ? This all shows

complicity of police and district administration in commission of heinous crimes.

(D) F. I. R. No. 484 PS Delhi Main Railway Station 2. 11. 1984 at 15.00 hours.  
Police Post Shahdara.

32 DN was detained at Yamuna bridge. The miscreants killed many innocent train passengers. Four dead bodies were found in the tracks.

As the copy of F.I.R. supplied to us is illegible, it is not possible to give comments. It is suggested that Hon ' ble Commission may kindly provide the legible copy of F.I.R. for full factual information.

(E) F. I. R. No. 358 1. 11.84 at 1 P. M. Police Station New Delhi Railway Station  
Place of occurrence Daya Basti.

Information came that mob has stopped train Ferozpur - Bombay Express near Dayabasti and were killing Sikh passengers.

A.S.I. Hoshiar Singh along with two Cops. went to the railway Station and found a mob of 1000 - 1500 persons and lot of commotion there. The people were running here and there. He also found four dead bodies burning inside railway line. He got the fire extinguished and made the train leave.

COMMENT : Even though large scale violence had come to the notice of police yet no steps were taken to protect Sikh passengers. When the police party reached the railway station, the rioters were engaged in the act of killing etc. But the police did not take any step to arrest the culprits.

5. The statement of Professor Madhu Dandvate who was travelling by Rajdhani Express, also clearly shows that police was there at the Tughlakabad Railway Station but was not taking any steps to save the Sikh passengers from the clutches of blood thirsty mob. He being an M.P. was afforded protection by the Police when he asked for it.

This itself clearly shows the reluctance of the force available to afford protection to Sikh passengers. Prof. Dandvate himself saw some Sikh passengers being burnt alive by the miscreants at the Railway Station.

In this connection the statement of Suresh Kumar who was examined by this Hon ' ble Commission on 28th January 1986 may also be seen. His colleague, a Sikh passenger, travelling by Rajdhani Express was brutally murdered and burnt at the Railway Station and the police did not take any action to protect him.

The statement in the first report that DAP contingents on duty at platform No. 1 fired 18 rounds under the command of ACP Crime and Railways, New Delhi, is wrong on the basis of evidence on record and is, therefore, misleading. F. I. R. No. 357 dated 2.11.1984 Police Station New Delhi Railway Station reproduced above does not mention this fact.

The second report also shows that the Sikh guards on cash duty fired in the air to disperse the mob. Due to conspicuous absence of police force the mob become so aggressive that the non - Sikh colleagues were compelled to afford protection to Sikh personnel.

6. The contention of Railway Administration that GRF fired 11 rounds to protect the Sikh passengers is totally wrong. The two Special Occurrence Reports annexed as Annexures ' D ' and ' E ' ( hereinafter referred as First and Second Report respectively ) show that the shots were fired by the RPF personnel in self-defence because they were Sikhs.

On a perusal of the first report a very important question surfaces that how is it that out of the entire force, only a Sikh Rakshak fired four rounds ( out of which one was a misfire ) in the air and with that the mob dispersed in different direction. This fact shows the mentality and complexion of mob which had come to attack the Sikh passengers only. This is a strong pointer to the direction that had the police personnel used even minimal force, such a colossal loss of human life and misery could have been averted.

In view of the above facts it is submitted that the number of murders committed at various Railway Stations must have been much more than disclosed by the Administration but we do not have sufficient material to adduce exact figure.

We request this Hon ' ble Commission to use its office to ascertain the real figure of casualties at all the railway stations of Delhi. The complicity of police and Railway administration stands proved beyond reasonable doubts from the various documentary evidences explained above.

## Part Four

The following evidence will substantiate our submissions that during the disturbances, Gurdwaras became the special and first targets of the mob fury. This was in furtherance of a special design. In this regard refer to the following Affidavits.

### FIRST ATTACK ON Gurdwara IN THE LOCALITY ON 31<sup>st</sup> October 1984

	Deponent	Gurdwara attacked
1.	Malkiat Singh C - 187 Naraina Industrial Area, Phase I, New Delhi	Guru Singh Sabha Gurdwara at Naraina
2.	Kunnan Kaur RZT-43 West Sagar Pur, New Delhi	Gurdwara at Sagarpur
3.	Surjit Kaur RZT- 43, West Sagar Pur, Delhi	Gurdwara at Sagarpur
4.	Gurucharan Singh H - 1 / 57, Lajpat Nagar, New Delhi	Guru Singh Sabha, Lajpat Nagar
5.	Joginder Singh RZG - 70, West Sagar Pur, Delhi	Gurdwara at Sagarpur
6.	Gopal Singh 95 - G, Sheikh Sarai, Phase II, DDA Flats, New Delhi	Gurdwara at Sheikh Sarai
7.	Karan Singh C - 185, Defence Colony, New Delhi	Gurdwara at Defence Colony
8.	Amarpal Singh Sri Guru Singh Sabha, Krishna Market, Lajpat Nagar, New Delhi	Gurdwara at Lajpat Nagar
9.	Gurucharan Singh 4227, Gali Gurdwara No. 10 Ajit Nagar, Gandhi Nagar, Delhi	Gurdwara at Gandhi Nagar
10.	George Mathew A - 140 Safadarjang Enclave, New Delhi  a) R. K. Puram	Singh Sabha Gurdwara 8.30pm

	b) R. K. Puram c) Sarojini Nagar d) Green Park Extension  e) Lodhi Road f) Prem Nagar	Kalgidhar Singh Sabha 8.30pm Singh Sabha Gurdwara 6pm Gurdwara Sikh Sangat South Delhi 10pm Guru Singh Sabha 11pm Baba Budha Singh Gurdwara 7pm
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FIRST ATTACK ON Gurdwara IN THE LOCALITY ON 1<sup>st</sup> November 1984

	Deponent	Gurdwara attacked
1.	Amrit Kaur A-3/73, Janakpuri, New Delhi	Singh Sabha Gurdwara, A-2, Block Janakpuri
2.	Kirpal Singh Mukhram Garden, M. E. 7 Tilak Nagar, New Delhi	Gurdwara Chokhandi Chowk
3.	Sohan Singh 14-B/1, Desh Bandhu Gupta Road, Karol Bagh, New Delhi	Gurdwara in Govt. Quarters, E- Type, Dev Nagar
4.	Joginder Singh Bajwa Pocket No.3, Flat No.301, Paschim Puri, New Delhi	Gurdwara in Paschim Puri
5.	Prakash Kaur J-324, Shakarpur, Delhi	Gurdwara of G-Block Shakarpur
6.	Jasbir Singh RZ- 258 B / 18- A Raj Nagar, Palam Colony, New Delhi	Gurdwara in Raj Nagar, Palam Colony
7.	Tehmi Devi, 32 / 88, Trilokpuri, Delhi	Gurdwara of Trilokpuri
8.	Dhoban Kaur	Gurdwara of Trilokpuri
9.	Tejinder Singh 29 / 481, 482, Trilokpuri, Delhi	Gurdwara of 36 Block at Trilokpuri
10.	Tirlochan Singh A-3/ 38, Nand Nagri, Delhi	Singh Sabha Gurdwara, Nand Nagari
11.	Jatan Kaur A-4 / 141, Sultan puri, Delhi	Gurdwara at Sultan Puri
12.	Jaswinder Singh A-172, J. J. Colony, Chokhand, New Delhi	Gurdwara at Pul Bangash

13.	Nirmal Kaur R-259, Gali No. 5, Sagar Pur, Nangal Raya, Delhi	Gurdwara at Nangal Raya
14.	Raj Kumar RZ - 258 /B / 25, Raj Nagar, Palam Colony, New Delhi	Gurdwara at Raj Nagar, Palam Colony
15.	Gurdian Singh A - 3 /72, Nand Nagari Delhi	Gurdwara at Nand Nagari
16.	Hari Singh 32 / 119, Trilok Puri, Delhi	Gurdwara in 36 Block at Trilok Puri
17.	Mahal Singh Satsang Guru Nanak Darbar, Lajpat Nagar, New Delhi	Gurdwara at Lajpat Nagar
18.	Barfi Bai 32/ 110, Trilok Puri, Delhi	Gurdwara at Trilokpuri
19.	Sampuran Kaur WZ - 241, Raj Nagar, Palam Colony, New Delhi	Gurdwara at Raj Nagar, Palam Colony
20.	Surinder Kaur RZI- 66, Sagar pur, Delhi	Gurdwara at Sagarpur
21.	Gopi Kaur, 32 /72, Trilokpuri, Delhi	Gurdwara of 36 block in Trilokpuri
22.	Kudip Kaur 82, Amar Colony, Nangloi, Delhi	Gurdwara at Nangloi
23.	Balwant Kaur RZT - 26 /229, West Sagarpur, New Delhi	Gurdwara at Sagarpur
24.	Shanti Devi B -5/435 Nand Nagri, Delhi	Gurdwara at Nand Nagri
25.	Jaspal Kaur WZ - 170, Sadh Nagar, Palam Colony, New Delhi	Gurdwara at Sadh Nagar
26.	Sadara Singh 32 Block, Trilokpuri, Delhi	Gurdwara in 32 Block at Trilokpuri
27.	Bhakti Bai 35 / 85, Trilokpuri, Delhi	Gurdwara in 36 Block at Trilokpuri
28.	Harnam Singh WZ-315, Palam Colony, Sadh Nagar, New Delhi	Gurdwara at Sadh Nagar, Palam Colony

29.	Shammi Bai 32 /53, Trilok Puri, Delhi	Gurdwara in 36 block at Trilokpuri
30.	Charanjit Singh II- C/47,Lajpat Nagar, New Delhi	Satsang Guru Nanak Darbar, Lajpat Nagar
31.	Sukhwinder Singh B-5/436, Nand Nagri, Delhi	Gurdwara at Nand Nagri
32.	Charanjiit Kaur B- 3/117, Nand Nagri, Delhi	Gurdwara at Nand Nagri
33.	Kaushalya Kaur F - 252, Sunder Nagari, Delhi	Gurdwara at Sunder Nagari
34.	Inder Singh 617, Nimri Colony, Near Bharat Nagar, New Delhi	Gurdwara at Nimri Colony
35.	Sadhu Singh 32 /36, Trilokpuri, Delhi	Gurdwara of 36 Block at Trilokpuri
36.	Parkash Kaur RZG-64, Mahavir Enclave, New Delhi	Gurdwara at Mahavir Enclave
37.	Jagat Singh 6/6, Old Double Storey, Lajpat Nagar, New Delhi	Gurdwara at Amar Colony
38.	Gopi Kaur C-4, Sultan Puri, Delhi	Gurdwara at Sultan Puri
39.	Manjit Kaur E-335, Jagjit Nagar, New Usmanpur, Delhi	Gurdwara at Jagjit Nagar
40.	Want Kaur, M - 38, Nawada Village, Najafgarh, New Delhi	Gurdwara at Mawada
41.	Mohinder Singh Y Block, Nangloi, Delhi	Gurdwara at Nangloi
42.	Bajri Bai E-583, Jagjit Nagar, Delhi	Gurdwara at Jagjit Nagar
43.	Santosh Kaur 13/37, Kalyanpuri, Delhi	Gurdwara at Kalyanpuri
44.	Satpal Singh B-3/390, Nand Nagri, Delhi	Gurdwara in B Block at Nand Nagri
45.	Harnam Singh G-665, 666, Mangolpuri, Delhi	Gurdwara in G block at Mangolpuri
46.	Gulshan Singh Gurdwara Tikana Sahib, Punjabi Bagh, New Delhi	Gurdwara Tikana Sahib at Punjabi Bagh

47.	Kuldip Singh Rekhi G-16 East of Kailash, New Delhi	Gurdwara at Amar Colony, Lajpat Nagar
48.	Gurdev Singh 178, JJ Colony, Shakarpur, Anand Niwas, Delhi	Gurdwara Mahanta Singh in G Block
49.	Surinder Kaur 42, Gamri Gurdwara Mohalla, Near Maujpur, Delhi	Gurdwara Mahanta Singh in G Block, Shakar pur
50.	Niranjn Singh F-252, 253, Mangolpuri, Delhi	Gurdwara G Block Mangolpuri
51.	Pritam Singh 6 / 10, Nehru Nagar, New Delhi	Gurdwara at Greater Kailash
52.	Banto Kaur A - 4 / 149, Sultanpuri, New Delhi	Gurdwara at Sultanpuri
53.	Jasbir Kaur F--1 / 247, Sunder Nagri, Delhi	Gurdwara at Sunder Nagri
54.	Devi Bai 32 /1, Trilokpuri, Delhi	Gurdwara at Trilokpuri
55.	Satwant Singh A - 156, Gujranwala Town, Delhi	Gurdwara at Gujranwala Town
56.	Barfi Kaur F-4 /48, Sultanpuri, Delhi	Gurdwara in E Block Sultanpuri
57.	Amarjit Singh S-41, Mangolpuri, Delhi	Gurdwara in R Block Mangolpuri
58.	Iqbal Singh Juneja B-2/17, Paschim Vihar, New Delhi	Sri Guru singh Sabha Gurdwara B-2, Paschim Vihar
59.	Gurdip Kaur D-54, Amar Colony, Nangloi, Delhi	Gurdwara at Amar Colony, Nangloi
60.	Kulwant Singh Jaggi WZ-17, Old Mahavir Nagar, P O Tilak Nagar, New Delhi	Gurdwara at Mahavir Nagar
61.	Inderjit Kaur A-3 / 34, Nand Nagri, Delhi	Gurdwara at Nand Nagri
62.	Gurnam Kaur S-55, School Block, Shakarpur, Delhi	Gurdwara at Shakarpur
63.	Janam Kaur Y-720, JJ Colony, Nangloi, Delhi	Gurdwara at Nangloi
64.	Joginder Singh RZ -258 / A-9, Raj Nagar, Palam Colony, New Delhi	Gurdwara at Raj Nagar, Palam Colony

65.	Lakhbir Singh A-127, Jagatpuri, Mandoli Road, Shahdara, Delhi	Gurdwara at Jagat Puri
66.	Jasbir Kaur A-14, Gamri, Delhi	Singh Sabha Gurdwara at Gamri
67.	Susheel Kaur EE/84, Shiv Ram Park, Nangloi, Delhi	Gurdwara at Nangloi
68.	Balwinder Singh 19/143, Basti Sarai, New Rohilla Delhi	Gurdwara Singh Sabha at Sarai Rohilla
69.	Gurcharan Singh A- 1, Shahdara Colony, New Delhi	Gurdwara Singh Sabha at Sarai Rohilla
70.	Rawel Singh 19 /237, Basti Sarai Rohilla, New Delhi	Gurdwara Singh Sabha at Sarai Rohilla
71.	Manjit Kaur 35 / 373, Trilok Puri, Delhi	Gurdwara at 36 Block Trilokpuri
72.	Har Gopal II -F-62, Lajpat Nagar, New Delhi	Gurdwara Sat Sang Guru Nanak Darbar, Lajpat Nagar
73.	Cham Kaur 13/1995, Kalyanpuri, Delhi	Gurdwara at Kalyanpuri
74.	Karam Singh 13 / 23, Kalyanpuri, Delhi	Gurdwara at Kalyanpuri
75.	Ram Singh 11/1/41, Kalyanpuri, Delhi	Gurdwara in Block No11 at Kalyanpuri
76.	Ishar Singh Y - 861, Nangloi, Delhi	Gurdwara at Nangloi
77.	Avtar Singh G-71, Mahabir Enclave, Palam Road, New Delhi	Gurdwara at Mahavir Enclave
78.	Gurcharan Singh 27 / 41, Tikana Sahib Gurdwara Punjabi Bagh, New Delhi	Gurdwara at Punjabi Bagh
79.	Balbir Kaur Form No 2, Papravat Road, New Roshanpura, Najafgarh, New Delhi	Gurdwara at Najafgarh
80.	Amarjit Singh Jaidev Park, Rampura, Gurdwara Singh Sabha	Gurdwara at Rampura

81.	Beant Singh Yamuna Vihar, Delhi	Gurdwara at Yamuna Vihar
82.	Ram Prakash Mata Jai Kaur School, Employees Quarter, Ashok Vihar, New Delhi	Gurdwara near Deep Cinema at Ashok Vihar
83.	Joginder Singh J-737, Mangolpuri, Delhi	Gurdwara at I and L Block, Mangolpuri
84.	Harjinder Kaur B Block, Main Road, Dabri	Gurdwara at Dabri
85.	Kirpal Singh Narula 922, Main Road, Gandhi Nagar, Delhi	Gurdwara at Gandhi Nagar
86.	Balbir Singh B-117, Subhadra Colony, New Delhi	Gurdwara Guru Singh Sabha, at Sarai Rohilla
87.	Partap Singh Granthi Gurdwara Sri Guru Singh Sabha Sarai Rohilla, New Delhi	Gurdwara Guru Singh Sabha, at Sarai Rohilla
88.	Raghbir Kaur Nand Nagri, Delhi	Gurdwara at Nand Nagri
89.	Satnam Singh K-41, Kiran Garden, New Delhi	Gurdwara Sant Mohan Singh, Matiala Road
90.	Satwant Kaur 66, Nand Nagri, Delhi	Gurdwara at Nand Nagri
91.	Daya Kaur A- 3 / 6, Nand Nagri, Delhi	Gurdwara at Nand Nagri
92.	Harbhajan Kaur WZ-35, New Sahedpura, Delhi	Gurdwara at Sahedpura
93.	Buta Singh G - 66, Kiran Garden, New Delhi	Gurdwara Dera Baba Mohan Singh at Matiala Road
94.	Sardar Singh Ahuja A-64, Subhadra Colony, Sarai Rohilla, Delhi	Gurdwara Singh Sabha, Sarai Rohilla
95.	Rajinder Kumar D-15, Satyawati Colony, Ashok Vihar, Phase III, New Delhi	Gurdwara at Kotla
96.	Gulbano Kaur A- 4 / 153, Sultanpuri, Delhi	Gurdwara at Sultanpuri
97.	Boorhi Bai Ashoka Park, Rampura Jhuggi, Delhi	Gurdwara at Rampura

98.	Katu Singh 13 / 93, Kalyanpuri, Delhi	Gurdwara at Kalyanpuri
99.	Satya Devi RZ-104, Vinod Puri, Vijay Enclave, Palam Road, New Delhi	Gurdwara at Vinod puri
100.	Jaswant Singh JZ - 1268, Sat Sang Road, Rajgarh Colony, Gandhi Nagar, Delhi	Gurdwara in 36 block at Trilokpuri

## Part Five

Employment of new technique for the first time either killing a person by dousing him with one or the other of petroleum products like petrol, kerosene, diesel and then setting him on fire or by killing him by other and then setting the dead body on fire in order to destroy evidence of the identity of the person killed and cover their tracks, connected with this is the organised attempt to remove the bodies from the scene of carnage either by the killers or by the Police itself.

In a number of cases persons were burnt alive with help of a highly inflammable powder.

This fact is corroborated by a number of FIRs recorded by Police Officers on basis of their own eye account of the incident. In some of such FIRs, it is stated that the Sikhs were burnt completely and the Police Officer recording the FIR saw heap of ashes.

For example see FIR No. 410 and 412 Delhi Cantt. Police Station. Some of the relevant Affidavits are mentioned below:-

### (A) BURNT ALIVE (AS MENTIONED BY THE FOLLOWING)

1. Balwant Singh

RZ - 4B, Mohan Nagar, Nangal Raya, New Delhi - 45

Maj. Toor was hit on head by sariya and then burnt alive by pouring petrol.

2. Gurcharan Singh

C - 40, Inder Puri, New Delhi - 12

The mob doused his father with petrol and burnt him alive.

3. Sarabjit Kaur

68-A, Hari nagar, Ashram, Delhi

Beaten mercilessly and then burnt alive.

4. Santokh Singh

U - 70, Shakarpur, Delhi.

His sons beaten with sticks and then burnt alive.

5. Jasbir Singh

RZ - 258 B/18 A, Raj Nagar, Palam Colony, New Delhi.

The mob after beating tied Nirmal Singh with the pillar post and burnt alive.

6. Sampuran Singh Chambal

WZ - 211 D, Street No. 16, Sadh Nagar, Palam Colony, New Delhi.

The mob dragged out five members of the family of Sikh bakery owner beaten and burnt alive.

7. Bhajan Kaur

S - 55, School Block, Shakarpur, Delhi.

Her husband and brother-in-law burnt alive.

8. Dhoban Kaur

A -4 /175, Sultanpuri, Delhi.

Seven male members of the family beaten and burnt alive

9. Gurcharan Kaur

A- 8/ 8 B, Nand Nagri, Delhi.

The mob dragged her husband out and burnt him alive after pouring kerosene oil.

10. Parkash Kaur

RZ - 49, Mahavir Enclave, Palam Colony, New Delhi.

The mob hit her husband with iron rod then poured kerosene oil and some chemical powder and burnt him alive.

11. Jaswinder Singh

A - 112, J.J. Colony, Chowkhandi, New Delhi.

His uncle was hit on head with heavy iron rod. The mob put tyre and kerosene oil and burnt him alive.

12. Ajit Singh

30 / 436, Trilok Puri, Delhi.

Sikhs were dragged out of their houses beaten and burnt to death.

13. Raj Kumar

RZ - 258 B/25, Raj Nagar, Palam Colony, New Delhi.

The mob burnt hit tenant Trilochan Singh alive.

14. Barfi Bai

32/110, Trilok Puri, Delhi.

The mob burnt her husband alive by pouring kerosene oil.

15. Shanti Devi

B - 5/435, Nand Nagri, Delhi

The mob burnt her sons alive by pouring white powder.

16. Mukhli Bai

32 / 49, Trilok Puri, Delhi.

She saw the mob dragging out the Sikhs and burning them alive by pouring kerosene oil.

17. Kaushalya Kaur

F- 1/ 252, Sunder Nagari, Delhi.

The mob burnt her two sons alive one thrown in the burning scooter.

18. Nanki Kaur

13 / 347, Kalyan puri, Delhi.

The mob was dragging out the sikhs stabling them and burning them alive.

19. Ishar Singh

T - 808, Nangloi, Delhi.

Two young girls burnt alive with kerosene oil.

20. Surjit Kaur

I /3633, Tam Nagar, Shahdara, Delhi

Three male members of the family were beaten and thrown into burning truck.

21. Nihal Singh

586, Moti Ram Marg, G.T. Road, Shahdara, Delhi.

Eight persons were roasted alive in Mohindra and Mohindra Sons building

22. Parkash Kaur

RZG - 64, Mahavir Enclave, Palam Road, New Delhi.

The mob dragged her husband and son out and burnt them alive.

23. Gurdip Singh

4-6/118, Mangol Puri, Delhi.

He saw three persons in a block burning alive.

24. Jit Singh

13 / 195, Kalyan puri, Delhi.

His three brothers were brutally beaten and burnt alive.

25. Nanki Devi

A - 3/500, Nand Nagri, Delhi

Her husband was burnt alive. She also saw the mob and policemen dragging out the drivers of the trucks and burning them alive.

26. Mohinder Kaur

B -9222, Jahangir Puri, Delhi.

Three members of the family burnt alive by the mob pouring kerosene oil.

27. Joginder Kaur

C - 383, Ashok Nagar, Delhi.

Three male members of the family were beaten and burnt alive.

28. Partap Kaur

Y - 695, Nangloi, Delhi

She saw many Sikhs in her locality who were burnt alive.

29. Pyar Kaur

538, Ashok Nagar, Mandoli Road, Delhi

Six members of the family beaten and burnt alive. Her father-in-law was tied in the electric pole, beaten badly and burnt alive.

30. Santosh Kaur

13/ 37, Kalyan puri, Delhi

The mob hit her husband on head and burnt him alive.

31. Swaran Kaur

Gali No. 6, Hardev Puri, Shahdara, Delhi

The mob beat her sons and daughter mercilessly with iron rod, axes and lathis and then burnt them alive by pouring kerosene oil.

32. Surjit Kaur

S-70, School Block, Shakarpur, Delhi.

The deponent's relatives from Punjab who were with them on 2.11.84 were beaten badly by the mob mercilessly and were locked in the sofa bed and then roasted alive by setting the sofa bed on fire.

33. Mahinder Kaur

G- 621, Shakar Pur, Delhi.

Her husband was beaten mercilessly with deadly weapons and then burnt alive. While burning, her husband tried to get up but again Ram Sahai hit him and he was burnt alive to death.

34. Ajmer Kaur

Karachi Garden, Sindhi Colony, Karnal Road, Delhi.

The mob set her husband on fire by burning encalyptus leaves and pouring a white powder.

35. Mayna Kaur

Y-848, Mangol Puri, Delhi.

The mob burnt her husband alive

36. Ishwari Bai

2/56, Trilok Puri, Delhi.

The mob hit her on husband head and burnt him alive with kerosene oil.

37. Sukhan Singh Saini

L - 509, School Block, Shakarpur, Delhi.

He saw the mob beating Sardars and burning them

38. Satwant Singh

A -156, Gujranwala Town, Delhi.

Two Nihang Singh's were dragged out of Gurdwara by the mob, were beaten with iron rods and then burnt with some powder.

39. Kishan Dev Singh

RZ-199B, Street No. 15, Sadh Nagar, Palam Colony, Delhi.

Naresh and Suresh hit his son on head and burnt him.

40. Surender Kaur

E-24 /77 -78, Sultanpuri, Delhi.

The mob attacked her husband with lathis, spears and axes and burnt him alive with kerosene oil.

41. Film Kaur

F - 7/324, Sultan Puri, Delhi

The male members of her family were roasted alive along with setting the home on fire.

42. Harjit Kaur

RZT-295, Geetanjali Park, West Sagarpur, Delhi.

The mob burnt alive her husband and father-in-law with kerosene oil.

43. Dharam Singh

79A, Sulight Colony, New Delhi.

The mob burnt Jit Singh alive by putting a scooter tyre around his neck.

44. Dildar Singh

21, Sanjay Nagar, G.T. Karnal Road, Delhi.

The mob attacked the two male members of his family and burnt them alive by sprinkling oil on them.

45. Padmi Kaur

A-4 /165, Sultan Puri, Delhi.

The mob attacked nine male members of the family and burnt them alive by pouring kerosene oil.

46. Surjit Kaur

301 -A/1, Nand Nagri, Delhi.

Her husband and son were attacked by the mob with iron rods and sticks and burnt them alive after sprinkling some powder. The mob hit her 2 brother-in-laws with iron rods and burnt them alive with kerosene oil.

47. Devi Kaur

32 / 57, Trilok Puri, Delhi.

The mob hit her 2 brother-in-laws with iron rods and burnt them alive with kerosene oil.

48. Ram Bilas Paswan

15, Windsor Place, New Delhi

One old sardar ji who took shelter in his house was thrown in the burning garage and was roasted alive by the mob.

49. Gurdip Kaur

D - 54, Amar Colony, Nangloi, Delhi.

The mob burnt 8-9 persons alive including her husband and son.

50. Gurbachan Singh

Y Block, J.J. Colony, Nangloi, No. 1, Delhi.

3 male members of the family were beaten and burnt alive by the mob.

51. Agia Kaur

91, Mangol puri, Delhi

Her father-in-law was burnt alive by pouring kerosene oil.

52. Amar Kaur

I- 32, West Sagar Pur, Delhi.

Her husband and son were burnt alive by pouring kerosene oil.

53. Jasbir Kaur

79, Nathu Colony, Shahdara, Delhi

The mob beat her 3 sons, brother - in - law and grandson mercilessly with lathis and iron rods and burnt them alive with white powder.

54. Surinder Kaur

5- 622, School Block, Shakarpur, Delhi.

The mob beat her husband and 3 other Sikhs with iron rods and lathis and burnt them alive by pouring kerosene oil.

55. Gurcharan Singh

H. No. 4227, Gali Gurdwara, No. 10, Ajit Nagar, Gandhi Nagar, Delhi.

The mob threw petrol and powder on his father and burnt him alive. The mob pierced the eyes of Satnam Singh with iron rods and burnt him alive by pouring powder on him.

56. Prithpal Kaur

S - 425, School Block, Shakar Pur, Delhi.

Her two sons, husband and brother were beaten badly and were burnt alive.

57. Jagdish Kaur

1713, Guru Nanak Wara, P.O. Khalsa College, Amritsar.

The mob killed her husband. Her sons was burnt alive. While he was burning he asked for water. After taking few drops he breathed his last.

58. Jaswant Kaur

225, Gali No. 20- B, Ashok Nagar, Shahdara, Delhi.

3 male members of her family were burnt alive by the mob.

59. Sheela Wati

241- B, Raj Nagar, Palam Colony, Delhi.

Her husband was beaten with iron rods and then burnt alive by the mob.

60. Jasbir Kaur

A - 14, Gamri, Shahdara, Delhi.

Six members of the family were burnt alive by the mob.

61. Hardev Singh

E - 80, West Gonda, Shahdara, Delhi.

His father and relative were given blows of iron rods by the mob and were burnt alive.

62. Amarjit Singh

77 - 78, Trilokpuri, Delhi.

3 male members of her family were beaten with iron rods and were burnt alive by pouring kerosene oil by the mob.

63. Raghubir Kaur

DDA Flats, Slum Tenements, Garhi, Delhi.

The mob and attacked her husband with iron rods was thrown into a big oven established by them and was roasted alive. In total 48 Sikhs were roasted alive in her street.

64. Satwant Kaur

DDA Flats, Slum Tenements, Garhi, Delhi

Her husband was attacked and burnt alive by the mob.

65. Surjit Kaur

C - 40, DDA Flats, Slum Tenements, Garhi, Delhi

Her husband and son were burnt alive and many other Sikh neighbours were also burnt alive by the mob in the similar manner.

66. Kalia

C - 88, DDA Flats, Slum Tenements, Garhi, New Delhi

His father was burnt alive by the mob.

67. Satnam Kaur

C - 54, DDA Flats, Slum Tenements, Garhi, New Delhi

Her husband and brother-in-law were beaten mercilessly and were stabbed again and again by the mob and were burnt alive.

68. Daropati

C - 81, DDA Flats, Slum Tenements, Garhi, New Delhi

Her father-in-law, husband and brother-in-law were beaten badly and were burnt alive with kerosene oil by the mob.

69. Prakash Kaur

C - 91, DDA Flats, Slum Tenements, Garhi, New Delhi

The mob burnt alive her two sons and one relative with kerosene oil

70. Harbhajan Singh

S - 55, School Block, Shakar Pur, Delhi

His father, two brothers and many other sikhs residing in Shakarpur in his lane were beaten mercilessly and were burnt alive by the mob and Congress -1 workers by pouring kerosene before his eyes.

71. Gurmit Kaur

S - 70, School Block, Shakarpur, Delhi

Her husband and son were burnt alive by the mob and Congress- 1 workers.

72. Krishna

157 A, Subhadra Colony, Delhi

Her son, son-in-law and one relative along with other four sikhs were beaten with iron rods and were burnt alive by pouring kerosene oil by the mob.

73. Satkartar Singh

10 - A, Extension II, Ram Nagar, Delhi

Satnam Singh, granthi of Gurdwara Jheel was burnt alive by the mob

(B) THE FOLLOWING WERE BURNT WHILE UNCONSCIOUS

1. Surjit Kaur

WA - 108, Raj Nagar, Palam Colony, New Delhi - 45

2. Jaspal Kaur

WZ - 170, Sadh Nagar, Gali No. 9, Palam Colony, New Delhi -45

3. Darshan Kaur

B - 127, Kalka ji, New Delhi

4. Jasdish Kaur

WA - 58, Raj Nagar, Palam Colony, New Delhi – 45

5. Katu Singh

13 / 193, Kalyan Puri, New Delhi

6. Baljinder Singh Kapoor

WZ - 492, Sadh Nagar, Street No. 16, Palam Colony, New Delhi

7. Rawal Kaur

J - 211, Kartar Nagar, Delhi

(C) DEAD BODIES BURNT AFTER DEATH

1. Amarjit Kaur

S - 203, School Block, Shakarpur, Delhi.

2. Jagjit Kaur

F - 19, Mahavir Enclave, Palam Road, New Delhi - 45

3. Salawati Kaur

A - 1/125, Sultanpuri, Delhi

4. Sadara Singh

32 A Block, Trilokpuri, Delhi

5. Harjinder Kaur

RZT - 48, West Sagarpur, New Delhi - 48

6. Bakhti Bai

35 / 85, Trilokpuri, Delhi

7. Charanjit Kaur

B -3/117, Nand Nagri, Delhi

8. Daljit Kaur

RZT - 13, West Sagarpur, Dayal Park, Delhi

9. Harnam Singh

G - 665, 666, Mangol puri, Delhi

10. Amrit Kaur

Y - 413, Mangolpuri, Delhi

11. Gurdev Kaur

178, J.J. Colony, Shakarpur, Delhi

12. Jogi Singh

13 / 111, Kalyanpuri, Delhi

13. Firbi Bai

32, Black Trilok puri, Delhi

(D) DEAD BODIES BURNT IN BULK

1. Gurdip Kaur

RZG - 70, Mahavir Enclave, Palam Colony, New Delhi

Four bodies were burnt together.

2. Surinder Kaur

12, Gamri Gurdwara, New Maujpur, New Delhi

Three bodies were burnt together

3. Parsani Kaur

P - 119, Sultan puri, Delhi

Her husband and children were burnt together

4. Satnami Kaur

32 / 183, Trilokpuri, Delhi

Mass burning of dead bodies

5. Harjinder Kaur

B - Block, Main Road, Dabri, Delhi

Mass burning of dead bodies

6. Boorhi Bai

Ashoka Park, Rampura Jhuggi, New Delhi

Mass burning of dead bodies

7. Surjit Kaur

P-44, Shankar Nagar, Gandhi Nagar, Delhi

Six persons were burnt together

8. Janam Kaur

Y - 720, Nangloi, Delhi

Thirty persons were burnt together in the Gurdwara.

9. Kusam Lata Jain

S - 164 A, School Block, Shakarpur, Delhi

Mass burning of person alive by putting one upon the other.

10. Sarabjit Kaur

68-A, Hari Nagar Ashram, Delhi

Four male members of the family beaten mercilessly. After making a heap of the injured the mob doused them with kerosene oil and then burnt.

11. Jatan Kaur

B - 2 / 380, Sultanpuri, Delhi

Three male members of the family beaten with iron rods and burnt together with kerosene oil.

12. Moti Singh

B - 2 / 380, Sultanpuri, Delhi

Brahma Nand Gupta collected the bodies and burnt with kerosene oil.

13. Prem Kaur

A - 4 /104, Sultanpuri, Delhi

Her husband and two sons were burnt together with kerosene oil.

14. Mukhli Bai

32 / 49, Trilok puri, Delhi

She saw nine bodies burning in her gali.

15. Swaran Kaur

RZT - 48 / 229, West Sagarpur, Palam Road, New Delhi

Her two sons and seven other sikhs were burnt.

16. Jaswinder Singh

A - 172, J.J. Colony, Chokhandi, P.O. Tilak Nagar, New Delhi

His uncle along with S.Gurcharan Singh and Bodal Singh were burnt together.

#### (E) DEAD BODIES CARRIED AWAY BY OTHER PERSONS

1. Dhoban Kaur

A - 4 / 175, Sultanpuri, Delhi

Half burnt bodies were put into gunny sack and taken away in a tempo.

2. Jatan Kaur

A - 4 / 141, Sultanpuri, Delhi

Brahma Nand Gupta poured kerosene oil and set fire to the bodies.

3. Moti Singh

B - 2 / 380, Sultanpuri, Delhi

The other people collected the dead bodies and putting oil on them, set them ablaze.

4. Surinder Kaur

E - 24, New Ashok Nagar, Delhi

They killed and threw their bodies outside.

5. Lakhbir Singh,

Jiwan Park, Uttam Nagar, Delhi

Gudu and Ramesh sweeper took away the dead body.

6. Lajwanti

A-1/321, Nand Nagri, Delhi

17 members of the family were killed. The mob carried away some dead bodies in the deponent's rikshaw.

7. Salawati Kaur

A- 1/125, Sultanpuri, Delhi

Jamadars piled up the bodies with garbage and took away in their trucks.

8. Kunnan Kaur

RZT - 43, West Sagarpur, Delhi

Dead bodies were removed in a cart.

9. Padmi Kaur

A - 14 /165, Sultanpuri, Delhi

Omi came in a Tempo and took away the dead bodies at night.

(F) DEAD BODIES CARRIED AWAY BY POLICE

1. Prem Kaur

MB - 76, Shakarpur, Delhi - 92

Dead bodies of her husband and son burnt. Bodies removed and carried by police.

2. Manjit Kaur

J -24, East Vinod Nagar, Delhi

1st November 1984 police took the dead bodies in the truck.

3. Gurcharan Singh

H.No. 4227, Gali Gurdwara No.10, Ajit Nagar, Gandhi Nagar, Delhi

Police took the dead bodies in the police van.

4. Tejinder Singh

29 /481 - 482, Trilokpuri, Delhi

Police removed 8 truck load of dead bodies of Sikhs of Block 30 and 32 of Trilokpuri

5. Prakash Kaur

C - 91, DDA Flats, Slum Tenements, Garhi, Delhi

Police removed 8 trucks load of dead bodies of Sikhs of Block 30 and 32 of Trilokpuri

6. Durjan Kaur

A - 2 /442, Sultanpuri, Delhi

One policemen and Rajinder brought a tempo and took away the dead bodies

## Part Six

The unique feature of present orgy was that not only private vehicles like cars, jeeps, tempoes, trucks and buses were employed for carrying the mobs from one place to another but also the DTC and other Government vehicles were freely employed for the purpose. This was organised for purposes of speedy transportation of the gangsters from one place to another in order to cover the entire area of Delhi. The following evidence also shows that these vehicles were also employed for purposes of transportation of the looted property.

### D.T.C. BUSES CARRYING THE MOB (WITNESSED BY)

1. Mrs. Amrit Kaur

A - 3/73, Janakpuri, New Delhi

2. S.Kirpal Singh Chawla

WZ - 235A, Inder puri, New Delhi

3. S. Pal Singh

8, West Avenue, Punjabi Bagh, New Delhi

4. S.Kuldip Singh

10, West Avenue, Punjabi Bagh, New Delhi

5. S. Madan Singh Chawla

2 /4213, Lajpat Nagar II, New Delhi

6. Gurcharan Singh

H-1/57, Lajpat Nagar, New Delhi

7. Bhagat Singh Gandhi

35, Hari Nagar Ashram, New Delhi

8. Ram Parkash

Mata Jai Kaur School, Employees Quarter, Ashok Vihar, Delhi.

9. Sh. Rajinder Kumar

D - 15, Satyavati Colony, Ashok Vihar, Phase III, Delhi

10. S. Capt. Man Mohan Bir Singh Talwar

9, West Patel Nagar, New Delhi - 8

11. S. Raghbir Singh

43, Masjid Road, New Delhi

12. S. J.S. Gandhi

43, Masjid Road, New Delhi

13. S. Satwant Singh

A - 156, Gujranwala Town, Delhi

14. Sh. J.S. Dawar

D-53 / 5, Mansarovar Garden, New Delhi

15. S. Gurbachan Singh

Y - 15, Nangloi, Delhi

HARYANA ROADWAYS BUS CARRYING THE MOB ON 1.11.1984 (WITNESSED BY)

1. S. Rajendra Singh

Dichau Kalan, Delhi

2. S. Gurbachan Singh

Y - 15, Nangloi, Delhi

3. S. Raminder Singh

r/o Jharoda Kalan, Near CRPF Camp, Delhi

4. S. Brijit Singh

PRIVATE BUSES AND TRUCKS CARRYING THE MOB (WITNESSED BY)

1. Balvir Singh

C - 169, Jiwan Nagar, New Delhi

Two buses were parked and a huge crowd was standing there.

## 2. Narinder Singh

167, Jeewan Nagar, Bala Sahib Road, New Delhi

A huge mob was standing at the crossing with many buses parked there.

## 3. Jagir Singh

D-209, Mansarovar Garden, New Delhi

The mob alighted from the truck belonging to Atlas Cycle Company located at Senepat. The name of this company was painted on the sides of the truck.

## 4. Gurbachan Singh

C - 40, Inderpuri, New Delhi

A half body truck was leading the mob. Congress (1) worker Hem Chander alighted from the truck and distributed rods and lathis to the mob. The said truck was loaded with rods and lathis.

## 5. Prakash Kaur

J- 324, Shakarpur Colony, Delhi

The mob came in trucks carrying lathis, dandas, iron rods and cans of Kerosene oil

## 6. Ishar Singh

Y - 361, Nangloi, Delhi

The mob came from nearby villages in trucks and trollies.

## 7. Gulshan Singh

Gurdwara Tikana Sahib, Punjabi Bagh, New Delhi

The mob came in trucks.

8. Diwan Singh Kalsi

C-106, Naraina Indl Area Ph-I, New Delhi

Two trucks loads of men came from Rajouri Garden on the Ring Road

9. Harjinder Kaur

B - Block, Main Road, Dabri, Delhi

A mob of around 2000 people came in trucks carrying sticks, iron rods and cans of kerosene oil.

10. Sucha Singh

RZ-1/2, Indra park, Palam Colony, Gali No. 3, New Delhi

The mob came in two trucks and enquired from Behari about the whereabouts of the houses of the sikhs.

11. Gurmukh Singh

B -48/49, Vatika Rohini, Mangolpuri, Khurd,

Dhobi and Ram Chander along with other 30-40 persons came in a truck.

12. Jasbir Kaur

F-1/247, Sunder Nagri, Delhi.

The mob came in 3 trucks from Sanjay Colony and Nand Nagri

13. Harbhajan Singh

149 A, Kilokari, Delhi.

A mob comprising of 400 - 500 people came on trucks towards our shop.

14. J. S. Dawar

D-53/5, Mansarovar Garden, Delhi.

The mob came on Atlas Cycle Company truck shouting "Khoon ka Badla Khoon."

15. Gurdip Kaur

D-54, Amar Colony, Nangloi, Delhi.

3 truck loads of people came from the Mundka village.

16. Hardayal Singh Sahni

120, Hari Nagar, Ashram, New Delhi.

A mob comprising of local and outer Delhi people came in trucks armed with iron rods, lathis, petrol, kerosene oil and some powder etc.

17. Anoop Singh

J- 8, East Vinod Nagar, Delhi.

Many trucks carrying the mob came in our colony. The number plates of the trucks were covered.

18. Tulsi Ram

Guru Nanak Public School, West Avenue, Punjabi Bagh, New Delhi.

Another group of mob coming from ring road side merged into the mob which alighted from a small truck.

19. Gurcharan Singh

27/41, Tikana Sahib Gurdwara, Punjabi Bagh., New Delhi

Two buses and two trucks came to the Gurdwara carrying the mob.

20. Ladhu Ram

Guru Nanak Public School, West Avenue, Punjabi Bagh, New Delhi

The mob came in a red coloured truck armed with sticks, rods, wooden poles and tins of kerosene oil.

#### GOVERNMENT VEHICLES

1. S.Kirpal Singh

Mukhram Garden, Tilak Nagar, M.E. 7, New Delhi.

Police jeep was leading the mob and police men started beating the Sikhs with sticks.

2. Sohan Singh

14-B/1, Desh Bandhu Gupta Road, Karol Bagh, New Delhi.

Police men came in three jeeps and started beating the sikhs with sticks.

3. Joginder Singh Bajwa

Pocket No. III, Flat No., 301, Paschimpuri, New Delhi.

One Congress (1) worker Rajbir came in a jeep who was leading the mob.

4. Inder Mohan Singh

WZ-63, Ram Nagar Market, Tilak Nagar, New Delhi

A police jeep came. The policemen started beating us and took us to the Tilak Nagar Police Station.

5. Trilok Singh

WZ-19 B, Ram Nagar, Chokhandi, Delhi.

Police came in a jeep and beat us with sticks.

6. Mrs. Sarabjit Kaur

68-A, Hari Nagar, Ashram, New Delhi

Police officers of Police Station Sunlight Colony, Hari Nagar Ashram came in police vehicles shook hand with rioters and all jointly raised the slogan, " Khoon ka Badla khoon " .

7. Tulsi Ram

Gurunank Public school, West Avenue, Punjabi Bagh, New Delhi.

An Ambassador car came. Mob came in a truck and damaged the School.

8. Raminder Singh

Jharoda Kalan, Near CRPF Camp, Delhi.

Mob came in Haryana Roadways buses.

9. Madan Singh Chawla

2 / 4213, Lajpat Nagar, New Delhi.

Mob came in MCD trucks.

10. Mohinder Singh

19/5, Tilak Nagar, New Delhi.

Police beat me and my four sons mercilessly and took us to the Police station in the police jeep.

11. Mrs. Manjit Kaur

J-24 East Vinod Nagar, Delhi.

Mobs came in tucks and buses. Policemen came in police vehicle and incited the mob to kill sardars.

12. Ishar Kaur

718-719, Sunlight Colony, N.Delhi

Police van came in the locality and the mob mounted on it immediately.

13. Balwant Singh

S-37, Mangolpuri, Delhi

Police jeep came twice and incited the mob.

14. Balbir Singh

58, Church Road, Bhogal, Delhi.

Police jeep came and SHO sitting in the jeep fired.

15. Prithpal Singh

125, Bhagwan Nagar, Ashram, New Delhi.

The policemen came with a matador vehicles and were silent spectators.

16. Mrs.Anek Kaur

F-42, Sultanpuri, Delhi.

Sajjan Kumar (M.P.) came in a jeep

17. Balwinder Singh

19/143, Basti Sarai Rohilla, Delhi.

When Gurdwara was being attacked, two police vehicle with police were present there.

18. Balbir Singh

B-117, Subhadra Colony, Delhi.

Delhi Police Vehicle came and asked the Sikhs to go inside the Gurdwara

19. Pratap Singh Granthi

Gurdwara Sri Guru Singh Sabha, Basti Sarai Rohilla, Delhi.

Police came in police vehicle and instead of taking any action against the attacking mob asked the Sikhs to go inside the Gurdwara.

20. Sukhdev Singh

A -16B, Kiran Garden, New Delhi

CRPF jeep came with Suresh Kumar, Asstt.Commandant: asked for help but he refused to help.

21. Santokh Singh

4, Hari Nagar, Ashram, New Delhi

Two trains came from Faridabad side halted unscheduled carrying thousands of non-Sikhs armed with iron rods and lathis.

22. Mrs. Amarjit Kaur

77-78 Trilokpuri, Delhi

Police van passed by my house when my husband and others were killed by the mob.

23. Mrs Krishna

157 A Subhadra Colony, Sarai Rohilla, Delhi

When the mob was killing the sikhs Police jeeps with six-seven police officers was present on the scene.

24. Sardar Singh Ahuja

A-64, Subhadra Colony, Sarai Rohilla, New Delhi

Police vehicle came instead of stopping the mob, asked the Sikhs to enter the Gurdwara.

25. Dildar Singh

21, Sanjay Nagar, G.T. Karnal Road, Delhi

He saw a big mob alighting from Jhelam Express train.

## Part Seven

Evidence showing that organisers of the carnage were moving around in cars, jeeps etc. Pointing out and leading the mobs to the targets as also they were in possession of the electoral rolls and lists for identifying the houses of Sikhs.

### 1. Amrit Kaur

A-3/73, Janakpuri, New Delhi

Inmates of the white Ambassador car signalled towards the houses of Sikhs

### 2. Gauri Choudhary

H 2, Maharani Bagh, New Delhi

Some young men came in an Ambassador car, took a piece of burning wood and set fire to the house of Gopi (Cream coloured Ambassador car was supervising operations.)

### 3. Kuldip Singh

B-5/28, Safdarjung Enclave, New Delhi

Occupants of a Maruti car came there instructed the mob to attack our house.

### 4. Gulshan Singh

Gurdwara Tikana Sahib, Punjabi Bagh, New Delhi

The persons who directed the mob came in a white Ambassador car and were clad in white Khadi clothes and wearing badges which are used for function.

On reaching the police station we found that the persons who had come in white Ambassador car were present there.

5. Kapoor Singh

Mai Dayal Building, Sadh Nagar, Palam Nagar, New Delhi

On 1.11.1984 at 4 pm a jeep came announcing the slogans to kill the Sardars.

6. Kirpal Singh Chawla

WZ-236 A Inderpuri, New Delhi

Mahesh Yadav was leading the mob in a jeep inciting them to kill every Sikh in India.

7. Ajit Singh Sahni

C-5/2, Model Town, Delhi

The mob was being led by a light green coloured jeep on which Congress flag was flying. There were about 6 persons in it. One of them pointed the deponent's house and incited to loot and kill the Sikhs.

8. Gurcharan Singh

H -1/67, Lajpat Nagar, New Delhi

In the night of 31.10.84 and 1.11.84 some persons came on tempo and attacked the Gurdwaras

9. Tulu Ram

Guru Nanak Public School, West Avenue, Punjabi Bagh, New Delhi

An Ambassador car of the police came, Afterwards another Ambassador car came in which some persons wearing white clothes and sporting badges were sitting.

10. Gurcharan Singh

27/41, Tikana Sahib Gurdwara, Punjabi Bagh, New Delhi

A white Ambassador car came there.

11. Ladhu Ram

Guru Nanak Public School, West Avenue, Punjabi Bagh, New Delhi

An Ambassador car of the police came. Afterwards another Ambassador car came in which some persons wearing white clothes and sporting badges were sitting.

EVIDENCE SHOWING SUPPLY OF PETROLEUM PRODUCTS TO THE MOBS, THE ORGANISERS.

#### A) SUPPLY FROM VEHICLES

The following affidavits may be perused: -

1. Harjit Kaur

RZ - 36 Mahavir Enclave, Palam Road, Delhi.

A boy who is a stockist of Rori and Badarpur was supplying oil to the mob on the motor cycle.

2. Raminder Singh

Jharoda Kalan, Near CRPF Camp, Najafgarh Road, Delhi.

One boy names Pappu who is the younger brother of Gyan, Owner of Najafgarh Petrol pump came on his motor cycle along with some other pillion rider and said to the mob to come along with him to take 5 litres of petrol each. The mob was supplied with the petrol.

3. Gurcharan Singh

C- 40, Inderpuri, New Delhi.

A jeep came along with cans. Brahm Yadav 's brother Mahesh was in the jeep who was distributing these cans to the mob.

4. Kirpal Singh Chawla

WZ - 235 A, Inderpuri, New Delhi.

Mahesh Yadav who was in the Jeep was leading the mob and was carrying petrol tins in his jeep.

#### B) OIL TANKERS MOVING WITH THE MOB

The following affidavits may be perused:-

1. Gulshan Singh

Gurdwara Tikana Sahib, Punjabi Bagh, New Delhi.

An oil tanker was also coming with the mob.

2. Swaran Kaur

C - 6, Fateh Nagar, Jail Road, New Delhi.

A vehicle carrying oil which was moving with the mob came and stopped opposite our shop.

3. Gurcharan Singh

27 / 41 Tikana Sahib Gurdwara, Punjabi Bagh, New Delhi.

One oil tanker was coming with the mob.

At a number of places the Kerosene oil was supplied by local Kerosene oil depot owners to the mob on the instructions of the Congress - I workers. There are number of affidavits to this effect.

#### EVIDENCE PERTAINING TO THE USE OF HIGHLY INFLAMMABLE POWDER

FOLLOWING AFFIDAVITS THAT INFLAMMABLE POWDER WAS USED BY THE MOB TO BURNT THE PERSONS, HOUSES, AND VEHICLES.

1. Balwant Singh

RZ - 4B, Mohan Nagar, Nangal Raya, New Delhi - 45

2. Mandodari Devi

B - 166, Jahangir Puri, New Delhi

3. Sohan Singh

14 - B / 1, Desh Bandhu Gupta Road, Karol Bagh, New Delhi

4. Joginder Singh

Pocket No. 3, Flat No. 301, Paschim Puri, New Delhi

5. Sarabjit Kaur

68-A, Hari Nagar, Ashram, New Delhi

6. Jasbir Singh

RZ -258 B /18-A, Raj Nagar, Palam Colony, New Delhi

7. Sampuran Singh Chambal

WZ -211 D, Street No. 16, Sadh Nagar, Palam Colony, New Delhi

8. Gurdyal Singh

A - 3 / 72, Nand Nagri, Delhi

9. Sampurn Kaur

WZ - 241, Raj Nagar, Palam Colony, New Delhi

10. Shanti Devi

B - 5 / 435, Nand Nagri, Delhi

11. Jagjit Kaur

F - 19, Mahavir Enclave, Palam Road, New Delhi

12. Balwant Kaur

RZT - 46 / 229, West Sagar Pur, Delhi

13. Harbhajan Kaur

30 / 192, Trilok Puri, Delhi

14. Harnam Singh

WZ - 315, Palam Colony, Sadh Nagar, New Delhi

15. Sukhvinder Kaur

B - 5/436, Nand Nagri, Delhi

16. Dhanpat Singh

11 /230, Kalyan Puri, Delhi

17. Lakshman Singh

11 / 230, Kalyan Puri, Delhi

18. Sahib Singh

11 / 80, Kalyan Puri, Delhi

19. Ishar Singh

Y - 861, Nangloi, New Delhi

20. Pal Singh

8, West Avenue, Punjabi Bagh, New Delhi

21. Avtar Singh

G - 71, Mahavir Enclave, Palam Road, New Delhi

22. Kuldip Singh

10, West Avenue, Punjabi Bagh, New Delhi

23. Jagir Singh

D - 209, Mnasarovar Garden, Ring Road, New Delhi

24. Madan Singh Chawla

II - 2 / 4213, Lajpat Nagar, New Delhi

25. Gurcharan Singh

H - 1 / 57, Lajpat Nagar, New Delhi

26. Sobha Singh

12 / 78, Kalyanpuri, Delhi

27. Kartar Singh

WZ - 227D, /201, Sadh Nagar, Gali No. 6, Palam Colony, New Delhi

28. Ram Singh

93, East Azad Nagar, Delhi

29. Jit Singh

13 / 195, Kalyan puri, Delhi

30. Updesh Kaur

Y – 683, Nangloi, New Delhi

31. Joginder Kaur

C - 382, Ashok Nagar, New Delhi

32. Gurcharan Kaur

Y - 647, J. J. Colony, Nangloi, New Delhi

33. Lachhman Singh Bhatia

RZ - 359, Sadh Nagar, Palam Colony, New Delhi

34. Ajmer Kaur

Karachi Garden, Sindhi Colony, Karnal Road

35. Mohinder Singh

I - 42, Lajpat Nagar, New Delhi

36. Dhanu Kaur

11 /179, Kalyan puri, Delhi

37. Gurmeet Kaur

RZ - 399, B-27, Sadh Nagar, Palam Colony, New Delhi

38. Harjinder Kaur

B - Block, Main Road, Dabri, Delhi

39. Amarjit Singh

28, Hari Nagar Ashram, New Delhi

40. Asha Kaur

RZT - 49/ 229, West Sagarpur, New Delhi

41. Manmohan Singh

RZ - 7A / 2, Puran Nagar, Palam Colony, New Delhi

42. Teedee Kaur

F - 2/ 3349, Sultan puri, New Delhi.

43. Anek Kaur

F - 42, Sultanpuri, Delhi.

44. Film Kaur

F - 7 /324, Sultanpuri, Delhi.

45. Group. Capt. Manmohan Singh Talwar

9, West Patel Nagar, New Delhi.

46. Pinya Singh

4 /410, Sultanpuri, Delhi.

47. Jasbir Kaur

F - 1 /247, Sunder Nagri, Delhi

48. Baljinder Singh Kapoor

WZ - 492, Sadh Nagar, Gali No. 16, Palam Colony, New Delhi.

49. Kartar Singh

148 - A, Kilokari, New Delhi

50. Satwant Singh

A – 156, Gujranwala Town, Delhi

51. Dildar Singh

21, Sanjay Nagar, G. T. Karnal Road, Delhi.

52. Sangat Singh

F - 4/ 125, Sultanpuri, Delhi.

53. Barfi Kaur

F - 4/48, Sultanpuri, Delhi.

54. Sardar Singh

A-1 / 21, Safadarjung Enclave, New Delhi.

55. Balbir Singh

17 / 131, Subhash Nagar, Delhi.

56. Iqbal Singh Juneja

B - 2/ 172, Paschim Vihar, New Delhi.

57. Gurdip Kaur

D - 54, Amar Colony, Nangloi, Delhi.

58. Jasbir Kaur

79, Nathu Colony, Shahdara, Delhi.

59. Pritpal Singh

BE - 3, Shalimar Bagh, Delhi.

60. Hardayal Sahni

120, Hari Nagar Ashram, New Delhi

61. Swarnjit Kaur

Plot No. 333, House No. WZ - 149, Chand Nagar, New Delhi.

62. Pahalwan Singh

F - 2 / 129 - 131, Sulttanpuri, Delhi.

63. Pyara Singh

D - 553, Jahangir Puri, Delhi.

64. Anoop Singh

J - 8, East Vinod Nagar, Delhi.

65. Harinder Singh

A - 3/364, Nand Nagri, Delhi.

66. Prem Kaur

B - 258 / 8, Ashok Nagar, Mandoli Road, Shahdara, Delhi.

67. Paramjit Kaur

A - 69, School Block, Shakarpur, Delhi.

68. Sandool Singh

14 A, Chajju Colony, Babarpur, Shahdara, Delhi.

69. Jasbir Kaur

A - 14, Gamri, Shahdara, Delhi.

70. Santa Singh

12 / 80, Kalyanpuri, Delhi.

## Part Eight

### ROLE OF POLICE

#### (A) Complicity of Police Officers involved in Nov. 1984 riots.

	Rogue Officer	Named by	Role
1.	R.D. Malhotra ACP East Delhi	Kusum Lata Jain S - 164 A, School block Shakarpur, Delhi  Jagjit Singh S- 364, School Block, Shakarpur, Delhi	A police van came with ACP R. D. Malhotra, and S. P. Mool Chand near the school They instructed the mob to continue the work and assured them for their help.  Deponent was told by Kuldeep Singh that ACP R.D. Malhotra and SHO Chaudhary Jai Singh said on 2-11-1984 in front of his house if Jagjit Singh is alive, he be killed.
2.	Hari Ram Bhatti SHO Sultanpuri, Delhi	Dhoban Kaur A-4 / 175, Sultanpuri, Delhi  Jatan Kaur A-4 / 141, Sultanpuri, Delhi  Moti Singh B-2 / 380, Sultanpuri, Delhi  Prem Kaur A-4 / 104, Sultanpuri, Delhi  Salavati Kaur	Jai Chand who is in police fired upon people and instigated the mob in SHO Bhatti's presence.  SHO Bhatti and Hawaldar Jai Chand came and told the deponent to go inside their house , otherwise they would shoot them.  He attended the meeting addressed by Sajjan Kumar. Deponent's son Roshan Singh was killed by SHO Bhatti who fired at him with his revolver.

		<p>A-4 / 125, Sultanpuri, Delhi</p> <p>Chal Kaur A-4 / 137, Sultanpuri, Delhi</p> <p>Sohba Singh F-425, Sultanpuri, Delhi</p> <p>Guddi Kaur A-4 / 180, Sultanpuri, Delhi</p> <p>Bhag Singh A-4 / 180, Sultanpuri, Delhi</p> <p>Ramesh Kaur A-4 / 181, Sultanpuri, Delhi</p> <p>Gopi Kaur C-4 Sultanpuri, Delhi</p> <p>Gulbans Kaur A-4 / 153, Sultanpuri, Delhi</p>	<p>Deponent saw SHO Bhatti firing and he killed her husband and two sons.</p> <p>SHO Bhatti was firing from his revolver</p> <p>SHO Bhatti was leading the mob.</p> <p>SHO Bhatti was leading the mob pointing towards Sikhs houses.</p> <p>SHO Bhatti along with other policemen came and told the Sikhs to go inside. A little after mob burnt the Gurdwara and started killing the Sikhs.</p> <p>SHO Bhatti was leading the mob and told the deponent that he had orders to disarm the Sikhs and took the deponent's gun.</p> <p>SHO Bhatti was leading the mob.</p> <p>SHO Bhatti was accompanying and instigating the mob.</p> <p>SHO Bhatti was present there when the mob was looting the Sikhs houses and killing Sikhs.</p>
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3.	Survir Singh Tyagi SHO Kalyanpuri	<p>Birmi Bai 13/ 1, Kalyan puri, Delhi</p> <p>Jeet Singh 13/ 195, Kalyanpuri, Delhi</p> <p>Surjit Kaur 13/ 36, Kalyanpuri, Delhi</p> <p>Hari Singh 11/ 395, Kalyanpuri, Delhi</p> <p>Dhanpat Singh 11/ 161, Kalyanpuri, Delhi</p> <p>Vidya 30/ 330, Trilok puri, Delhi</p> <p>Surup Singh 11/196, Kalyanpuri, Delhi</p> <p>Sobha Singh 12/ 73, Kalyanpuri, Delhi</p> <p>Parsa Singh 11/ 42, Kalyanpuri, Delhi</p> <p>Pritam Singh 20/ 71, Kalyanpuri, Delhi</p> <p>Avtar Singh 20/ 474, Kalyanpuri,</p>	<p>He was accompanying the mob and instigating them to kill all the Sikhs.</p> <p>Police procuring affidavits in favour of SHO Survir Singh Tyagi.</p> <p>Deponent went the the police station to file a report, SHO asked him to run away otherwise he would be killed.</p> <p>SHO Tyagi was moving on the motor-cycle, pointing towards the houses of Sikhs'.</p> <p>Police procuring affidavits in favour of SHO Tyagi.</p> <p>Police procuring affidavits in favour of SHO Tyagi.</p> <p>SHO with two policemen came and invited the mob by saying 'Kill Sardars and burn them.'</p> <p>SHO Tyagi along with others 5 police personnel came and threatened to hand over the weapons. He took the deponent's double barrel 12 bore gun forcibly and after he left the mob attacked carrying all those deadly weapons.</p> <p>SHO Tyagi along with other 5 police personnel</p>
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		<p>Delhi</p> <p>Sadhu Singh 11/ 30, Kalyanpuri, Delhi</p> <p>Lakshman Singh 11/ 230, Kalyan puri, Delhi</p> <p>Ram Singh 11/ 441, Kalyanpuri, Delhi</p> <p>Sahib Singh 11/ 80, Kalyanpuri, Delhi</p> <p>Cora Rakhi 11/ 152, Kalyanpuri, Delhi</p> <p>Mohinder Kaur 11/ Kalyan puri, Delhi</p> <p>Kabul Singh 11/ 434, Kalyanpuri, Delhi</p> <p>Gurbachan Singh 11/ 456, Kalyanpuri, Delhi</p> <p>Mohan Singh 32/ 59, Trilokpuri, Delhi</p>	<p>came and did not do anything to control the mob. He took away the gun of the deponent and did not render any help.</p> <p>SHO Tyagi ASI Maken and 8-9 policemen were leading the mob. The deponent asked for help but he refused to render any help.</p> <p>SHO Tyagi along with 4-5 police constables was accompanying the mob.</p> <p>SHO Tyagi with 4-5 constables came to the deponent's house, took his gun in his custody and extensively searched the house and then took him to the Police Station.</p> <p>SHO Tyagi along with other policemen personnel accompanied the mob.</p> <p>SHO Tyagi came. Instead of stopping the mob he threatened the Sikhs and went away with other policemen.</p>
4.	Rohtas Singh SHO Palam Colony	Jasbir Singh RZ-258, B/18 A, Raj Ngr. Palam Colony, New Delhi	He refused to help and was with the mob.

5.	O. P. Yadav SHO Sri Niwas Puri	<p>Sarbjit Kaur 68A, Hari Nagar Ashram, New Delhi</p> <p>Kishan Singh 176, Jeevan Nagar, New Delhi</p> <p>Khushdev Singh Bindra 13, Hari Nagar Ashram, New Delhi</p> <p>Kartar Singh 59, Hari Nagar Ashram, New Delhi</p> <p>Narinder Singh 2, Hari Nagar Ashram, New Delhi</p>	<p>SHO with two police personnel came in the police vehicle, had a conversation with the locality goondas and after shaking hands with them raised a slogan "KHOON KA BADLA KHOON".</p> <p>The deponent went to the police chauki and met SHO Yadav who was on a round in a police jeep, and told him about one dead body of a Sikh lying sikh and being the deformed by dogs requested him for the cremation but SHO behaved badly and did not take any action . After three days the deponent came to know that nobody removed the dead body and it was completely eaten by dogs.</p> <p>SHO Yadav accompanying the mob. He was actually instigating the people to kill Sardars and loot the properties. He was in uniform.</p> <p>SHO Yadav was accompanying the mob. SHO Yadav with 15-20 policemen were on the bridge when the mob attacked the Sikhs. The deponent asked him for help but he gave no response.</p>
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6.	H. C. Jatav Additional C.P.	Jasbir Singh Block Q, Qr. No. 1, Malka Ganj, Delhi	He along with other policemen came to Kamla Market, Subzi Mandi. The deponent narrated the entire incidence and pleaded that one or two policemen must be posted to maintain law and order but Jatav left the place without doing anything and let off the culprits who were earlier apprehended.
7.	Sewa Das DCP East	Tara Singh, 1/3 Krishan Nagar, Delhi	He came in a white car and stopped near the mob, instructed them to burn the contents of the shops of the Sikhs by taking out goods and not to burn the shops as they belonged to Hindus.
8.	B. Bhaskar SHO	Tara Singh, 1/3 Krishan Nagar, Delhi	The deponent asked for help but he replied that he had no force and he could do nothing.
9.	C. Katna DCP West	Maj. N.S. Phull WZ-91-E, Shiv Nagar Ext., Jail Road, New Delhi	The deponent approached the police van for help. DCP Katna took him to the police station where he was beaten mercilessly, later they took the deponent to Tis Hazari and Central Jail from where he was released on bail in November 1984.
10.	Jagdish Chander Sharma SHO Tilak Nagar	Mohinder Singh 19/5, Tilak Nagar, New Delhi	He broke open the door of the deponent and started beating the members sitting inside mercilessly with iron chains, rods and butts of the gun. He took the deponent and his 4

			sons to the police station in the police jeep and gave a severe beating by dragging them by hair and beard and shouted "Call your Guru Gobind Singh," Deponent's son's left arm was broken by policemen. For 10 days they were confined to Tihar Central Jail.
11.	Mr Bhaskar SHO Krishan Nagar	Ram Singh 90, East Azad Nagar, Delhi	SHO Bhaskar assured Sulkhan Lal Councillor to do anything and that police will not interfere. The deponent asked for help from Mr. Bhaskar but instead of rendering any help he was threatened that he would be killed.
12.	Mr Rampal Rana SHO Nangloi	Gurbachan Singh Y-15, Nangloi, JJ Colony No.1, Delhi	SHO Rana refused to record the names of the murderers in the FIR and was saying that how these four sikhs have not been killed.
13.	Mr Suresh Kumar Asst. Commandant CRPF	Sukhdev Singh E -168, Kiran Garden,  R.S. Virk C - 80, Kiran Garden, New Delhi	Deponent asked him for help but he refused by saying it is not his duty to save the Sikhs.

INSTANCES WHERE THE POLICE REFUSED TO RECORD THE FIRs  
IN DIFFERENT POLICE STATIONS

Following are the affidavits pertaining to this: -

1. Nirmal Kaur

R - 259, Gali No. 5, Sagarpur, Nangal Raya, Delhi

On 1. 11. 1984 the SHO of Police Station Delhi Cantt. refused to register their report.

2. Kirpal Singh Chawla

WZ-235 A, Inder puti, New Delhi

Police did not lodge his report and made a case against him u/s 302, 307 r. w. section 34 IPC

3. Kuldip Kaur

32, Amar Colony, Nangloi, Delhi

Police did not register FIR

4. Balwant Kaur

RZT - 46 / 229, West Sagarpur, Delhi

They went to Sagarpur Police Post and made complaint but the police present there directed them to go to Police Station Sadar

5. Chal Kaur

R-1/ 187, Sultan puri, Delhi

The police did not register their report.

6. Dhanpat Singh

11 / 161, Kalyanpuri, Delhi

Police did not register an FIR inspite of making complaint.

7. Kuldip Singh Rekhi

A-18E, East of Kailash, New Delhi

SHO of police station Lajpat Nagar refused to register F. I. R.

8. Charanjit Singh

30, Church Road, Jangpura, New Delhi

His FIR was not recorded by the police.

9. Sadhori Bal

32 / 12, Trilokpuri, Delhi

Police did not register her report.

10. Susheel Kaur

EE- 84 Shivram Park, Najafgarh Road, Nangloi, Delhi

Police officer from Nangloi Police Station Came and recorded the statement in the hospital but did not give a copy of it to her.

11. Balbir Kaur

23 / 13, Ramesh Nagar, New Delhi

Police at Moti Nagar police station refused to record the statement

12. Gurucharan Singh

A- 71, Subhadra Colony, Delhi

His report was not recorded by telling that it is happening with other Sikhs also

13. Ravil Singh

19 /32, Basti Sarai Rohilla, Delhi

Police did not record the report.

14. Balbir Singh

B-117, Subhadra Colony, Delhi

Police did not record the report by saying that such things happened with many others Sikhs.

15. Satnam Singh

A-46, Kiran Garden, New Delhi

His report was not recorded by police saying that such things have happened with almost every Sikh.

16. Didar Singh

D-44, Kiran Garden, New Delhi

His report was not recorded by the police.

17. Santokh Singh

4, Hari Nagar Ashram, New Delhi

Police refused to record the report.

18. Ragubir Kaur

DDA Flats, Slum Tenements Garhi, New Delhi

Report was not recorded by the police.

19. Satwant Kaur

DDA Flats slum, Tenements Garhi, New Delhi

Police did not record the report.

20. Surjit Kaur

DDA Flats, Slum Tenements, Garhi, New Delhi

Her report was not recorded because of mentioning of the names of the culprits.

21. Kalia

C-83 DDA Flats, Slum Tenements, Garhi, New Delhi

Police refused to record the report.

22. Daya Kaur

C-42 DDA Flats, Tenements, Garhi, New Delhi

Police refused to record the report because of mentioning names of the culprits.

23. Vidya Rani

C-85 DDA Flats, Slum Tenements, Garhi, New Delhi

Police refused to record the reports.

24. Rajani Devi

C-49 DDA Flats, Slum Tenements, Garhi, New Delhi

Police refused to record the report at Sultanpuri Police Station.

25. Satnam Kaur

C-54 DDA Flats, Slum Tenements, Garhi, New Delhi

Police refused to record the report.

26. Daropati

C - 81 DDA Flats, Slum Tenements, Garhi, New Delhi

Police refused to record the report.

27. Lakhbir Singh

C - 67 DDA Flats, Slum Tenements, Garhi, New Delhi

Police refused to record the report.

28. Swaran Kaur

C - 57 DDA Flats, Slum Tenements, Garhi, New Delhi

29. Gurmit Kaur

C - 94 DDA Flats, Slum Tenements, Garhi, New Delhi

Police refused to record the names by saying that such things have happened with almost every Sikh.

30. R. S. Virk

G - 80 Kiran Garden, New Delhi

FIR was not recorded.

31. Krishna

157 A Subhadara Colony, New Delhi

Police refused to record her report.

32. Gurnam Singh

A - 302 Shastri Nagar, New Delhi

Police did not record the report because of mentioning the names of the culprits.

33. Gain Singh

18 / 137, East Moti Bagh, New Delhi

Police did not record the report saying that such things have happened almost with all the Sikhs.

34. Sardar Singh Ahuja

A - 64, Subhadra Colony, Sarai Rohilla, New Delhi

His report was not recorded.

35. Bholu Singh

13 / 137, Moti Bagh, Sarai Rohilla, New Delhi

Police did not record the report saying that all Sikhs are the sufferers in the same manner.

INSTANCES OF CASES IN DIFFERENT POLICE STATIONS WHERE THE POLICE DID NOT RECORD THE FIRs CORRECTLY AND REFUSED TO RECORD THE NAMES OF THE CULPRITS.

Following are the affidavits to this effect : -

1. Parkash Kaur

G - 64, Mahavir Enclave, Palam Colony, New Delhi

Police recorded the F. I. R. incorrectly. Did not record the names of the culprits as mentioned by the deponent.

2. Gurucharan Singh

C - 54 A Vihar, New Delhi

Deponent went to Nangloi Police Station to lodge F. I. R. but SHO Ram Pal Rana told him that they had already registered the F. I. R.

3. Pritpal Singh

125, Bhagwan Nagar, Ashram, New Delhi

Police refused to record the names of the culprits.

4. Bakhshi K. S. Sahni

120 Harinagar Ashram, New Delhi

Police refused to record the names of the culprits.

5. Dalbir Singh

SC / 2, New Rohtak Road, New Delhi

Police refused to record the names of the culprits.

6. Satnam Singh

A - 46 Kiran Garden, New Delhi

Police refused to record the names of the culprits.

7. Raghubir Kaur

DDA Flats, Slum Tenements, Garhi, New Delhi

Police refused to record the names of the culprits.

8. Prakash Kaur

C - 91, DDA Flats, Slum Tenements, Garhi, New Delhi

Police refused to record the names of the culprits.

9. Apjit Singh

B - 123, Kiran Garden, New Delhi

Police refused to record the names of the culprits.

10. Mohinder Singh

C - 28, Kiran Garden, New Delhi

Police refused to record the names of the culprits.

## Part Nine

A uniform method was employed by the police in disarming the Sikhs where they tried to act in self-defence and compelling Sikhs to remain indoor and then letting the mob attack them.

Following affidavits may be perused in this regard : --

### 1. Santokh Singh

U - 70 Shakarpur, Delhi

Finding sword in his hand which was taken out for self-defence, police took him and his family to the police station.

### 2. Swaran Kaur

C - 6, Fateh Nagar, Jail Road, New Delhi

The police men took away her husband's licenced gun.

### 3. Ram Singh

11/ 1 / 441, Kalyanpuri, Delhi

The police took away the licenced guns saying that if we did not hand over the guns, they would not help us.

### 4. Gurcharan Singh

11 / 456, Kalyanpuri, Delhi

The police asked the Sikhs to go to their house.

5. Gp. Captain M. S. Talwar

9, West Patel Nagar, New Delhi

Police asked him to surrender himself and his licenced gun.

6. Sohan Singh

14-B / 1, Desh Bandhu Gupta Road, New Delhi

When he fired in the air for self-defence, police came in a jeep and took him away to the police station.

7. Inder Mohan Singh

WZ-63, Ram Nagar Extn. Tilak Nagar, New Delhi

They police instead of controlling the mob, took him to the police station.

8. Tehmi Devi

32/88, Trilok puri, Delhi

The police came and asked us to go back to our houses.

9. Hari Singh

32 / 119, Trilokpuri, Delhi

Police asked us to go into our houses and assured that no harm will be done to us.

10. Jagat Singh

6/6, Old Double Storey, Lajpat Nagar, New Delhi

Police came and asked the people who formed Peace Committees to disperse otherwise they will open fire.

11. Gurman Singh

28 /59, Kasturba Nagar, Shahdara, Delhi

Police came and asked the residents who formed the peace committees to go inside

12. Jasbir Kaur

A -14, Gamri, Shahdara, Delhi

The policeman asked the Sikhs to go inside their houses.

13. Tejinder Singh

29 / 481, 482, Trilokpuri, Delhi

The police disarmed the Sikhs by taking their kirpans which they were carrying for their self-defence.

14. Jatan Kaur

A-4 /141, Sultanpuri, Delhi

The police asked the Sardars to go inside their houses otherwise they will shoot.

15. Moti Singh

B - 2 / 380, Sultanpuri, Delhi

SHO Bhatti asked all Sardars to go inside their houses.

16. Ajit Singh

30 / 436, Trilokpuri, Delhi

The police asked all Sardars to go inside their houses.

17. Barfi Devi

32 / 110, Trilok puri, Delhi

The police asked all Sardars to go inside their houses.

18. Gopi Kaur

32 / 72, Trilokpuri, Delhi

On 1. 11. 84 police from Kalyanpuri police station came and told all the sikhs not to sit together as the curfew has been imposed.

19. Janki Bai

32 / 14, Trilok puri, Delhi

The police asked the Sikhs to stay inside their houses

20. Sadora Singh

32 Block, Trilokpuri, Delhi

The police asked the Sikhs to go to their houses.

21. Chal Kaur

A - 4/187, Sultanpuri, Delhi

SHO Bhatti asked the Sikhs to go inside.

22. Guddi Kaur

A - 4 / 144, Sultan puri, Delhi

The police asked the Sikhs to go inside their houses.

23. Charanjit Singh

II-C / 47, Lajpat Nagar, New Delhi

The police asked Sewadar and Granthi of Gurdwara to go inside the Gurdwara.

24. Lakshman Singh

11 /230, Kalyanpuri, Delhi

SHO Tyagi came with other police personnel and took away his 12 bore double barrel gun.

25. Santa Singh

12 / 80, Kalyanpuri, Delhi

SHO Tyagi took his gun, kirpan and axe.

26. Karan Singh

13 / 23, Kalyanpuri, Delhi

SHO Tyagi asked the Sikhs to go into their houses.

27. Sahib Singh

11 / 80, Kalyanpuri, Delhi

SHO Tyagi came and asked the Sikhs to go to their houses.

28. Mohinder Kaur

11 / 375, Kalyanpuri, Delhi

SHO Tyagi came and asked the Sikhs to go to their houses.

29. Sobha Singh

12 / 78, Kalyanpuri, Delhi

SHO Tyagi took his licenced gun.

30. Gopi Kaur

C - 4, Sultanpuri, Delhi

The police asked the Sikhs to remain inside

31. Kabul Singh

11 / 434, Kalyanpuri, Delhi

SHO Tyagi took his gun and two cartons full of cartridges.

32. Boorhi Bai

R/O Ashoka Park, Rampura (Jhuggi) Sultanpuri, Delhi

The police asked the Sikhs to get into their houses.

33. Banto Kaur

A - 4 / 149, Sultanpuri, Delhi

The police asked the Sikhs to get into their houses.

34. Padmi Kaur

A - 4 / 165, Sultanpuri, Delhi

The police asked the Sikhs to get into their houses.

35. Mohan Singh

32 / 59, Trilokpuri, Delhi

The police asked the Sikhs to get into their houses.

36. Gurcharan Singh

A - 71, Subhadara Colony, Delhi

Police asked the Sikhs to go inside the Gurdwara.

37. Balbir Singh

B - 117, Subhadara Colony, Delhi

Police asked the Sikhs to go inside the Gurdwara.

Those are the illustrative affidavits. There are many other affidavits relevant to this fact which may be perused by this Hon'ble Commission.

## Part Ten

Nature and analysis of cases against Sikhs.

Following are the cases instituted against Sikhs during the period from 1st to 5th November 1984:-

	Name of case State Vs.	Number of accused	Police Station	F. I. R. No.	Date of arrest
1.	Kanwarjit Singh	1 person	New Delhi	601 / 84 u/s 302 IPC	2-11-1984
2.	Jasvir Singh	5 persons	South Delhi	413 / 84 u/s 147/148/149 188 IPC	2-11-1984
3.	Udai Singh etc.	2 persons	South Delhi	414 / 84 u/s 307/ 186, 353/ 34, & 25/ 27/ 54/ 59 Arms Act	3-11-1984
4.	Sobha Singh etc.	25 persons	Kalyanpuri	424 / 84 u/s 302 etc.	1-11-1984
5.	Ram Singh s /o Sardar Singh	1 person	Seelampur	341 / 84 u/s 307	1-11-1984
6.	Dalip Singh and his son	2 persons	Shahdara Kabool Nagar	606 / 84 u/s 304	1-11-1984
7.	Dalip Singh etc.	16 persons	Tilak Nagar	443 / 84 u/s 147 / 148 149/ 88/307/ 353 / 332	2-11-1984
8.	Jagjit Singh etc.	9 persons	Rajouri Garden	469 / 84 u/s 147/ 148/149/ 186 / 332/353 / 436 /34 IPC	2-11-1984

9.	Harbans Singh	1 person	Tilak Nagar	444/ 84 u/s 506/ 188 IPC & 27/ 54 /59 Arms Act	3-11-1984
10.	Manmohan Bir Singh	1 person	Patel Nagar	554/ 84 u/s 307/ 302 IPC	1-11-1984
11.	Sohan Singh etc.	3 persons	Dev Nagar	798/ 84 u/s 307/ 302 IPC	1-11-1984
12.	Gurucharan Singh and his son	2 persons	Paharganj	1331/ 84, u/s 307/ 34	1-11-1984
13.	Faqir Singh etc.	16 persons	Paharganj	1347/ 84 u/s 147/ 148/ 149/ 307/ 302 IPC & 28 Arms Act	5-11-1984
( In this case 6 woman namely Ravinder Kaur, Ranjit Kaur , Gurcharan Kaur , Narinder Kaur , Balvinder Kaur and Gurbachan Kaur have also been made accused )					
14.	Jagjit Singh Chawla	2 persons	Rajinder Nagar P.P. Inderpuri	474/ 84 32 IPC	
15.	Ajit Singh s/o Kartar Singh	1 person	Military Road, Patel Nagar	u/s 307	8-12-1984
16.	Pal Singh	1 person	Punjabi Bagh	524/ 84 u/s 302 etc.	
17.	Varinder Singh etc.	10 persons	Tilak Nagar	u/s 147/ 148/ 149/ 436/ 427 IPC	1-11-1984

This is not a complete list. This list has been made on the basis of material supplied by Delhi Administration. There may be some other cases also. This Hon'ble Commission may direct the Delhi Adm. to supply complete list and peruse the same.

BRIEFS OF Individual Adm. cases is given below:

1. Group Captain Manmohan Bir Singh Talwar M. V. C. (Retd. ) r / o West Patel Nagar, New Delhi

He has filed an affidavit before this Hon'ble Commission also. His affidavit be persuade for detailed facts. Group Captain Talwar was awarded Mahaviir Chakra for outstanding bravery and courage in the 1971 War but the Delhi Police and Administration took no time in ripping off his gallantry commendation and put him in the dock as a murderer. Even if it be presumed that he did open fire to scare away the rioters, did the circumstances then prevalent not warrant action in self - defence. Had he not acted, his name and those of his family members would have added to the list of casualties of November 1984 carnage.

2. Case of Karanjit Singh

F. I. R. No. 601 / 84 Police Station Parliament Street U / s 302 IPC etc.

The FIR pertaining to this case as already been analysed earlier. It is clear from the facts stated in the FIR that the entire Gurdwara was surrounded by thousands of rioters. They brutally beat two sikhs outside the Gurdwara and then burnt them alive in presence of police. The mob made many repeated attacks on Gurdwara and set on fire a taxi Khokha. They threw burning rags inside the Gurdwara. In these circumstances the Sikhs who had taken shelter inside the Gurdwara, had no option but to act in self-defence. If they had not so acted, they would have been accorded the same treatment like those two who were murdered by burning alive. It is also a fact that the top Police officials like DCP (Central), ACP, contingents of CRPF also reached at the spot and it is alleged that they resorted to firing to check the mob. But it is a strange travesty of fact that nobody was arrested for having committed murder of two innocent persons in a most barbaric manner. The tenor of FIR clearly makes out as to who are guilty but even then the Delhi Police chose to challan Karanjit alone for having committed murder whereas the two most gruesome murders have been left unaccounted for. Can this approach of the police be considered justified from any angle.

3. Case of State Vs. Faqir Singh etc. F. I. R. No. 1349 dated 5. 11. 984 Police Station Pahar Ganj under S. 302 etc. And case state Vs. Kirpal Singh, Jagjit Singh Chawla, F. I. R. No. 474 / 84 Police Station Rajinder Nagar P. P. Pusa (U/s 302 IPC) have already been discussed in the topic "Analysis of some F. I. Rs" which may kindly be soon.

As already stated in Faqir Singh's case, sixteen persons have been made accused and two Sikhs were shot dead in the firing by police. Out of the remaining fourteen accused six are women. All accused belong to one family.

4. Cases of Chawla Brothers, both residents of Inderpuri (Police Station Rajinder Nagar)

In Kirpal Singh's case the two brothers acted in self defence and fired from their licenced weapons when their house had been set on fire and the top police officials including the SHO and ACP were there. These officials did not take any action against the murderous mob. Chawla's house was looted and burnt completely. They had to cut off their hair and beard to avoid detection while escaping. With great difficulty they escaped by scaling the wall of adjoining house.

Now it is for your LORDSHIP this Commission to see whether they should have been challaned for having committed the offence of murder u/s 302 IPC.

5. Pal Singh's case

Pal Singh S/ O S. Harnam Singh r/o 8 West Avenue, Punjabi Bagh, New Delhi has filed affidavit before the Commission which may kindly be perused.

The mob attacked his house on 1-11-1984 at about 11. 15 am When the mob tried to set his house on fire, Pal Singh fired in air from his licenced revolver to scare away the rioters. Then mob came in two DTC mini buses the number of one of which was DHP 103. The mob brickbatted his house and Pal Singh got injuries. It was about 4 pm by then. S. Pal Singh and family escaped from the rear door of his house to save their lives.

At 6 pm a CRPF vehicle arrived which took them to the police station. S. Pal Singh got himself medically examined for the injuries at Police station ( page 7

of Annexure 'B" of documents submitted by the administration ) after great persuasion on 3-11-1984. But to his dismay he was arrested u/s 107 / 151 Cr. P. C. and locked up. He was released on bail on 14-11-1984. Then on 23-11-1984 he went to Police Station to enquire about the recovery of his looted property, there he was again arrested and locked up in the lock-up. On enquiry, he was told that a case U/S 302 etc. IPC (vide FIR No. 524 / 84 ) has been registered against him.

6. S. Ram Singh son of Late Sohan Lal r/o G-10 New Selampur, Shahdara, has filed an affidavit this Hon'ble Commission which may kindly be seen.

The mob came to attack his house on 1. 11. 1984 at about 10. 30. At that time SHO Singh and S. P. also came along with the mob. They said "We know you and your family. Come with us. We have come for protection. " He asked whether he could carry his gun with him. They replied in affirmative and he was allowed to take his gun. The police officials took him to the police station and next day they sent him to Tihar jail and he was falsely implicated in a case u/s 307 vide F. I. R. No. 341 / 84. He was bailed out on Nov. 27, 1984.

7. Major N. S. Phull son of late Sardar Jodh Singh r/o WZ - 91E Shiv Nagar Extension, Jail Road, New Delhi He has filed an affidavit before the Commission which may kindly be seen. He was taken to the police station on the pretext of sending more reinforcement to protect the Sikhs. There his licenced pistol No. 815904 along with cash Rs. 314/- were taken.

When he asked for receipt he was beaten badly by police officers mentioned in affidavit. He was then forced to sign a seizure memo that Rs. 314/- have been seized from him. Then he went to Tis Hazari Court for having committed various offences All 8 persons including one Hindu gentleman who had gone to the police station to seek protection were challaned by the police and F. I. R. stated that he (Major Phull ) was leader of mob which looted houses etc.

Ultimately he was released on bail on Nov. 9, 1984. (F. I. R. No. 442 / 84 Police Station Tilak Nagar) However, the police has withdrawn this case later on.

## 8. Kalyanpuri case

Sobha Singh and 24 other persons were arrested by police in the afternoon on 1st Nov. 1984. Sobha Singh, Parsa Singh, Danpat Singh and some others of these person have filed their affidavit.

The police seized the licensed weapons of Sikhs in Kalyanpuri in the morning of 1st November, 1984. Thereafter the mob attacked. The Sikhs resisted the mob with Kirpans and lathis. Police was accompanying the mob. Police arrested the Sikhs and put them in the lock-up. A false case was instituted against them. Some of the Sikhs were arrested in the morning and the others in the afternoon. Their affidavits be perused for detailed facts. All these persons remained in jail for 17 days. The houses of the most of them were completely looted and burnt after their arrest.

Even according to F. I. R, a mob attacked them and they acted in self-defence.

This is a clear case of self-defence. This should have been dropped outrightly.

All the cases against the Sikhs have been fabricated and are false. In some cases they have been challaned for heinous crimed even if they were compelled by the circumstances to act in self-defence. In other cases the cases against them have been instituted to further harass and humiliate them.

The attitude of the police and administration has been highly biased and prejudiced against the Sikhs. A deeper analysis would reveal that wherever the Sikhs had no option but to act in self-defence, the police took no time to arrest them and put in jail whereas in most of the areas in Delhi no rioter was arrested on 31. 10. 1984, 1. 11. 1984 and in some police stations even upto 7. 11. 1984 even though the Criminals played havoc with the lives and property of the helpless Sikh victims. The Police did not supply the prosecuting machinery enough material to oppose bail in those cases where rioters were involved so that the Judicial Officer had no option but to release them on bail immediately. On the other hand wherever Sikhs were made accused, the police went all the way to provide sufficient material to the prosecution to oppose the bail application tooth and nail so that they may languish in jails for considerable time even for preventive offences like u / s 107 / 151 CPC.

As has been stated above, 25 Sikhs have been arrested and all of them are facing trial U / s 302 for having committed the murder of one of the rioters ( at

Kalyanpuri ) and they were released on bail after 17 days whereas the recent list supplied by the Delhi Administration on 8/5/86 regarding the accused in Trilokpuri massacre reveal that accused like Karam at s/o Badlu r/o 27/194 Trilokpuri (Srl. No. 22) and Niyamat son of Badlu r/o 33/460 Trilokpuri (Sr. No. 23) secured their release on 17/1/85 the same day they were arrested. This remark has been made not to cast even an iota of doubt on the integrity of judiciary but to bring this Hon'ble Commission the fact that the Administration and the Government has taken special care to ensure that the cases against the perpetrator of such heinous crimes be made as weak as possible so as to make a mockery of the judicial system and process.

There had been many cases of gang rape of women. Some such helpless women have ventured to appear and depose orally before this Hon'ble Commission. In FIR No. 176/84 dated 11/11/1984 (Police Station Mangolpuri) a woman was subjected to gang rape after her husband and brother-in-law were burnt alive to death. There had been hundreds of such cases as one can see from a perusal of affidavits filed before this Hon'ble Commission. For obvious reasons the name and particulars of these victims are not being revealed here.

From the above it becomes obvious that the entire Administrative machinery, acting on some central direction was engineered to humiliate and humble a community which forms barely 5% of the total population of Delhi It has so vehemently been stressed by the Delhi Administration that it was because of insufficiency of police that such large scale violence took place. But the figures supplied expose the hollowness of their claim. The total force available to the police was 21487 plus par military force comprising of 76 coys and 2 platoons. 15th Sikh Light Infantry had also arrived on 31/10/1984 at 8 pm Military in large encumbers was available within 2 hours of requisition. Military was requisitioned in a half-hearted manner and was not deployed in vulnerable areas. No shoot at Sight orders were given to them. This became apparent from the evidence on record that the Additional Executive Magistrates were appointed on the morning of 3/11/84. However the military did not shot dead any rioter though violence continued unabated on 2/11/84 and 3/11/84. On the other hand the police was very active, when any Sikh tried to protect himself by resorting to self-defence. Such Sikhs were immediately arrested, whereas it can be easily seen from the records that throughout Delhi not many rioters had been arrested on 1/11/84, 2/11/84 and 3/11/84. In many worst affected areas arrests were made many days after the occurrence. In some

police stations no arrest even u/s 107/151 Cr. P. C. was made from 31/10/1984 to 7/11/1984.

The culprits were, in accordance with a set design, purposely let loose against Sikhs. It is on record that 180 Gurdwaras were damaged/destroyed. Yet only twenty and odd cases u / s 295 IPC have been registered. It appears that there was no order for preventive detention of criminals and anti-social elements on 31/10/84 or 1/11/1984 as should have usually done seeing the situation then prevalent. The Hon'ble Commission may kindly verify this fact from record because we do not have access to the police documents.

From the evidence on record it can be easily inferred that the Sikhs who are facing trial for various offences have never been the aggressors. They did not and could not show even the minimal force to resist the attackers. It was not a case of riot but carnage against Sikhs. But the police, in its endeavour to give it a colour of riot has put up false and frivolous cases against the Sikhs. Even if, assuming for a moment that a couple of rioters were killed by Sikhs while acting in self-defence, can it be said that it amounts to an offence U/s 302 IPC. What for are the licensed weapons issued?

The fact that the helpless Sikhs were not in a position resist the attackers is further substantiated from the evidence on record that in most of the areas like Delhi Cantt. Mehrauli, Badarpur, Nangloi, Sultanpuri, Mangolpuri, Sarai Rohilla, Ashok Vihar, Narela, Adarsh Nagar, Brahampuri etc. The list reveals that only Sikhs received injuries. The list supplied by police reveals this fact Had it been a case of clash between the two communities, which can never be the list of injured would have contained. The members of both the Communities.

But now, the helpless Sikh residents of Delhi who have made full contribution to the progress and development of their country in general and city of Delhi in particular have great hopes and expectations from this Hon'ble commission. They wish to live with peace and dignity, and are confident that their interests would be properly safeguarded and taken care of by your Lordship.

Thus it is prayed that all the cases against the Sikhs be screened thoroughly and the Hon'ble Commission be pleased to make appropriate recommendations to the Administration drop the prosecution in all such cases and their licensed weapons be restored to them immediately.

## Part Eleven

FOLLOWING PERSONS HAVE BEEN IDENTIFIED BY THE DEPONENT AS ORGANISERS OF THE CARNAGE.

	Politician involved in Nov. 1984 Carnage with particulars	Named by	Role
1.	Sukhan Lal Sood Councillor East Delhi	Prithipal Singh Sabharwal B 6 / 1, Krishan Nagar, Delhi  Ajit Singh, A-15 / 130, Geeta Colony, Delhi	Leading the mob in the Lal Quarter Market.  Leading the mob in Geeta Colony, directed the mob to burn the Gurdwara.
2.	Ram Narayan Verma Councillor Najafgarh	Ravinder Singh C-8 / A, Fatch Nagar, Jail Road, Tilak Nagar, New Delhi	He and his son was carrying the mob in Tempo and was supervising the operation in the area.
3.	D.R. Chhabbra Councillor, Lajpat Nagar	Jagat Singh 6 / 6, Old Double Storey, Lajpat Nagar IV, New Delhi	Mob assembled near his house and he gave instructions to the mob who later burnt the Gurdwara.
4.	Deep Chand Councillor, Ashok Vihar	Inder Singh 617, Nimri Colony near Bharat Nagar, Delhi	His son and brother-in-law were leading the mob in a jeep in Nimri Colony and were supplying inflammables to mob.
5.	H.K.L. Bhagat MP East Delhi	1. Sukhan Singh Saini S-509 School Block, Shakarpur, Delhi  2. Jagjit Singh S-364, School Block,	Held a meeting in Shakarpur on 31.10.1984 night and directed people to kill the Sikhs . He instructed Mr. Lakhani, Adv. in Shahdara Court

		<p>Shakarapur, Delhi</p> <p>3.. Sant Singh S-465, School Block, Shakarapur, Delhi</p> <p>4. Saroop Singh U-59, Upadhaya Block, Shakarapur, Delhi</p> <p>5. Jaswant Singh TZ- 1268, Sat Sang Road</p>	<p>not to charge any fee from persons arrested in rioting</p>
6.	Bharat Singh Councillor	<p>Pratap Kaur Y-695, Nangloi, Delhi</p>	<p>On 2.11.1984 a little after 4 am he came in his car and after seeing everything left the place.</p>
7.	Sajjan Kumar MP	<p>1. Pratap Kaur Y-695, Nangloi, Delhi</p> <p>2. Jasbir Singh RZ- 258 B / 18A, Rajnagar, Palam Colony, Delhi</p> <p>3. Jatan Kaur A-4 /141, Sultanpuri, New Delhi</p> <p>4. Moti Singh B-2 / 380, Sultanpuri, Delhi</p> <p>5. Cham Kaur A-4 / 147, Sultanpuri, Delhi</p> <p>6. Prem Kaur A-4 / 104, Sultanpuri, Delhi</p> <p>7. Balwant Kaur</p>	<p>On 2.11.1984 a little after 8 P.M. Sajjan Kumar delivered a lecture which was attened by lots of people of the colony.</p> <p>On 1.11.84 Sajjan Kumar came in his jeep at 11 A.M. and enquired from Balwan Khokhhar about the scene. Then he instructed him to kill all the Sikhs. He himself watched the scene by saying "Salon Ke Khub Maro aur inko Jalado."</p> <p>On 1.11.1984 Sajjan Kumar MP addressed a meeting and directed them to kill Sardars.</p> <p>On 1.11.1984 he came in a white car, held a meeting which was attened by a</p>

		<p>RZT 46 / 229, West Sagarpur, Delhi</p> <p>8. Gurcharan Singh 27/ 41, Tikana Sahib Gurdwara, Punjabi Bagh, New Delhi</p> <p>9. Updesh Kaur Y - 886, Nangloi, Delhi</p> <p>10. Niranjan Singh F - 252, Mangolpuri, Delhi</p> <p>11. Anek Kaur F - 42, Sultanpuri, Delhi</p> <p>12. Gurcharan Singh C- 54 A, Tilak Vihar, New Delhi</p>	<p>substantial number of Congress worker and he directed them to kill the Sikhs. His P.A. Jai Chand and Jamadar also accompanied him.</p> <p>On 1.11.1984 he addressed a meeting which was attended by Congress workers and other people. He directed them to kill the Sikhs.</p> <p>On 1.11.1984 he addressed a meeting in Sultanpuri and directed them to kill the Sikhs.</p> <p>Some persons preparing the lists of Sikh's houses on 31.10.84 told that they have been sent by Sajjan Kumar.</p> <p>Leading the mob in a car instructed them to burn Gurdwara and kill the Sikhs (disclosed during close examination)</p> <p>Sajjan Kumar and Bharat Singh leading the mob</p> <p>His P.A. Hardwari Lal led the mob.</p> <p>He along with Jai Kishan came to Sultanpuri in a jeep. Jai Kishan told him that only few Sikhs have been left and will be</p>
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			<p>killed. Sajjan Kumar also directed that Sikhs be killed.</p> <p>Sajjan Kumar led the mob in Nangloi.</p>
8.	Dharam Das Shastri, MP	<p>1. Surjit Singh 16 - B /5, D.B.Gupta Road, Karol Bagh, New Delhi</p> <p>2. Jaswant Singh 16 - B, Prahlad Market, Karol Bagh, New Delhi</p> <p>3. Kundan Singh 11753, Gali No. 4/5, Sat Nagar, New Delhi</p> <p>4. Pritpal Singh B-5 / 110, Paschim Vihar, New Delhi</p> <p>5. Bua Singh 773/N Baba Faridpuri, West Patel Ngr. New Delhi</p> <p>6. Baljeet Singh 26 / 181 - 182, West Patel Ngr, New Delhi</p>	<p>On 5.11.1984 Shastri forced the SHO of Karol Bagh Police Station to release the persons arrested for genocide.</p> <p>He along with Rajinder Kumar Shukla came in car and directed to kill the Sikhs</p> <p>When mob attacked the deponent's house, the deponents ran for safety. Dharam Das Shastri came in a car. He did not help the deponents.</p>
9.	Ashok Kumar, Councillor	<p>1. Dhanpat Singh 11/ 161, Kalyanpuri, Delhi</p> <p>2. Sahib Singh 11/80, Kalyanpuri, Delhi</p> <p>3. Mohinder Kaur 11/ 375, Kalyanpuri, Delhi</p>	<p>He along with S.P. Sukhan Lal held a meeting in Trilokpuri and offered Rs.500/- to kill one Sardar.</p> <p>He along with Sukhan Lal Councillor (Metropolitan) Subhash, Kishore and Raman led the mob and instructed them to kill all the Sardars.</p>

		<p>4. Birmi Bai 13/ 1, Kalyanpuri, Delhi</p> <p>5. Jeet Singh 13/ 195, Kalyanpuri, Delhi</p> <p>6. Surjeet Kaur 13/ 136, Kalyanpuri, Delhi</p> <p>7. Santosh Kaur 13/ 37, Kalyanpuri, Delhi</p> <p>8. Dharam Kaur 11/179, Kalyanpuri, Delhi</p> <p>9. Katu Singh 13/ 193, Kalyanpuri, Delhi</p> <p>10. Mohan Singh 32/ 59, Trilok puri, Delhi</p>	<p>He was leading the mob.</p> <p>He along with Sukhan Lal held a meeting in Trilokpuri on 3-11-84 and offered Rs.500/- to kill one Sardar and also instructed to kill all Sardars.</p> <p>He was leading the mob and instructed them to kill all Sardars.</p> <p>He was leading the mob. The mob set on fire the Gurudwara and were loudly proclaiming that all the Sardars be killed.</p> <p>When the mob was in looting and burning Dr. Ashok came there and incited the mob to kill the Sardars. Deponent's two brothers Kewal Singh and Mewal Singh were killed in front of Dr. Ashok.</p>
10.	Arjan Das, Councillor	Nihar Singh 586 Moti Ram Marg, G.T.Road, Shahdara, Delhi	Pt. Arjan Das was wielding a gun and his son Ravi was having a revolver with him. They looted the godown of M/S. Mohindra and Mohindra.
11.	Vasudev, Councillor Congress (I)	Gurdeep Kaur F - 5, Budh Vihar, Delhi	He was leading the mob.
12.	Dharma Singh, Councillor	Swinder Kaur RZI - 66, Sagarpur New Delhi	He, his son Varinder Kumar and three other Congress (I) workers asked the deponent's husband and son to cut their hair on 2-11-84. On 2-11-84 at

			<p>4 pm Dharam Singh started making announcement from Shiva Temple for Dr. Mahavir to take out the deponent's family who was taking shelter with him. He made the same announcement from the Shiva temple on 3-11-84 at 4 pm he chalked out a plan for the exit of the deponent's family and incited the mob of 500 persons waiting at the bridge to kill the deponent's husband. The deponent's husband and motorcycle were burnt.</p>
13.	Mela Ram, Councillor Congress (I)	Varinder Singh 43, North West Avenue Road, Punjabi Bagh Extn. New Delhi	<p>He was leading the mob towards Punjab Bagh. This was confirmed by Harbhajan Singh House No. 443, Pocket 2, Paschimpuri, who saw him on 1-1-1984 at 3.50 pm.</p>

## Part Twelve

### ORGANISERS OF CARNAGE IDENTIFIED

Following persons have been identified by the deponents as the Organisers of the Carnage, at local level.

	Organizer of Genocide	Named by
1.	Balwan Khokhar Youth Congress (I) leader Palam Area	1. Jasbir Singh, r/o Palam Colony  2. Sampuran Singh Chambal, r/o Palam Colony  3. Sampuran Kaur, r/o Palam Colony  4. Lachman Singh Bhatia, r/o Palam Colony  5. Jasbinder Kaur, r/o Palam Colony  6. Jagdish Kaur, r/o Palam Colony  7. Manmohan Singh, r/o Palam Colony
2.	Rattan Youth Congress (I) leader, Palam area	Baljinder Singh Kapoor, r/o Palam Colony
3.	Rampal Saroj Congress (I) leader Trilokpuri	1. Hari Singh, r/o Trilok puri  2. Tejinder Singh, r/o Trilok puri  3. Gopi Kaur, r/o Trilok puri  4. Sadora Singh, r/o Trilok puri

		<p>5. Boji Bai, r/o Trilok puri</p> <p>6. Sadhu Singh, r/o Trilok puri</p> <p>7. Sandhori Bai, r/o Trilok puri</p> <p>8. Satnami Kaur, r/o Trilok puri</p> <p>9. Devi Bai, r/o Trilok puri</p> <p>10. Devi Kaur, r/o Trilok puri</p> <p>11. Gurdip Kaur, r/o Trilok puri</p>
4.	Brahmanand Gupta Pardhan Congree (I) worker Sultanpuri	Cham Kaur, r/o Sultanpuri
5.	Nathu Prasad Sweeper, Congress (I) worker Sultanpuri	<p>1. Jatan Kaur, r/o Sultanpuri</p> <p>2. Prem Kaur, r/o Sultanpuri</p> <p>3. Guddi Kaur, r/o Sultanpuri</p>
6.	Jai Kishan Secretary to Sajjan Kumar (Sultanpuri)	<p>1. Moti Singh, r/o Sultanpuri</p> <p>2. Gulbans Kaur, r/o Sultanpuri</p> <p>3. Bant Kaur, r/o Sultanpuri</p>
7.	Hardwari Lal Mandal President Congress (I) Mangolpuri	<p>1. Harnam Singh, r/o Mangolpuri</p> <p>2. Niranjn Singh, r/o Mangolpuri</p>
8.	Partap President Congress (I) Sagarpur	<p>1. Surinder Kaur, r/o Sagarpur</p> <p>2. Balwant Kaur, r/o Sagarpur</p> <p>3. Swaran Kaur, r/o Sagarpur</p> <p>4. Amar Kaur, r/o Sagarpur</p>
9.	Hem Chander Congress (I) worker Inderpuri	1. Kirpal Singh Chawla, r/o Inderpuri
10.	Gajraj Congress (I) worker Ram Nagar	1. Surjeet Kaur, r/o Ram Nagar Shahdara
11.	Shyam Singh Tyagi Congress (I) worker Shakarpur	<p>1. Saroop Singh, r/o Shakarpur</p> <p>2. Sukhan Lal Saini, r/o Shakarpur</p> <p>3. Surjit Kaur Delhi, r/o Shakarpur</p> <p>4. Amarjit Kaur, r/o Shakarpur</p> <p>5. Jagjit Singh, r/o Shakarpur</p>

		6. Jasbir Singh, r/o Shakarpur 7. Saroop Singh, r/o Shakarpur 8. Surinder Kaur, r/o Shakarpur 9. Pritpal Kaur, r/o Shakarpur 10. Gurnam Kaur, r/o Shakarpur
12.	Bharat Singh Congress (I) worker Nangloi	1. Updesh Kaur, r/o Nangloi 2. Pratap Kaur, r/o Nangloi 3. Gurbachan Singh, r/o Nangloi
13.	Tara Congress (I) workewr Kalyanpuri	1. Birmi Bai, r/o Kalyanpuri 2. Jit Singh, r/o Kalyanpuri 3. Surjeet Singh, r/o Kalyanpuri
14.	Varinder Sharma Negi Congress (I) worker	1. Ram Singh, r/o East Azad Nagar
15.	Dr. Verma Congress (I) worker	1. Gurcharan Kaur, r/o Nand Nagri
16.	Bhoop Singh Tyagi General Secretary Congress (I)	1. Saroop Singh, r/o Shakarpur 2. Sukhan Pal Saini, r/o Shakarpur 3. Jagjit Singh, r/o Shakarpur 4. Gurnam Kaur, r/o Shakarpur
17.	Bharati Congress Pradhan	Ramesh Kaur, r/o Sultanpuri
18.	Kaushik Congress (I) worker	Mahinder Kaur, r/o Shakarpur
19.	Vijay Chaudhary Youth Congress (I) worker	1. Balbir Singh, r/o Bhogal, New Delhi 2. Bhagat Singh Gandhi -do- 3. Charanjit Singh -do- 4. Paramjit Singh -do- 5. Raghubir Singh -do- 6. J. S. Gandhi -do- 7. Kanwarjit Singh -do-

## Part Thirteen

Meetings were held at number of places to instigate people to kill Sikhs and destroy their property.

The following affidavits give account of such meetings.

### 1. Sampuran Singh Chambal

WZ - 211 D, Street No. 16, Sadh Nagar, Palam Colony, New Delhi

Local Congress (I) worker held a meeting pointing towards me with the remarks that these are the peoples who had killed Mrs. Indira Gandhi.

### 2. Jatan Kaur

A - 4 / 141, Sultanpuri, Delhi

Sajjan Kumar MP was addressing a meeting saying that loot and kill all Sardars

### 3. Moti Singh

B - 2 /38, Sultanpuri, Delhi

Sajjan Kumar MP addressed a meeting which was attended by substantial number of Congress workers.

### 4. Cham Kaur

A- 4 / 14, Sultanpuri, Delhi

Congress (I) workers held a meeting which was addressed by Sajjan Kumar MP inciting them to kill all Sardars.

5. Raj Kumar

RZ - 258 B / 25, Raj Nagar, Palam Colony, New Delhi

Meeting was held in J. J. Colony which was attended by Sajjan Kumar MP and Congress (I) workers.

6. Kuldip Kaur

32, Amar Colony, Nangloi, Delhi

Ram Kumar Gupta, Randhir (President of the colony) and other residents held a meeting.

7. Salawati Kaur

A - 4 / 125, Sultanpuri, Delhi

On 1-11-1984 the men of the colony called a meeting to hatch a scheme to kill Sikhs

8. Balwant Kaur

RZT - 46, /229, West Sagarpur, Delhi

Dharam Chand and Lakhi Ram held a meeting.

9. Sukah Lal Saini

S - 509, School Block, Shakarpur, Delhi

H. K. L. Bhagat MP. held a meeting which was attended by the other local Congress (I) worker.

10. Sangat Singh

F - 4, /125, Sultanpuri, Delhi

A meeting was held in the house of Chattar Singh on 1-11-1984.

11. Gurdip Kaur

D - 54, Amar Colony, Nangloi, Delhi

A meeting was held at night to kill all Sardars and to burn the Gurdwaras.

12. Amarjit Kaur

RZB - 98, Partap Garden, Village Bindapur, Uttam Nagar, New Delhi

A meeting was held in Mohalla which was attended by local residents.

13. Manjit Kaur

RZB / Partap Garden, Village Bindapur, Uttam Nagar, New Delhi

A meeting was held in Mohalla which was attended by local residents.

14. Jagjit Singh

Shakarpur, Delhi

A meeting was held in Mohalla which was attended by local residents.

15. Sant Singh

Shakarpur, Delhi

A meeting was held in Mohalla which was attended by local residents.

16. Sujan Singh

F - 142, New Seelampur, Delhi

A meeting was held of Congress (I) workers organised in Singhal's Shop which was addressed by Sh. Shankar Lal Sharma, a very active member of Congress (I) and was saying "Khoon ka badla Khoon se lenge " .

## Part Fourteen

### MOOD OF THE MOB

The mob was jubilating and dancing. There was no sign of sorrow and grief on their faces. They were not mourners of the Prime Minister Mrs. Indira Gandhi but were totally unconnected with it.

The following are the relevant affidavits on this aspect : -

#### 1. Trilochan Kaur

A - 3, /38, Nand Nagri, Delhi

The mob was laughing and dancing.

#### 2. Gurdip Kaur

D - 54, Amar Colony, Nangloi, Delhi

The people among the mob were laughing and saying that they got Rs. 50/- and a bottle of liquor to kill one Sardar. The mob danced merely.

#### 3. Harjit Kaur

RZ - 36, Mahavir Enclave, Palam Road, Delhi

The mob after setting the Sikhs alive on fire said the Sikhs are doing disco and mob also started dancing.

#### 4. Sarabjit Kaur

68 - A, Hari Nagar Ashram, New Delhi

The mob started dancing to celebrate the bonfire.

5. Nanki Devi

A - 3 / 500, Nand Nagri, Delhi

When the helpless Sikhs were burning and writhing in pain, the mob rejoiced by saying 'now the Sikhs are performing bhangra'.

6. Parkash Kaur

RZ G - 64, Palam Road, Mahavir Enclave, New Delhi

The mob was laughing and dancing while moving around.

7. Parkash Kaur

RZ - 49, Mahavir Enclave, New Delhi

The mob was dancing and prancing around.

8. Tara Singh

B - 1 /3, Krishan Nagar, Delhi

The mob was drunk, dancing and rejoicing.

9. Balwant Kaur

RZT - 46 / 229, West Sagarpur, Delhi The mob was dancing and rejoicing. After hitting the Sikhs they were saying that they were watching the disco dance of the Sikhs.

10. Prabhjeet Miglani

B - 2, / 160, Safdar Jung Enclave,

New Delhi The persons in the mob were drunk.

11. Baljinder Singh Kapoor

WZ - 492, Sadh Nagar, Street No. 16, Palam Colony, New Delhi.

The mob was coming with the beating drums and they were actually dancing. They were drunk also. After killing the Sikhs they were rejoicing, dancing and laughing jeeringly.

ALSO SEE F.I.R. NO. 410 Police Station DELHI CANTT, where the police has recorded that the mob was performing Bhangra.

## Part Fifteen

At a number of places some outsiders had come to the area. They instigated the locals to indulge in violence and when the locals started violence, the outsiders left the Colony.

The following are the relevant affidavits on this aspect: -

### 1. Parkash Kaur

J - 324, Shakarpur Colony, Delhi

The outsiders came in a truck incited the locals and after some time went away in the same truck.

### 2. Ishar Singh

Y - 861, Nangloi, Delhi

The mob came from nearby villages in trucks and trollies. But later some persons from our neighbourhood also joined them in the killings.

### 3. Avtar Singh

G - 71, Mahavir Enclave, New Delhi

He saw some outsiders saying that though the Hindus of Punjab were being massacred, but the Hindus of this place were not doing anything. In few moments the Hindus gathered there in a huge numbers.

Some parties with high sounding pretensions in regard to truth, peace and harmony applied to this Hon'ble Commission for being impleaded as party. Throughout the course of the proceedings they showed hardly any regard for their professed principles. Not at one moment during the entire proceedings they expressed any sympathy or concern for the victims of the aggression.

Not at one point did they chose to place the truth, what to speak of the whole truth, before this Hon'ble Commission. Throughout they were suggesting questions to the counsel for the Delhi Administration, the trend of which was as if the victims while narrating their tale of woe, were only stating falsehood.

It appeared at times that their case was as if no disturbance took place at all. At times from the direction of questions suggested by them it appeared that they were justifying the action of the mobs and their leaders. So far as their hostility towards the victims was concerned, they were acting with one voice and unison. As the proceedings progressed it became crystal clear that they were representing the interests of the Congress (I). A particular counsel who was representing the Arya Samaj, performed only one duty ie. of suggesting questions limited to the testimony in relation to the role of the Congress (I) party.

Those parties of the Delhi Administration at times presented a unified case before this Commission. It was obvious to those representing the victims that these parties had reduced the secrecy and confidentiality of the proceedings to a force.

About 2300 affidavits, practically all of them in a stereotyped language and most of them in a cyclostyled form,were filed before this Hon'ble Commission. These affidavits were filed towards the end of the time prescribed for the purpose. A large majority of these affidavits initially carry some date of August 1985.

The same was struck out with hand and it is substituted by some date in September. If a close scrutiny is carried out of these affidavits, it would be found that they are the handiwork of some persons who had mobilised the filing of these affidavits.

These affidavits do not appear to have been filed on the own initiative of the deponents. It so appears that the affidavits in similar language were first drafted, cyclosyld and the names of the persons were collected at odd and filled in at blank spaces left in the affidavits. Some witnesses who were put in the witness box have also corroborated this factual position. Most of these affidavits also do not depose to positive and objective facts. They are full of opinions and vague allegations without furnishing full particulars of allegations like distribution of sweets (names and identity of persons is missing), celebrating and jubilation (names, identity and locality to which such persons belong is absent).

Inspite of the allegations that the Sikhs were indulging in distribution of sweets and jubilation there is absolutely no evidence that assuming the allegation to be correct, any one took to violence against such persons because of outrage against their behavior. This simply proves the falsity of the allegation. As a matter of fact the natural reaction of the persons outraged by such behaviour would be to take to violence there and then.

The main body of persons responsible for the mobilisation of these affidavits, however, has not chosen to present themselves openly before this Commission. It appears as if they were operating from behind the scenes. The way the entire thing is manipulated, clearly shows that those persons who were responsible for the organisation of violence were also behind the filing of these affidavits.

Besides the above evidence, there are sufficient circumstances to support the assertion of the Citizen's Justice committee that the disturbances were the result of an organised plan. In fact, the doctrine of *res ipsa loquitur* fully applies to the present case. Till late in the evening of 31st October 1984 except for minor incidents of roughing up of some Sikhs, no case of loss of life was reported.

But with the dawn of 1st November, 1984 all around the Union Territory of Delhi rampaging mobs were aboard. If the resentment against the Sikhs was really spontaneous, there was no reason why it should not have burst out on the 31st October itself, especially, after 6 pm when both the T. V. and the Radio announced that Mrs. Indira Gandhi had succumbed to injuries inflicted by her "Sikh" security guards. The earlier version of 2 Sikhs and a "clean shaven" (meaning non-Sikh) as assailants was withdrawn later (see answer to Interrogatory issued to PTI).

How could these rampaging mobs suddenly appear on the 1st November fully equipped of the wherewith all and sinews of murder, loot and arsons. Some of the materials used by them are quite costly. The price of the petrol in those days was about Rs. 7/- per litre. Kerosene was sold for more than Rs. 2/- per litre and the diesel was priced at more than Rs. 3/- per litre. Even the purchase of a single second hand tyre would cost no less than Rs. 100/-.

How could all these costly materials fall into the hands of the mobs and at such large scale unless some organised efforts to mobilise these resources had been made? The mobs were roaming about, as submitted above, in trucks, buses - both private and DTC and other vehicles which by themselves are proof enough of an organised effort. No private owner would risk his vehicles in this kind of chaotic situation. The deployment of iron rods of similar types, their free availability to the mobs also leads to the same conclusion. The powder used cannot be procured just for asking.

It appears from the manner and methodology of the execution of the violence that massive preparations were already afoot to organise a counter blast of violence to teach a lesson to the Sikhs. This fact is corroborated by the question put by Sri Khare, Counsel to the Union of India in the course of the cross examination of Sri Joseph Maliakan. The questions and answers are reproduced herein below :

Q: Did you find any resentment among the people regarding the terrorist activities in Delhi and Punjab?

Ans: The resentment of the people against the terrorists and the killings has no connection.

If it were the result of natural reaction and resentment against the happenings in Punjab, large body of Hindus would not have acted in the manner they did. Overwhelming evidence has come on record to show that large bodies of Hindus gave protection and refuge to the victims. Mohalla after Mohalla, Hindus not only gave protection, but also organised themselves into Peace Committees and stood guard outside their localities and did not allow the murderers to enter into and indulge in violence against their Sikh brethren. At places, Hindus have fought with mobs at the grave risk of their lives and scared the mob away. See affidavits of :

1. Satya Devi

RZ-104, Vinodpuri, Vijay Enclave, New Delhi

2. Mandodri Devi

B-166 Jahangirpuri, New Delhi

3. Pritpal Singh

BE-3, Shalimar Bagh, New Delhi

4. Surinder Singh

WZA-47 Anand Vihar, R Block, Uttam Nagar, New Delhi

5. Hari Singh

WZB-83 A, Anand Vihar, Uttam Nagar, New Delhi

6. Raminder Singh

r/o Jharoda Kalan, near CRPF Camp, Najafgarh Road, New Delhi

7. Jagat Singh

6/6, Old Double Storey, Lajpat Nagar IV, New Delhi

8. Ajeet Singh

15/130, Geeta Colony, Delhi

9. Harjit Singh

A-6/6, Krishna Nagar, Delhi

During the course of evidence recorded by this Commission it has also come on record that three Hindus lost their lives while affording protection to their Sikh brethren.

The Hindus who lost their lives are :

(a) Parkash Chand (see affidavit of Satya Devi)

(b) Hari Singh (see affidavit of Mandodri Devi)

(c) and one more person.

In Lajpat Nagar and surrounding areas, Hindus in large numbers took out peace marches, thus generating confidence into their fellow Sikh citizens and also thereby to demoralise the mobs. Swami Agnivesh, a known leader of the Arya

Samaj was amongst these who led these Peace marches. On the contrary, not even at one single place, the Congressmen came out either to protect their Sikh brothers or to organise efforts to scare away the mobs. (See affidavit of Ravi Chopra who has deposed that although request was made to Congress (I) Party, they did not join the Peace March.

For full three days, the Congress Party, it seemed, had just disappeared in thin air so far as the protection and relief measures were concerned. In fact, it was engaged in a bigger task of administering a lesson to the Sikhs.

The administrative forces responsible for the maintenance of law and order, it appeared, got the cue and the message. They deliberately adopted a paralytic posture. The curfew was declared late towards the evening of the 1st November, 1984. It was never intended to be and was never enforced. All those who resided in Delhi in those fateful three days, knew that the enforcement of the curfew was employed against the Sikhs only.

The rampaging mobs were free to roam about and indulge in their nefarious activities. Even ordinary citizens, who had no concern either way, were moving about freely. Only the shops and business establishments were closed. Even otherwise, such was the so-called competence of the Delhi Administration authorities that the first order declaring the curfew did not include the territories of East Delhi which was the worst affected part of the town.

The area was brought under curfew only by the second notification on the subject. Even the normal police patrols and force had been withdrawn from the affected areas. No evidence has been produced on the record by the Delhi Administration showing what real and substantial efforts were made to quell the disturbance as also showing the additional use of fire arms, tear gas shells, or other material required to quell the mobs. Evidence to the contrary which might have been shown for the exclusive eyes of the Commission remaining untested by cross examination has, obviously, no value at all.

If they had really taken steps as mentioned above, the Delhi Administration should in fact disclose the same with pride instead of hiding behind the veil of secrecy. This conduct, by itself, raises strong doubts as to the bonafides of the efforts by the Delhi Administration. Even upto date the impression is at large that Delhi Administration did not make any serious effort at all to quell the disturbances. It was altogether necessary for the Delhi Administration to lead evidence to the contrary before the entire public at large to inspire confidence in its actions. Fairness requires that such actions should not only be taken, but also appear to have been taken in the interest of justice.

The Army is stated to have been called to the town in aid of the Civil authorities only late in the evening of 1st November 1984. It is surprising that this step was not taken earlier. Practically in all parts of the city, fires would glow and smoke dominated the skies throughout the day on 1/11/84.

It was obvious even to a layman that the city was in the grips of murders, looters and arsonists but the Delhi Administration woke up to impose the curfew and call the Army so late that substantial damage to the lives and property of the Sikh victims had already been done. In spite of the arrival of the Army, there was no civil police force to guide them to areas which were burning with the disturbances nor any civil authority assigned them any specific duty.

On the 2nd November, 1984 also, the Army was moving about like a lost force, which did not know its whereabouts. Even one full battalion i. e. 15th Light Infantry was available in Delhi, but was not employed for affording protection to the citizens. The army could only assist the civil force. There was, as a matter of fact, no civil force at site to seek or get such assistance.

One unit of Army i. e. 15 Sikh Light Infantry arrived at Delhi at 23. 00 hrs. On 31st October, 1984 itself. The reply to the interrogatory No. 5 served upon

Union of India, although incomplete, clearly shows that its services could be utilised immediately. The Administration need not have waited for the other Army forces to arrive at 4. 30 PM on 1/11/1984. It is evident therefore that services of this 15 LI Battalion were deliberately not utilised and the situation was allowed to deteriorate leading to a colossal loss of life, limb and property. Now the reply of the U. O. I. to the interrogatory No. ---- is false and misleading. It was stated that the first army unit arrived in Delhi on 1/11/1984 at 4. 30 pm This is false because 15 LI Battalion had already arrived in Delhi at 23. 00 hours on 31/10/1984.

The only conclusion from this criminal neglect and inaptitude that follows is that the Delhi Administration was deliberately lying low and let the Sikhs have the full blast of the aggressive action against them for a certain number of days.

In this context a look at the conduct of the police in investigating the cases and instituting prosecution is most apposite. Your Lordship will examine all the files pertaining to the prosecution. In some of the cases acquittals have already resulted. The nature of allegations and the evidence "Marshalled" in other cases is such that acquittals is the only result. On the contrary, an examination of the prosecution cases filed against the Sikhs would show the ingenuity and competence of the police force in collecting and arranging the evidence against them.

Thousands of murders have taken place. Each offence merits separate and vigorous investigation. No such procedure was adopted and the entire holocaust has dismissed as if it were only a storm in a tea cup. A number of incidents, which have taken place at different places have been incorporated in one F. I. R. It is illegal and against the rules. Such FIRs could only be drawn if the case of the police is that the same mob has committed these offences in continuity of their action.

In a number of cases of the FIRs show that the police officers were present at the place of occurrence but still there is no mention of the steps taken by such police officers on the spot to prevent the violence. Neither reasons have been recorded as to why such steps could not be taken. Absence of mentioning such steps in the FIRs leads to the presumption that no steps at all were taken and the police seems to have connived at the mob. FIRs recorded at different police stations by different police officers is more or less in same language and version.

Some FIRs are recorded by Police Officers on the basis of statement of complainant on the spot wherein the names of the culprits are mentioned. The police officers have failed to mention that whether such persons were present on the spot and whether he tried to apprehend them, if not, the reasons for not apprehending the culprits. Most of the dead bodies were disposed of as unclaimed by police without following the proper procedure and without making any efforts towards proper identification.

The sad part of the entire affair is that during those fateful days the Congress (I) party was arrayed against the victims. Delhi Administration was looking the other way. The machinery responsible for the maintenance of law and order was not only lax but in complicity with the murderers.

There was no sense of fairness and justice in the administration of law. The bonafides of all those concerned with protecting the life and property of citizens had nowhere to go. But for the help rendered by non-Sikh neighbours and friends, the holocaust would have been of an unprecedented scale.

The very fact that within period of 3 days the lives of more than 3870 were snuffed out in one city i. e. Delhi, speaks eloquently of the state of affairs prevailing during those horrifying days.

The Congress Party is quite adept in organising rallies and demonstrations. It has been doing so since 1969 i. e. when the split took place in the Congress Party which then came to be divided into Congress (I) and Congress (O).

During the course of years the Congress (I) party came to acquire a vast network of highly efficient organisers who could mobilise people for such purposes at short notice. This network is also spread amongst the Jhuggi Jhonpris, slum areas as well as resettlement colonies. Immediately as the word went round, these people were able to organise the carnage and did not allow it to be hindered for full three days. The administration and the police force was rendered ineffective thus letting the Sikhs suffer full blast. With this network or organisation at its command, the Congress (I) was able to organise the carnage by early hours of November 1, 1984. All the evidence on record points out to such organisation.

## Chapter Two

The preamble of the Constitution of India speaks of the people of India having solemnly resolved to constitute India into a sovereign socialist, secular democratic republic and to secure to all its citizens JUSTICE social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and opportunity; and to promote amongst them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the nation.

Article 21 proceeds that no person shall be deprived of his life or personal liberty except according to the procedure established by law.

Article 25 guarantees a fundamental right, freedom of conscience and free profession, practice and propagation of religion.

PART IV - A of the Constitution lays down fundamental duties of every citizen. Article 51-A (c) of this Chapter prescribes for every citizen a duty to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities to renounce practices derogatory to the dignity of human. Sub Article (h) of the Article 51-A casts a duty to develop scientific temper, humanism and the spirit of inquiry and reform. Constitution is the fundamental law of the country. It embodies the faith and ideals of our people and acts as a source of inspiration.

In this country with this Constitution some of the parties appearing before this Hon'ble Commission had temerity to expound the doctrine of collective guilt and the liability to suffer the imposition of collective punishment of citizens belonging to a particular religion, faith and belief. This theory, is subversive of the very foundation of our Constitution. About 4000 people lost their lives and liberty during those three black days of November, 1984. The state did not

come to the raid. Marauding mobs roamed freely and practised barbarism and savagery of the worst kind. No rule of law existed during those horrifying days. Mobs and mobsters were given free hand to punish vicariously members of a particular community for no sin of their own.

The entire machinery of the government was made to stand paralysed. For these three days, the concept "rule of law" stood abolished. Fundamental rights contained in Articles 21 and 25 carried no meaning. Life and liberty could be taken away at the whim of the mobsters and the mobs. They were given a free hand to have their three field days. The country ceased to be a secular state i. e. common wealth of the variety of religions, beliefs, faith & ideologies. The State had abandoned its primary duty to protect its citizens.

One of the primary and foremost duties of the state is to protect its citizens. Pennock and Smith in their book, "Political Science" have to say as follows on this aspect of the States' duties :

"Security, justice, liberty and welfare these are the ends or purposes of political activity atleast in the modern state. They are ends of the State in the sense that they are the human purposes it serves and that justify its existence and obligation of its members, *Certeris Paribus*, to obey its commands and render its support"

AGAIN,

"a critic with an eye on simplicity or a devotee of *laissez faire* policy might argue that the whole of the ends of the State indeed the unique and comprehensive function of the State - can be summed up in a single word : Order. Order provides security. It also sets man free, it not only supplies the foundations of justice, but is actually control to it because orderly, as contrasted with arbitrary arrangements, comprises a major part of the substance of justice; and finally order is in Society absolute pre-requisite for welfare. The point is worth making of it brings out sharply - an important fact;

that order may have value in itself or may be in some relations the means to other ends. The modern welfare state also does for more than provide the basis (by establishing order) for the public welfare; it seeks the positive advancement of welfare; it seeks the positive advancement of welfare in ways that go far beyond the provisions of order. And while the order is pre-requisite to liberty - it by no means guarantee it. "

AGAIN,

"Since the development of the concept of the 'King's Peace', the protection of the individual against physical violence has been a major purpose of States. The right to private violence was once the norm; the States monopoly of violence developed slowly and "peace meal".

Activities such we have been describing are directed at the protection of peace, property as well as their persons. This aspect of security function needs no collaboration"

Article 14 of the Constitution - Charter on the Rule of Law, lays down that the State shall not deny to any person equality before the law or the equal protection of laws within the territory of India. Servai in his book Constitutional Law of India, Volume II page 209 (Second Edition) has thus to say on what is meant by "protection of Laws" :

"Equal protection of law means that protection of equal laws i. e. laws that operate alike on all persons under like circumstances. "

Therefore, while making its recommendations to the Government, it is respectfully submitted that this Hon'ble Commission may stress on the foremost duty on the Government to protect the citizens irrespective of their faith, beliefs and ideological and political affiliations. The State must perform its duty to protect its citizens equally and even handedly. Once we submit to

the doctrine of allowing the citizens of one community to take the law into their hands and practice physical violence to settle their supposed scores with other communities, India will cease to be unified and integrated polity.

The other aspect which is submitted for this Hon'ble Commission's kind consideration is that if the State or Government authorities are allowed to shut their eyes to collective violence and on perpetrators of collective crimes, it will set dangerous precedents which might strike at the very roots of our democracy and its unified character.

Unless it is made known to the perpetrators of private violence that their crimes will not go unpunished, there is every likelihood of repetition of such crimes without any let up and fear of deterrence. Our country since independence has undergone numerous orgies of communal violence, it is high time that they are put to stop.

It is therefore necessary that a recommendation be made for the establishment of a Special Cell to meet the exigencies of large scale private violence and disturbances. This Cell must be manned by highly competent police officers with great integrity and outlook consistent with the ideals embodied in our Constitution i. e. such police officers must be enlightened men who are able to take impartial and unbiased view. This Cell must have at its disposal intelligence set up which must keep vigil on the activities of anti-social and communal elements. These people should be capable of discharging their duties without interference from political quarters and parochial interests represented by them.

There must also be sufficient provisions in law for compensating the victims of such disturbances. There is some conflict in regard to the rights of the citizens to claim compensation from the State for the tortuous acts of its servants and employees. In AIR 1962 S. C. 933 (State of Rajasthan V/s. Vidyawati) and later on in Kasturi Lal V/s. State of UP) (A. I. R. 1965 S. C. 1039), the Supreme Court held that the tortuous acts of the Officers of the State for damages and

compensation cannot be vicariously transferred to the State if the wrongful act has been committed or purported to have been committed in the discharge of the "Sovereign functions of the State". Later, however in three cases i. e. A. I. R. 1983, S. C. 1086 in (Rudal Shah's case) A. I. R. 1984 S. C. 1026 (Sebatian Hangre's case) and in A. I. R. 1986 S. C. 494 in (Bhim Singh's case) the Supreme Court awarded compensation of the petitioners before it under Article 32 of the Constitution of India for the wrongful acts of the instrumentalities of the State.

Nevertheless these three later authorities do not in terms over rule the position of law as laid down in cases of Vidyawati and Kasturi Lal. , In the later case i. e. AIR 1965 S. C. 1039, the Supreme Court, in para 30 observed and expressed the view that it was time that the Parliament in India seriously consider whether it should not legislate on statement to regulate and control the claim of immunity in cases like Kasturi Lal, on the same lines as has been done in England by the Crown Proceedings Act 1947.

Although the subsequent authorities have implicitly upheld the right of the citizens to claim compensation from the State for the wrongful acts committed by its instrumentalities / officers and employees, nevertheless it is essential that the law be given definiteness and certainty by appropriate legislation which this Hon'ble Commission may recommend to the Government in its report. The legislation is absolutely necessary to compensate the victims of riots and also to make the State aware of its civil liability as well in such situations.

The second part of the terms of reference, enjoins the Commission to recommend remedial measures to prevent the reoccurrence of such incidents. This would indicate that it is a part of this Commission's terms of reference to

(a) identify the person behind the violence; and

(b) recommend measures including those for punishment as well as deterring all such actions in the future.

The first part of the terms of reference namely the inquiry into allegations in regard to 'incidents' of organised violence is also wide enough to enable this Hon'ble Commission to go into conduct of specific individuals and groups. This is because this Hon'ble Commission has to enquire into incidents relating to organised violence at Delhi That would necessarily entail an enquiry into the entirety of such allegations including the role played by individuals as well as classes of persons in organising such violence.

In substance the term of reference of the present Commission are to enquire into :

- (a) alleged incidents of organised violence; and
- (b) to suggest remedial measures.

The necessary implication of the terms is to determine whether the violence was organised or not, and if organised, to identify the perpetrators of such violence. If the Commission finds that the violence was organised then there is absolutely no point to leave the perpetrators of such violence firstly unidentified and secondly unpunished. Just saying and merely returning a finding that the violence was organised in the absence of identification and recommendation regarding taking proceedings in accordance with law against individuals to act as a deterrent in future, may well be incomplete and meaningless.

One more vital and important aspect of the matter is the determination by this Hon'ble Commission the role of the police during these crucial days and as whether the men of the police force were merely negligent or were at places acting in active complicity with the mobsters and rioters as part of the structure framework created by the organisers. Allegations of the police complicity have been repeatedly placed on record both in affidavits and during the course of oral evidence before the Hon'ble Commission.

The entire amount of evidence before this Hon'ble Commission clearly indicates not only organisation but also organisation by certain individuals as well as groups or groups of persons in relation to the November 1984 violence. The affidavits filed before this Hon'ble Commission are indicative of those facts. Unless such an exercise is undertaken there will be no point in making an enquiry into organised violence and the entire proceedings may result in a fruitless effort.

For Delhi Sikh Gurdwara Management Committee.

IN THE HIGH COURT OF DELHI AT NEW DELHI

I. A. No. \_\_\_\_\_ of 1986.

IN

Suit No. 677 of 1985.

In the matter of

Chandera Parkash and another (Petitioner)

Vs.

Ved Marwah and others (Defendant)

And in the matter of:

APPLICATION OF LT. GEN. J. S. AURORA (RETD. ) UNDER ORDER 1, RULE 10 & ORDER 39 RULE 4 READ WITH SECTION 151 OF C. P. C. FOR BEING IMPLEADED AS A PARTY TO THE SUIT AND FOR VACATING THE INTERIM INJUNCTION AND OTHER DIRECTIONS.

MOST RESPECTFULLY SHOWETH: -

1. That the present suit has been filed by the plaintiffs and is pending in this Hon'ble Court.
2. That the applicant after his retirement as Lt. General from the Indian Army is engaged in social service. The applicant is a member of Citizen's Justice Committee an organization which is representing the victims of carnage of November, 1984 before the Justice R. N. Misra Commission of Enquiry which has been appointed by the Central Govt. to enquire into the alleged organized violence in Delhi, Kanpur and Bokaro in the first week of November, 1984. The applicant is also the President of "The Sikh Forum", a body created to safeguard the human rights and dignity of the Minority Communities and to help in the rehabilitation of the unfortunate widows and children of those

innocent members of the communities who were killed in the November, 1984 carnage.

3. That during the first week of November, 1984 more than 3000 persons were murdered in Delhi alone and another one thousand were grievously injured. A number of houses and shops belonging to the minority community (Sikhs) were looted and burnt.

4. That at some places the police in Delhi actively helped the goondas in their nefarious job. In other places the police merely connived at the acquiesced in the large scale murder, arson and loot. At still other places the police remained passive spectator of the unprecedented violence throughout the carnage of November, 1984. The police did not take any action to quell the violence in Delhi during the period 31st October to 3rd November, 1984. At a number of directions of the authorities at the highest levels.

5. That a number of complaints against the police officers and constables were brought to the knowledge of the Commissioner of Police and other Senior Authorities, but no action was taken on such complaints. Dis-satisfied from this attitude of Police Commissioner one of such complainants Mr. Rahul Kuldip Bedi, filed Civil Writ Petition No. 2667 of 1984 in this Hon'ble Court seeking directions against the Delhi Administration and Commissioner of Police to take action for criminal negligence against the guilty including two of the Senior IPS Officers.

6. That during the pendency of said writ petition, due to the pressure of many high dignitaries and public at large, the Police Commissioner appointed the then Additional Commissioner of Police Ved Marwah (now the Commissioner of Police Delhi) to enquire into the conduct of Police Officers during the said carnage.

7. That this was a departmental enquiry commenced with a view to identify policemen and officers who were prima facie negligent in their duties so that appropriate departmental action could be initiated against such of them against whom there was prima facie evidence.

8. That in the writ petition mentioned above Delhi Administration made a statement on 10th April, 1985 that Ved Marwah was conducting an enquiry and was likely to conclude the same and to submit his report by the end of April, 1985. Feeling satisfied with this situation arising out of the enquiry being conducted with regard to all police officers who were connected or were in charge during the days of violence, the Hon'ble High Court dismissed the said petition.

9. That the said enquiry being conducted by Ved Marwah was not concluded and no report was submitted till November, 1985 when this Hon'ble Court is reported to have granted ad-interim injunction-staying the enquiry at the instance of the plaintiff herein.

10. That all these facts clearly show that even the Delhi Administration is not supporting the enquiry being conducted by Ved Marwah. The matter being enquired by Ved Marwah is of a great public importance. It is in the public interest that the enquiry should be conducted fairly and guilty officers be brought to book and be dealt with according to law.

11. It was reported during the enquiry that Marwah had taken oral statement of some concerned Police Officers of which he made / kept extensive notes and recorded the statement of some of them.

12. That the Citizens' Justice Committee had filed an application before Misra R. N. Misra Commission of Enquiry for summoning the complete proceedings of Ved Marwah Commission. But Delh Administration opposed this application and has not produced the documents pertaining to Marwah enquiry on the

ground that the interim order passed by the Hon'ble Court prohibit them from producing the record. So the interim orders of the Hon'ble Court are being used to restrain the Misra Commission from summoning the record of Ved Marwah Enquiry.

13. That the state cannot be allowed to befool the public and abuse the process of the court to achieve its nefarious objectives. The state is not interested in punishing the guilty police officers. The state has not even appelaed for vacating the interim injuction or taken any such order. This suit to appears to be collusive. The real people interested in the matter are the victims of the violence in particular and the citizens of India who are concerned about the humanity in general. The applicant represents a vast number of them and is therefore directly and vitally interested in the proceedings and outcome of the collusive suit.

14. The applicant craves leave to refer to para No. 4 which clearly shows that the inaction and the complicity of the police was due to directions from some higher authorities and centers of power. Since many persons against whom the allegations of complicity in this violence have been made continue to be in influential positions and the officers of authority, it is doubtful that the state will wholeheartedly work to bring the culprits to book.

15. That to safeguard the interest of public at large, it is necessary that an independent organisation like Citizens' Justice Committee be allowed to intervene in the present suit through the applicant who is its active member.

It is therefore prayed that:

(i) The applicant may be impleaded as a defendant in the suit.

(ii) The applicant may be allowed to intervene in the suit.

(iii) The application may be heard in opposition to the application for temporary injuction and the injuction may be vacated as it is hindering the

course of justice before the Misra Commission, and such other directions may be given or orders passed as may appear to your Lordship to be fit, just and proper in the circumstances of the case.

APPLICANT

(LT. GEN. J. S. AURORA)

A-55, New Friends Colony,

New Delhi-110065

Dated: 5-2-1986

Through H. S. Phoolka and B. P. S. Mange Advocates

7/8 Windsor Mansion, Janpath, NEW DELHI

Settled by:

R. S. Narula

Sr. Adovocate

IN THE HIGH COURT OF DELHI

Revision Application No.

I. A. 2246/85 in Appellate order

S. No. 677/85

Date of decision 25th November, 1985

CHANDERA PARKASH & ANOTHER (THROUGH: Mr. L. R. Gupta with Mr. Rajiv Gupta, Advocate)

Coram: - Versus

VED MARWAH & OTHERS (THROUGH: Mr. Y. K. Sabharwal Adv. for defts. 1 to 3. Mr. Ashok Bhasin, Adv. For deft. No. 4.)

The Hon'ble Mr. Justice M. K. Chawla

The Hon'ble Mr. Justice

1. Whether reporters of local papers may be allowed to see the Judgment?
2. To be referred to the Reporter or nor?
3. Whether their Lordships wish to see the fair copy of the Judgment?

M. K. Chawla, J.

By this order I propose to dispose of the plaintiffs application I. A. 2246/85 under Order 39 rules 1 & 2, C. P. C. for the grant of an ad-interim injunction restraining respondents 1 & 2 from publishing the enquiry report or causing it published and also from submitting the same to respondents 3 & 4 till the disposal of their suit. In order to appreciate the scope of this application it will be relevant to keep in mind few salient features of the plaintiff's suit.

Plaintiffs 1 and 2 are I.P.S. officers and were working as Deputy Commissioners of Police in South District and East District, Delhi respectively on 21-10-1984, when communal riots on mass scale between Hindus and Sikhs broke out in Delhi in the wake of and on account of sudden reaction / provocation due to the unfortunate and tragic assassination of the late Prime Minister of India, Indira Gandhi by her personal security guards.

The violent riots involving arson, looting and killings also affected the jurisdiction of South District and East District. Delhi amongst other places. The plaintiffs along with their officers and with their limited resources worked day and night to control the riots with great devotion to their duty. In fact the riots were controlled in the said two Districts in a very short span of two to three days. However, the journalists and some other social organisations freely criticised the police alleging their administrative failure in not controlling the riots.

On the receipt of severe criticism by the general of Police appointed Ved Marwah, defendant No. 1, who was then working as Additional Commissioner of Police (CID) as an Enquiry Officer to make an enquiry into the alleged administrative failure of the police in controlling the riots and to point out cases of serious lapses and negligence on the part of the individual officers and to submit his report to him.

It is the case of the plaintiffs that the terms of the appointment of Ved Marwah as Commissioner of Enquiry or Enquiry Committee were wholly vague and of a very general nature without laying down any guidelines or any procedure to be followed. It is also alleged that this appointment is illegal, invalid and without jurisdiction as it is not made under any statute or any provision of law authorising Jog to make the appointment.

Ved Marwah, however, in pursuance of his appointment as an Enquiry Committee circulated a questionnaire to the police officers asking them certain information in respect of the riots. Ved Marwah did not summon, examine or

recorded the statement of any person nor any police officer, including the plaintiffs were associated with the enquiry. During the course of the enquiry proceedings, defendants 1 and 2 made statement to the press to the effect that the officers who were found guilty were being transferred and punitive actions of suspension and dismissal would follow. In the said statements defendants 1 to 2 even disclosed the names of the plaintiffs and other police officers alleging that they had been found guilty of negligence and serious lapses in the discharge of their duties and that the disciplinary action would be taken against them.

The plaintiffs taken up the stand that the news item which had appeared in the press giving the names of the plaintiffs as guilty officers has caused and inflicted a serious damage to their reputation and career. It is also the plaintiffs case that the appointment of Ved Marwah as an Enquiry Officer is invalid and without any jurisdiction and any enquiry proceedings held by him are illegal, ultra virus void, without jurisdiction and are vitiated on various grounds mentioned in para No. 28 (I to XV). For these reasons if defendants 1 and 2 are not restrain from publishing the impugned inquiry report, the plaintiffs shall suffer irreparable loss and injury both in respect of their career and reputation. Hence, the present suit and the application.

The defendants in their written statement as well as reply to the aforesaid application have taken up the stand that Ved Marwah was appointed to conduct an enquiry to identify the causes and the officers / men behind the alleged failure of Delhi Police to maintain law and order during the riots on the following points:

- a. To identify instances of serious failure and negligence, if any, on the part of individual police officers / men;
- b. To identify good work, if any, done by individual police officers / men so that they were suitably rewarded;
- c. To identify the deficiencies and limitations of man power and equipment of the police force and to suggest measures to tone up the functioning of Delhi Police to meet the challenges in the days to come.

It is further alleged that the enquiry is in the nature of a fact finding enquiry and the Head of the Department is competent to nominate any of the officers working under him for the said purpose and it is not necessary to lay down any specific guidelines or procedure to be followed during the course that many persons were examined, their statements were recorded and when the enquiry was in progress, the present suit was filed.

The enquiry is not yet complete and no report has been prepared so far. The report not having been submitted the question of its publication at this stage does not arise. It is also alleged that the defendants are empowered to enlighten themselves and there is no denial of principles of natural justice as alleged. The grounds taken in paras (I to XV) are without any basis. The suit of the plaintiffs as well as the application being premature merits dismissal.

I have heard the arguments of the learned counsel for the parties and with – help gone through the pleadings and the documents placed on record.

The plaintiffs have not yet filed the replication. For the grant of an ad-interim injunction, the court has to see as to whether the plaintiffs have a prima facie case or not, whether an irreparable loss and injury will be cause to them and as to whether the balance of convenience is in their favour or not.

All the three conditions have to be satisfied before the plaintiffs can succeed in the grant of the relief of interim injunction. At the outset it may be mentioned that the only statute which authorises the appointment of a commission of enquiry for the purpose of making an enquiry into any definite matter of public importance, is the Commission of Enquiry Act, 1952.

Under this statute it is only the appropriate government which is authorised to appoint a commission, of enquiry. Sh. S. S. Jog the then Commissioner of Police may be the head of the department, is prima facie not an appropriate government competent to appoint a commission of enquiry into the matters

contained in the order of appointment dated 25. 11. 84. Even otherwise, the plaintiffs being IPS officers, only the Central Government could enquire into their conduct as police officers.

There is no force in the contention of the defendant that the impugned inquiry is only a fact finding enquiry and they were not required to take the recourse of the provisions of the Commission of Enquiry Act. The terms of the enquiry on the face of it are not relating to a particular individual but are of a very general and wide nature and even including" the identification of the deficiencies and limitations of manpower and equipment of the police force and suggestions of measures to tone up the functioning of Delhi Police to meet the challenges in the days to come. "

In any case, all commissions are in the nature of a fact finding enquiry that is investigatory and recommendatory, to inform and instruct the mind of the government, so that the government may make up its mind to accept the findings and recommendations of the enquiry committee and to further take administrative actions and other measures.

In view of these circumstances, prima facie in the absence of any power vested in the Commissioner of Police.

IN THE HIGH COURT OF DELHI AT NEW DELHI

C. W. P. No. 2667/84

Rahul Kuldeep Bedi (Petitioner)

Vs.

U. O. I. etc (Respondents)

This the 10th day of April, 1985.

CORAM: Hon'ble the Chief Justice.

Hon'ble Mr. Justice N. N. Goswamy.

Present: Mr. Hardev Singh for the petitioner

Mr. Y. K. Sabharwal for respondents 1,2,3.

Mr. D. C. Mathur with Mr. D. R. Sethi for respondents 4,5 & 6.

On our query Mr. Sabharwal states that the enquiry ie. being conducted by V. P. Marwah, Additional Commissioner of Police, is likely to be concluded and report submitted by about the end of this month.

The petitioner has pressed two points. The first is that the specific allegations made by the petitioner in respect of respondents 4, 5 & 6 need to be inquired into but respondents do not say specifically whether the allegations of the petitioner in regard to these respondents are being inquired into and, if so, by whom and in what manner. The second point pressed is that rules of natural justice require that the petitioner should be associated in some manner, at least with the alleged enquiry that is being conducted by V. P. Marwah. In our view there is no force in the contentions of the petitioner. On the first point it

is specifically stated in paragraph 6 of the affidavit, sworn by Chander Mohan, Joint Secretary (Home), Delhi Administration, that V. P. Marwaha has been deputed to inquire into all aspects of the unfortunate events between 31st October and 3rd / 4th November, 1984. What is said in the affidavit is that V. P. Marwaha has been appointed to identify the causes and the officers behind the alleged failure of Delhi Police to maintain law and order during the recent riots.

In this view of the matter we are satisfied that the enquiry is being conducted with regard to all officers who were connected or were in charge in those days. On the second aspect again we find the petitioner has no case. It is not for this Court to lay down the procedure for administrative enquiry anyone's rights are adversely affected the flaw in the said enquiry could perhaps be considered under various rules governing judicial review of administration action.

No other point was urged though in the petition several others have been raised. Dismissed.

Sd/- PRAKASH NARAIN

CHIEF JUSTICE

April 10, 1985

Sd/- N. N. GOSWAMY

JUDGE

MOB PROCEEDED TOWARDS DEFENCE COLONY, NEW DELHI

Entry No. in Fire record	Time Of Recording	Location	Property Involved	Success Achieved
7.	1732	Chowk AIIMS & Safdarjang Hospital	Fire reported in a vehicle	Mob did allow to extinguish the fire
8.	1804	Near AIIMS New Delhi	Fire reported in two taxis, one car and one scooter	Extinguished by DFS
10.	1845	South Kidwai Nagar	Fire was reported in a vehicle	Stoned by public
11.	1905	NDSE II Market, New Delhi	Fire in Wings shoe shop	Extinguished by DFS
17.	1930	Bedi Commercial College, 1-C Gurdwara Building, Kotla Mubarkpur	Fire in furniture shop, involving stationary and typewriter	Extinguished by DFS
18.	1930	107, NDSE Part-I, New Delhi	Fire reported in house	Angry mob did allow to reach
20.	1945	F-36, NDSE Part-I, New Delhi	2 cars and ground floor of kothi Car reg. DHC-4419 and DEA-4320	Extinguished by DFS
24.	2013	Andros Ganj Chowk	Vehicle	Angry mob did allow to reach
27.	2022	Gurcharan Saree Centre, Defence Colony	Shop	Could not reach
31.	2044	Panchsheel Park	Fire in private bus DEP5932, motor cycle and DHS-4060 one scooter	Extinguished by DFS
32.	2045	Defence Colony Market	Fire was reported in a shop	Could not reach
34.	2055	Gurdwara Defence Colony	Fire reported in Gurdwara	Could not reach

MOB PROCEEDED TOWARDS R.K. PURAM, NEW DELHI

Entry No. in Fire record	Time Of Recording	Location	Property Involved	Success Achieved
7.	1732	Chowk AIIMS & Safdarjang Hospital	Fire reported in a vehicle	Mob did allow to extinguish the fire
8.	1804	Near AIIMS New Delhi	Fire reported in two taxis, one car and one scooter	Extinguished by DFS
9.	1834	Vijay Nagar Gurdwara	Fire in three rooms of a Diwan of Gurdwara	Extinguished by DFS
13.	1910	B-1/2, Baljeet Guest House, Safdarjang Enclave	Fire reported in Guest House	Mob did allow to reach
21.	1947	Bhikhaji Cama Place, R.K. Puram	Vehicle	Mob did allow to reach
25.	2015	Nanakpura Gurdwara, Moti Bagh-II	Fire was reported in Gurdwara	Could not reach
26.	2020	AB-9, S.J. Dev Area.	Fire reported in house	Could not reach
29.	2035	Opposite Vasant Vihar depot.	Fire was in cars	Extinguished before arrival
36.	2100	Pili Kothi S.P. Marg	Fire in transport company	Extinguished by DFS

MOB PROCEEDED TOWARDS PRITHVI RAJ ROAD

Entry No. in Fire record	Time Of Recording	Location	Property Involved	Success Achieved
12.	1909	Opposite Madrasa Arbindo Marg, New Delhi	Fire in two taxis, cars and one three wheeler scooter	Extinguished by DFS
15.	1925	Junction of South End and Prithvi Raj Road	Fire in two wheeler scooter No. DED6025	Extinguished by DFS
23.	1958	Amrita Sher Gill Marg, New Delhi	Taxi No.DLT-782 and one cycle	Extinguished by DFS