

Kusum Lata Mittal Report :Delhi Riots – 1984

CHAPTER – 7 SOUTH DISTRICT

Sri Chander Prakash, Deputy Commissioner of Police
Shri Ajay Chadha, Additional Deputy Commissioner of Police

7.1. South District consists mainly of posh and affluent colonies although there are few resettlement colonies in Delhi Cantt., Srinivaspuri, Mehrauli and Naraina located on the periphery of the border with Haryana.

7.2. Shri Chander Prakash was the Deputy Commissioner of Police of South District during the riots. He was assisted by Shri Ajay Chadha, Addl. Deputy Commissioner of Police and 4 Assistant Commissioners of Police each in charge of one Sub Division as follows:-

(I) SUB DIVISION DELHI CANTT. (Shri D.P. Verma, ACP)

PS Delhi Cantt. :SHO Rohtas Singh: 8.3.1983 To 7.11.1984

PS Naraina : SHO Vijay Sachdeva : 14.6.83 To 27.10.85

PS R.K.Puram : SHO Ramphal Singh : 8.10.83 To 6.11.84

PS Vasant Vihar : SHO Daryao Singh : 8.10.83 To 6.11.84

(ii) SUB DIVISION HAUZ KHAS – (Shri Krishan Gopal, ACP)

PS Hauz Khas : SHO Shiv Dutt Sharma : 28.5.84 to 23.2.87

PS Mehrauli : SHO Jaipal Singh : 9.2.84 to 27.10.85

PS Vinay Nagar :SHO Harmeet Singh : 15.9.83 to 4.6.85

(iii) SUB DIVISION LAJPAT NAGAR – ('Shri Avinash Chandra, ACP)

PS Lajpat Nagar: SHO Ombeer Singh: 29.10.82 to 27.10.85

PS Kalka Ji : SHO Bhupinder Kumar : 7.10.83 to 5.6.85

PS Badarpur : SHO Sukhbir Singh : 20.3.84 to 26.10.85

(IV) SUB DIVISION DEFENCE COLONY – (Shri K.B. Kumar, ACP)

PS Defence Colony : SHO Ram Chander : 20.3.84 to 3.12.85

PS Lodhi Colony : SHO Sita Ram : 16.4.82 to 6.11.84

PS Hazrat Nizamuddin : SHO Ramphal : 13.4.83 to 9.1.86

7.3. During the November, 1984 ,riots there was wide-spread violence in South District right from the afternoon of 31st October, 1984 and practically all the Police Stations were seriously affected. Trouble continued up to the 4th of November, 1984 even though this was the first District to get outside force as well as contingents of the Army as soon as army was called in on the 1st of November, 1984. Unfortunately, the records reveal that there was a total break-down of law and order in this District which is one of the largest Districts in Delhi having 14 Police Stations.

7.4. It is a sad commentary on the functioning of the Police in this District that although trouble had started in the afternoon of 31st October, 1984 in and around the All India Medical Institute, a graphic description of which has been given by Shri Jagjit Singh (2314), a labour leader , belong to the Congress (I) and Shri Kuldip Singh (2312), precautionary measures do not seem to have been taken by the police. One would normally have expected that when incidents of violence had started in this District, the police in all the Police Stations would have been alerted and necessary precautionary measures initiated. Instead of this, we find total passivity on the part of the police. This is clear from the large number of affidavits filed in the Misra Commission by responsible persons, social reformers and public-spirited people who were not directly affected by the riots. While some of these independent witnesses were residents of South Delhi, others came from other parts of the city and have given their independent opinion. It would be worthwhile mentioning some of these to show the general attitude of the police.

7.5. Dr. Sushila Nayar, a former Union Health Minister, sent a letter dated 6.11.84 to Shri P.V. Narasimha Rao, the then Union Home Minister, regarding the police inaction and the general unhelpful attitude of the Police. An extract from her letter is quoted below :-

" I write this to you with a heavy heart. My cousin brother Shri D.P. Nayyar , who retired as Education Adviser in the Planning Commission some time ago lives in Sarvodaya Enclave, C-145. He has a Sikh neighbour. A mob came to set fire to the Sardar's house on November 1, Shri Dev Prakash's son telephoned to the police. The police asked 'whose house is burning ? Is it Sikh's or Hindu's? He replied 'It is a Sikh's house' 'let it burn'. Was the reply. This poison in the police is dangerous for our Country."

Dr. Nayar goes on to describe some more incidents at NOIDA in her letter. This letter was passed on by the Home Ministry vide d.o. letter no. 14036/219/84-UT(P) dated 20.11.87, from Director (Delhi), Ministry of Home Affairs to Shri S.S.Jog , the then Commissioner of Police, Delhi.

7.6. Some other independent deponents also described the attitude of the police who asked them why they were worried and 'were they not Hindus? Prominent among these were : Shri Ashok Jaitly (2512) a Senior IAS Officer and Smt. Jaya Jaitly (2702), Miss Poonam Mutteraja(2510), Shri Dinesh Mohan (2712), Shri Ravi Chopra (2771), Shri Smitu Kothari (2268), Shri V.Khosla (2589), and Shri Amit Bararia (2738). Many of the deponents stated that the mobs who were indulging in looting and arson were 'happy' , in a festive mood' and 'jubilant'. Smt. Jaya Srivastava (2705), Mr. George Mathews(2642); Shri Smitu Kothari(2268);

Shri Asim Srivastava (2676) to name a few. Many deponents also indicated complete indifference and passivity on the part of the police, viz., Shri Madhu Dandavate (2641), Shri Rajiv Lochan (2775), Smt. Lalita Ramdas (2693 & 2647), Shri Joseph maliakan (2699), Mrs. Gouri Choudhary (2511) etc. Sri Amit Bararia (2738) actually saw the police shooting into the Sikh house. It is a pity that the police force which should be completely impartial and non-communal should have behaved in such a partisan manner and as Dr. Sushila Nayar has rightly stated, this poison in the police is dangerous for our country."

7.7. The main responsibility for what happened in the South District falls on DCP (South). We find that his actions were not such as would inspire confidence or such as one would expect from an officer of his seniority and status. As a matter of fact, he went to the extent of ignoring his own superiors, even let off culprits who had been arrested by Additional C.P. Shri kaul as would be clear from the following:-

7.8. Shri Gautam Kaul, Additional Commissioner of Police, had stated that on 1st November, 1984 he received a message in the evening that villagers had organized themselves and were looting and burning bungalows in New Friends Colony . He rushed there and met DCP(South) who was moving with about 2 sections strength in a pick up. They all entered New Friends Colony and on being informed that the looters were in a particular house near the house of Lt. General Jagjit Singh Aurora, he along with some men entered the house but found nobody on the ground floor. On reaching the first floor he found a man hiding in the cup-board in the bath room. He pulled him out and gave him a beating. As he shrieked several villagers who were hiding under beds, in almirah and under blankets suddenly exposed themselves in panic. Eight looters were thus caught with their pockets full of money, Liquor bottles and other looted property. All these looters were arrested. From another bungalow in a similar manner six persons indulging in looting were arrested. According to Additional C.P., in a two-hour operation they arrested nearly 40 persons, all looters. He goes on to say that he told DCP(South) that he should dispatch the arrested persons to the police station while they surveyed the entire area. He then organized the local residents into a 'self-defense group' while the police was ordered to patrol the area at regular intervals. He then goes on to describe how a bus-load of arrested persons were brought from other Police Stations and locked up in P.S. Defence Colony a. They included some persons who attacked passengers in the train at Palam and others detained in the Tughlakabad Railway Yard by the Railway Police. He gave specific instructions to DCP (South) that since arrests had been made and incidents reported from all over South District, instructions may be issued to register as many cases per incident as possible and special investigating teams be created in the Police Stations for the registration of FIRs and their subsequent investigation.

7.9. It is surprising that these instructions were not complied with by the DCP(South) and the police records again do not even show these arrests made by the Additional Commissioner of Police himself. Apparently, the persons arrested in the presence of Shri Kaul, Additional C.P. were all let off by DCP (South) once his back was turned. If this is the manner in which the DCP (South) was functioning, nothing much could be expected from his subordinates. This would be the reason why indifference, passivity and at times actual police connivance was evident in the incidents of rioting, killing and arson in all the Police Stations in South District.

7.10. There were more than 540 deaths in this District. The bulk of them were in the jurisdiction of Police Station Delhi Cantt. The next worst affected , as far as deaths are concerned, was PS Srinivaspuri. Arson and looting on an unprecedented scale and some deaths continued unabated in the remaining police Stations. When we examine the records, we find that hardly any concrete action was taken by the police in this District ,especially in the first three days of the riots. Hardly any preventive arrests were made during the entire period of the riots. Besides, in spite of arson, loot and killings, arrests in registered cases were nominal. Except for Nizamuddin and Kalka Ji, no tear-gas shells were used to disperse mobs which were roaming around unchecked and no one from the mob seems to have been hurt/killed in police action. The general impression that one gets from the statements of the deponents, both independent and those

affected, is that the DCP and his senior officers just did not care and were permitting the crowds to continue their nefarious activities unchecked, if not actually siding with them.

7.11. The wireless log books of the senior officers of South District have not been properly maintained, some have been tampered with and some were not made available to the Committee by the office of the Commissioner of police, Delhi in spite of repeated requests:

i. (a) The log book of DCP (South) has evidently been tampered with, and, pages have been actually torn out. There are no entries from 1st November, 1984 to 7th November, 1984 i.e. the entire period of the riots. The Head Constables who were functioning as Wireless Operators have, in written statements, pleaded ignorance about the tearing of the pages from the log book. Since the Wireless Operators would not have been the beneficiaries, it is doubtful whether they would have torn the relevant pages. The only beneficiary was the DCP (South) himself. He had pleaded ignorance about the killings especially in Delhi Cantt. Area and, therefore, the possibility of the DCP having tampered with the wireless log book can not be ruled out. As we will see subsequently, messages regarding the killing in Delhi Cantt. Are evident from the other police records, the log books of SHO and ACP Delhi Cantt. Obviously in a bid to remove this evidence the log book of DCP has been manipulated. A wireless log book is a very important and vital document in police functioning and by tearing on pages (pp numbered 192-195) a very serious offence has been committed.

ii. The log books of Shri K.B. Kumar, ACP and Shri Krishan Gopal, ACP Hauz Khas, have not been made available and it is, therefore, difficult to say anything about them.

iii. The log book of Shri Ajay Chadha, Addl. DCP (South) appears to have been re-written with some harmless entries as the log book contains entries from 0900 hrs on 31st October, 1984 to 18.25 on 1st November, 1984 only. Four pages before 31st are blank and all the pages after 1825 hrs on 1st November, 1984 are also blank. His log books for period before or after these dates have not been made available. From this it is presumed that either they were not maintained or there was something to hide in the original log book. If the statement of Shri Ramesh Singh Rana, SI of Sagarpur Division is accepted, Shri Chadha was in full connivance with the rioters and instigating them this could be one of the reasons that his complete log books have been made available. It might have revealed facts prejudicial to his interests.

iv. The log book of ACP Lajpat Nagar Shri Avinash Chander also seems to be manipulated as it does not contain many messages which had been sent to ACP Lajpat Nagar after 1010 hrs on 1.11.84. Besides, when the events were happening in quick succession, we find no messages recorded in his log book between 1050 hrs to 1345 hrs and again from 1600 hrs to 1855 hrs on 2.11.84. The log book of the control room contains number of messages meant for ACP Lajpat Nagar but these are not reflected in his log book.

7.12. The movement chart of DCP (South) and action taken by him also does not tally with the records of the Police Station. For instance, the DCP has stated that on 1.11.84 at 11.00 hrs he fired to prevent clashes between two communities at Ashram Chowk. However, the police records do not show any firing at Ashram Chowk. Some firing was done by a constable at Shalimar Bridge which is not at Ashram Chowk but a different locality. The DCP also in his movement chart shows that at 1735 hrs on 1.11.84, he rounded up some miscreants in the area of New Friends Colony. However, scrutiny of records and DD entries show no preventive arrests in Srinivaspuri and the 18 persons arrested in connection with FIR No.369 appear to have been arrested subsequent to the period of riots. As has been indicated earlier, the arrests made by the Addl. Commissioner of Police also have not been reflected in the police records. So obviously they were let off scot free.

7.13. In the entire District, hardly any preventive arrests were made and in many of the Police Stations not a single arrest was made either in preventive cases or in the registered cases. Whether it is lathi charge or the use of tear-gas shells, very little seems to have been done as a result of which the crowds remained unchecked and carried on their nefarious activities unhindered. This confirms the observations of independent witnesses that the police was passive and indifferent and did not rise to the occasion even when approached by the deponents. Deponents like Shri Dinesh Mohan (2712), Shri Ravi Chopra(2771), Miss Poonam Mutteraja (2510) and Shri Smitu Kothari (2268) among others clearly high-light the indifference of the police of South District not to mention Dr. Sushila Nayar, an extract of whose d.o. letter has been reproduced earlier in para 5. Some of the deponents like Shri Amit Bararia (2738), Shri V.Khosla(2589) and others indicate that the police was not only indifferent but actively sided with the miscreants.

7.14. South District was the first District to get outside force and also one of the first Districts where army came, to assist the civil police. However, since the will to act was apparently lacking and the police was passive and at places conniving with the mobs, the situation in this District remained out of control in almost all the police stations. The subordinate staff appeared to be confused because of lack of leadership on the part of DCP (South). In spite of clear instructions from the Police Commissioner's office that there should be no hesitation in resorting to firing to control the situation, the police in the whole of South District did not rise to the occasion as a result of which all the Police Stations were badly affected. The responsibility of this failure falls squarely on the shoulders of DCP(South).

7.15. Two Police Stations namely Delhi Cantt. And Srinivaspuri were badly affected and accounted for the bulk of the killings in South District. It is, therefore, proposed to deal with these two in some detail and to highlight some incidents in the remaining Police Stations in the subsequent paragraphs.

NARAINA POLICE STATION

SHO : Inspector Shri Vijay Malik

7.16. Mayapuri Industrial Area of South West Delhi and residential colonies like Naraina Vihar, Loha Mandi and part of Nangal Rai fall within the jurisdiction of this Police Station. There is one Police Post at Mayapuri.

Though no affidavits appear to have been filed before the Misra Commission from this Police Station, this Committee received 10 affidavits indicating Police inaction and failure to give protection from arson and looting. It has also been stated by Shri Amarpal Singh (106/87), Smt. Germej Kaur (225/87), Shri Charanjit Singh (106/87) and Shri SRS Malhotra (311/87), and others that the FIRs was not properly registered by the police and adequate compensation has not been paid by the Government for the losses sufferer by the deponents.

SEQUENCE OF EVENTS

7.17. Instances of violence started in this area on 31st October, 1984 when a chemist shop in Nangal Rai belonging to M/s. Kuldip Brothers was looted and set on fire. The main incidents of violence, however, occurred on 1.11.84 and continued up to 4th November, 1984. One very serious incident pertained to the looting and burning of a Gurudwara in C Block Narain Vihar at about 11.00 hrs on 1.11.84. Three persons were killed in this Gurudwara in the presence of the SHO and a party of police consisting of one SI , One Head Constable, Four Constables and one section of RAC (which consists of 10 people). According to the SHO he tried to persuade the three people to come down but they fell from the second floor in panic and

died of burn injuries on the spot. He also states that 9 rounds were fired by him to save the situation. Obviously, this firing was not effective because no one was injured or killed during this firing.

POLICE ACTION

7.18. The statement compiled by the Delhi Police indicates that no arrests were made under registered cases up to the 3rd of November, 1984. Besides there was no use of tear gas or lathi charge to disperse mobs. The firing resorted to was also ineffective. The arguments of the SHO that the force was too small to deal with the situation effectively also cannot be accepted because if effective use of the existing staff had been made, the situation would not have deteriorated to the extent to which it did. Besides, additional force was also deputed to this Police Station but apparently the will to act was completely lacking.

DEATHS

7.19. The SHO has mentioned only three deaths in his report but the Delhi Administration after enquiries have identified 14 deaths in this Police Station.

CONCLUSION

7.20. While there are no specific allegations against the SHO, the fact remains that the police in this area failed to take any effective action, as a result of which besides large-scale arson and loot, 14 people lost their lives. The general indifference which we witness in South District is evident in this Police Station also.

POLICE STATION RAMAKRISHNA PURAM

SHO : Inspector Rampal Singh

7.21. The Police Station of Ramakrishna Puram covers 13 Sectors of Government Quarters, Moti Bagh Government Quarters, Shanti Niketan , Palika Enclave etc.

SEQUENCE OF EVENTS

7.22. Violence in this area started on 31st October 1984 and continued up to 2nd November 1984. Taxi Stands were burnt down and the main market in Sector III of R.K.Puram was also set on fire. The Gurudwara in Sector III was also damaged. On 1.11.84 a serious incident took place in Palika Bhawan R.K. Puram where the crowd indulged in looting and arson.

AFFIDAVITS BEFORE MISRA COMMISSION

7.23. Shri Sarwan Singh R/o/ Gobindpuri (2654) has given a description of burning and looting of his shop; besides Mr. George Mathews (2642) and Shri Rajiv Lochan (2775) have also given affidavits to show the jubilant mood of the mob and the passive attitude of the police. Three affidavits have also been filed before this Committee complaining against police inactivity and loss sustained by the deponents.

POLICE ACTION

7.24. During the riots the police had not made any arrests either under preventive sections of law or substantive offences. There was no use of tear smoke or lathi charge. Apparently on 1.11.84 the police resorted to firing on one occasion (two rounds of rifle). The police station records, particularly the wireless log book, indicate that quite a few messages of loot and arson were coming in but no effective action appears to have been taken.

CONCLUSION

7.25. Although there are no personal allegations against any individual police officer of this area the general indifference and passivity on the part of police is certainly established.

POLICE STATION VASANT VIHAR

SHO : Inspector Shri Daryao Singh

7.26. In this area affluent sections of the public reside in Vasant Enclave, Priya Enclave, Poorvi Marg, Munirka Marg and there is a well-known Public School, Guru Harkrishan Public School, within the jurisdiction of this Police Station.

7.27. Incidents of violence started in this area in the afternoon of 31st October 1984 and arson and looting continued on 1st and a few incidents also occurred on 2nd November, 1984

AFFIDAVITS BEFORE MISRA COMMISSION

7.28. From the affidavits of independent people like : miss Poonam Muttreja (2510), Shri Vasant Saberwal (2643) and Shri Rajiv Lochan (2775), it is evident that the police in this area was not inclined to take any effective action against the rioters.

7.29. One of the most serious incidents was the burning down of the Guru Harkrishan Public School on 1st November, 1984. This has been graphically described by Miss Poonam Muttreja. This deponent learnt about the intention of the crowd to burn the School and the house of one Shri Oberoi who lived in her colony, at about 0700 hrs. She rang up the Vasant Vihar Police Station and informed them of the intention of the mob to burn up the School. The School was actually burnt at about 10.00 O' Clock as is evident from the affidavit of Shri, S.M. Purohit (2591) who was the Vice Principal of the School but in spite of the efforts of Miss Poonam Muttreja the police failed to take any effective action. On the other hand the SHO who reached the place where the deponent was trying to dissuade the mob from burning the School, asked her to move away. The SHO was extremely rude to her and ordered her to stop interfering and went off on his motor cycle after talking to the crowd. The crowd then ran back to the School and set it on fire. She also made efforts to contact Hauz Khas police Station and telephone No. 100 at 9 AM. But without success. Thus in spite of her efforts for 3 hours police did not come to rescue and the School got burnt down at about 10 AM. She has given a graphic description of the attitude of the police not only in Vasant Vihar but in other areas. A maid servant gave her to understand that she should not be amazed at the behaviour of the police as her village had been visited by the police at night and the villagers had been told that they had three days in which they could loot the Sikh Community. Miss Muttreja joined the peace march and has given a description of the police inactivity in other areas of South District from which it would appear that the police was apathetic and indifferent to the violence which was spreading all over. She also visited relief camps in order to help the victims. Misra Commission and she stood by whatever she stated in her affidavit and so have other independent witnesses.

7.30. S/Shri Rajiv Lochan and Vasant Salbawal two students of the Jawahar Lal Nehru University and Shri Dinesh Mohan (2712) have also given similar versions of the police indifference in South Delhi. Their efforts to make the police act also met with no success. Wherever they met the police personnel, they seemed to be just watching indifferently and taking no effective action.

POLICE ACTION

7.31. The report of SHO also indicates that they seemed to be just moving along with the crowd but not taking any effective and concrete action. Except for one arrests on 1.11.84 no arrests were made under registered cases or under preventive sections during the course of the riots. Neither there was any use of tear smoke or lathi charge or fire arms to control the riots.

CONCLUSION

7.32. Although there was no loss of life in this area the fact remains that arson and looting which could have been prevented was not prevented by the police. SHO's role was also of a dubious nature.

POLICE STATION HAUZ KHAS

SHO : Inspector Shiv Dutt Sharma

7.33. This Police Station covers residential and business area in and around Hauz Khas. Fairly well to do people reside in this area.

Violence in this Police Station started in the evening of 31st October 84 and continued right up to 3rd November, 1984.

AFFIDAVITS BEFORE THE MISRA COMMISSION

7.34. Shri Gopal Singh (2578) has stated that on 1.11.84 at about 10.00 AM. Police was outside the Gurudwara of the Colony but when the mob came the police disappeared and the Gurudwara was looted and set on fire. Smt. Satinder Kaur (2392) widow of late Wing Commander G.B.Singh has stated that her house was attacked on 1.11.84. The police came after a long delay and even when they came they merely sat outside in easy chairs gossiping and left after some time. Her house was again attacked by the same people and plundered and burnt down. She was saved because she had taken refuge in a neighbor's house. Shri Dinesh Mohan (2712) has also described the general indifference and apathy of the police in that area.

POLICE ACTION

7.34. The SHO of the area was on sick leave and Shri A.K. Ojha, ACP, was asked to look after the work. He appears to have made some efforts to deal with the situation and arrested 74 persons on 1.11.84 and also registered cases at the Police Station. Firing was also resorted to on one occasion. However, the SHO Shri Sharma was ordered to join back immediately and he joined on the morning of 2.11.84 . The SHO indicates only one death during the riots but according to the Ahuja Committee's finding there were 19 deaths of residents of this Police Station. The details of these are not available from the records or the affidavits filed before the Misra Commission. In the statement of major J.S.Sandhu before the Misra Commission, who was on Recce— duty on 1.11.84 , there is mention of an Inspector of Police in uniform who tried to

misguide him on the road leading from Green Park towards the cantonment. However, he has not specified the name of the officer and it is, therefore, difficult to identify who exactly was misleading him.

CONCLUSION

7.36. Keeping in view the general trend, the conduct of Shri Ojha, ACP, can be appreciated as this is the only Police Station where a large number of arrests were made one day which had a salutary effect as thereafter there were fewer incidents. However, Shri Ojha functioned as SHO for one day only before the regular SHO returned to duty. Perhaps if he had continued there might have been even fewer incidents on subsequent days.

POLICE STATION MEHRAULI

SHO : Inspector Jaipal Singh

7.37. This Police Station covers a number of villages such as Mahipalpur, Chattarpur, Gadaipur etc. In this area are also located a number of farms and farm houses belonging to VIPs and well to do people of Delhi. Affidavits received by the Committee are of a general nature stating police inaction resulting in losses in business establishment and general indifference on the part of the authorities.

SEQUENCE OF EVENTS

7.38. The main incidents of violence in this area started on 1.11.84 and continued up to 3.11.84. A number of farms belonging to the Sikh community were set on fire in this area. The most serious incident was at Chhatwal Poultry Farm on 1st November, 1984 when five members of the family were burnt to death. There was arson in Gurudwara Singh Sabha, Gurudwara Nanak Dairy and shops near Mahipalpur. Shops in Andheria Morh were also set ablaze besides petrol pump near Qutab Minar.

7.39. The incident of Chhatwal Farm was really distressing because the police were fully aware of the tension in this area from Addl. DCP downwards. As a matter of fact, ASI Dinesh Tiwari along with two Constables was stationed at the Farm to ensure that no untoward incident took place but in spite of these people being present, the Farm was set ablaze and 5 members of the family were burnt to death. There are complaints that Shri Jagjit Singh, owner of the Farm, had handed over this was taken away by the SHO . There are also complaint that the daughter of Shri jagjit Singh was molested by the ASI. Those complaints were enquired into by the Commissioner of Police but apparently could not be proved. It is however clear from the facts that Shri Dinesh Tiwari ASI who had been deputed at Chhatwal Farm was unable to control the situation and his plea that he had gone elsewhere when the attack took place appears unreliable. He had been depute by his superiors and he obviously did not do much to protect the Farm which resulted in the death of five members of the family.

POLICE ACTION

7.40. It is also strange that in spite of the fact that mobs of thousands were roaming around and the police also resorted to firing no one was killed or even injured as a result of this. The police did not make any preventive arrests nor did they use any tear gas to disperse the crowds. The FIRs do not show any arrests in substantive cases, so the arrests of 25 persons in registered cases must have been made subsequent to the riots.

DEATHS

7.41. According to the police records, at least 9 persons were killed in the jurisdiction of this Police Station as per FIRs 406, 413 and 419. Of course, at least 5 deaths were either due to the cowardice or inaction and unwillingness to take action on the part of Shri Dinesh Tiwari, ASI.

CONCLUSION AND RECOMMENDATIONS

7.42. ————— penalty should be taken against Shri Dinesh Tiwari, ASI. Sri Jaipal Singh SHO also has not come out in a very good light and suitable action should also be taken against him.

POLICE STATION VINAY NAGAR

SHO : Inspector Harmit Singh

7.43. This Police Station covers residential areas of Vinay Nagar, Sarojini Nagar, Laxmi Bai Nagar, West Kidwai Nagar and private residential areas in Safdarjung Enclave.

EVENTS AND AFFIDAVITS BEFORE MISRA COMMISSION

7.44. The affidavits before the Misra Commission of Shri Sardar Singh (2311), Kuldip Singh (2312), Shri Ajit Singh (2315), Shri G.B.Singh (2317), Mr. George Mathews (2642), Shri Prabhjeev Miglani (2527), Shri Tejinder Singh (2316), and some affidavits filed before the Committee show that the incidents in this Police Station started in the evening of 31st October, 1984 and continued up to 3rd November, 1984. There was arson and looting on Ring Road . Africa Avenue crossing and Safdarjung Enclave. Gurudwara at Sarojini Nagar was attacked and Kamal Cinema was set on fire. Shri Ajit Singh (2315) has gone on record to say that when he contacted the local Police Station/Fire Station, he was informed that they had orders not to move out. There are also a number of complaints against the behaviour of Shri Sant Lal Malik of an intelligence ————— Major J.S. Sandhu and the victims. Shri G.B.Singh, a retired IAS Officer has given a graphic description of the events in this area and Shri Kuldip Singh (2312) has also given details of the dubious role played by Shri Malik.

POLICE ACTION

7.45. The SHO of the Police Station being a Sikh Officer made four arrests in registered cases and also resorted to firing on 1.11.84. However, he was immobilized from the afternoon of 1.11.84 by his seniors and thereafter remained at the Police Station. As a result violence continued and although the report of the SHO shows no casualties in this Police Station, the Ahuja Committee has confirmed four deaths from this area. Immobilization of the officer who was trying to take some action was apparently not a judicious act of the part of his seniors but it certainly was in conformity with the general trend of allowing incidents to occur unchecked in this District. Major J.S. Sandhu in his statement before the Misra Commission has also given a graphic description of the situation which he had to confront.

CONCLUSION

7.46. Although no specific allegations, against any police officers, have been made apart from Shri Malik of the Intelligence organization, the passive role of the police is quite evident in this area.

POLICE STATION LAJPAT NAGAR

SHO : Inspector Ombir Singh

7.47. Lajpat Nagar Police Station covers the four sectors of Lajpat Nagar, Amar Colony, Sant Nagar, Daya Nand Colony, Nehru Nagar, Garhi and Vikram Vihar and is a fairly congested area in South Delhi.

SEQUENCE OF EVENTS

7.48. Incidents of arson and looting in Lajpat Nagar started in the night of 31st October, 1984 and continued right up to 4th November, 1984 unchecked by the police. The police made no arrests either in registered cases of under preventive sections of law and throughout the period of riots no tear gas shells were used nor did the police resort to firing. In spite of numerous instances, only 5 FIRs were registered none of which indicate the deaths which occurred in that area.

DEATHS

7.49. While the Delhi Administration has boasted in their submission before the Justice Misra Commission that there was not even a single casualty in the area of Lajpat Nagar, the Ahuja Committee subsequently set up identified 14 dead bodies in Lajpat Nagar during the riots.

AFFIDAVITS BEFORE THE COMMISSION & COMMITTEE

7.50. A large number of affidavits were received in the Misra Commission and three affidavits were also received by this Committee regarding the incidents in this area and the indifference and inactivity on the part of the police. A number of these deponents were also cross-examined by the Misra Commission. Some of the main deponents before the Misra Commission were S/Shri Charanjit Singh (2282), Jagat Singh (2391), Amar Pal Singh (2492), Kuldip Singh, Rakhi (2575), Har Gopal (2620), Madan Singh Chawla(2682), Gurcharan Singh (2706), Mohinder Singh Chawla (2681) besides independent witnesses like Shri Ravi Chopra (2771), Smt. Jaya Jaitly (2702), Shri Dinesh Mohan (2712), to name a few.

7.41. According to the police records, at least 9 persons were killed in the jurisdiction of this Police Station as per FIRs 406, 413 and 419. Of course, at least 5 deaths were either due to the cowardice or inaction and unwillingness to take action on the part of Shri Dinesh Tiwari, ASI.

CONCLUSION AND RECOMMENDATIONS

7.42. ————— penalty should be taken against Shri Dinesh Tiwari, ASI. Sri Jaipal Singh SHO also has not come out in a very good light and suitable action should also be taken against him.

POLICE STATION VINAY NAGAR

SHO : Inspector Harmit Singh

7.43. This Police Station covers residential areas of Vinay Nagar, Sarojini Nagar, Laxmi Bai Nagar, West Kidwai Nagar and private residential areas in Safdarjung Enclave.

EVENTS AND AFFIDAVITS BEFORE MISRA COMMISSION

7.44. The affidavits before the Misra Commission of Shri Sardar Singh (2311), Kuldip Singh (2312), Shri Ajit Singh (2315), Shri G.B.Singh (2317), Mr. George Mathews (2642), Shri Prabhjeev Miglani (2527), Shri Tejinder Singh (2316), and some affidavits filed before the Committee show that the incidents in this Police Station started in the evening of 31st October, 1984 and continued up to 3rd November, 1984. There was arson and looting on Ring Road . Africa Avenue crossing and Safdarjung Enclave. Gurudwara at Sarojini Nagar was attacked and Kamal Cinema was set on fire. Shri Ajit Singh (2315) has gone on record to say that when he contacted the local Police Station/Fire Station, he was informed that they had orders not to move out. There are also a number of complaints against the behaviour of Shri Sant Lal Malik of an intelligence organization ————— Major J.S. Sandhu and the victims. Shri G.B.Singh, a retired IAS Officer has given a graphic description of the events in this area and Shri Kuldip Singh (2312) has also given details of the dubious role played by Shri Malik.

POLICE ACTION

7.45. The SHO of the Police Station being a Sikh Officer made four arrests in registered cases and also resorted to firing on 1.11.84. However, he was immobilized from the afternoon of 1.11.84 by his seniors and thereafter remained at the Police Station. As a result violence continued and although the report of the SHO shows no casualties in this Police Station, the Ahuja Committee has confirmed four deaths from this area. Immobilization of the officer who was trying to take some action was apparently not a judicious act of the part of his seniors but it certainly was in conformity with the general trend of allowing incidents to occur unchecked in this District. Major J.S. Sandhu in his statement before the Misra Commission has also given a graphic description of the situation which he had to confront.

CONCLUSION

7.46. Although no specific allegations, against any police officers, have been made apart from Shri Malik of the Intelligence organization, the passive role of the police is quite evident in this area.

POLICE STATION LAJPAT NAGAR

SHO : Inspector Ombir Singh

7.47. Lajpat Nagar Police Station covers the four sectors of Lajpat Nagar, Amar Colony, Sant Nagar, Daya Nand Colony, Nehru Nagar, Garhi and Vikram Vihar and is a fairly congested area in South Delhi.

SEQUENCE OF EVENTS

7.48. Incidents of arson and looting in Lajpat Nagar started in the night of 31st October, 1984 and continued right up to 4th November, 1984 unchecked by the police. The police made no arrests either in registered cases of under preventive sections of law and throughout the period of riots no tear gas shells were used nor did the police resort to firing. In spite of numerous instances, only 5 FIRs were registered none of which indicate the deaths which occurred in that area.

DEATHS

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AFFIDAVITS BEFORE THE COMMISSION & COMMITTEE

7.50. A large number of affidavits were received in the Misra Commission and three affidavits were also received by this Committee regarding the incidents in this area and the indifference and inactivity on the part of the police. A number of these deponents were also cross-examined by the Misra Commission. Some of the main deponents before the Misra Commission were S/Shri Charanjit Singh (2282), Jagat Singh (2391), Amar Pal Singh (2492), Kuldip Singh, Rakhi (2575), Har Gopal (2620), Madan Singh Chawla(2682), Gurcharan Singh (2706), Mohinder Singh Chawla (2681) besides independent witnesses like Shri Ravi Chopra (2771), Smt. Jaya Jaitly (2702), Shri Dinesh Mohan (2712), to name a few.

7.51. In Lajpat Nagar, a salient feature was the good relations between the Hindus and the Sikhs. Shri Jagat Singh (2391) has described how the residents of the area approached the police in the morning on the 1st of November, 1984 so that no untoward incident occurs in that area. The attitude of the police was unhelpful and hence realizing that the authorities were not going to help, the Hindus and Sikhs of the area formed peace committees to resist the mobs. The police was present on most occasions when Gurudwaras were being burnt and miscreants were indulging in arson and looting. The police instead of tackling mobs threatened the members of the peace committee to disperse otherwise the police would open fire on the members of the peace committee.

7.52. The general attitude of the police in this area was not only mere passivity but on many occasions they appear to be siding with the miscreants as would be clear from the affidavits of Shri Jagat Singh and others who stood their ground even during the cross-examination by the Delhi Administration and the Union of India.

CONCLUSION & RECOMMENDATION

7.53. The overall picture, therefore, of the police functioning in this Police Station indicates total inactivity and it would not be far from truth to say that the police permitted arson and looting in their very presence which was indeed shameful on the part of the custodians of law and order. There are specific allegations against the attitude of Shri V.P. Rana, Sub Inspector, in the affidavit of Shri Gurcharan Singh (2706) which needs to be carefully examined and suitable action taken.

POLICE STATION KALKA JI

SHO : Inspector Shri Bhupinder Kumar

7.54. This Police Station covers posh colonies like Greater Kailash Part I and II, Chittaranjan Park, Okhla Phase-II, Nehru Place etc. There are six Police Posts under this Police Station.

SEQUENCE OF EVENTS

7.55. Incidents of arson and looting started in the morning of 1st November'84 and continued right up to the 3rd November'84 in Nehru Place, Kalka Ji, Dakshinpuri and Gobindpuri. According to the report of the SHO he received 103 complaints which have been covered in general FIRs.

DEATHS

7.56. In the arguments given by the Delhi Administration before the Misra Commission there were no deaths in the jurisdiction of this Police Station. The SHO has, however, mentioned only one death of a non-Sikh during the riots. The Ahuja Committee on the other hand has come to the conclusion that at least 7 deaths took place in the area in this Police Station.

POLICE ACTION

7.57. In spite of the fact that a large number of incidents took place in this area as is evident from the police records, no arrests were made either under the preventive sections or substantive offences during the entire period of the riots. The police did not resort to any lathi charge and there is only one mention of some tear gas being used on 1.11.84. The report submitted by the SHO in respect of this Police Station contains a large number of discrepancies vis-à-vis the various other records made available by Delhi Police. In his report dated 6.12.84 he has mentioned that three preventive arrests were made during the riots. At another place he mentions six such arrests were made. However, the records do not indicate when and how these arrests were made. In fact the chart prepared by the Delhi Police subsequently shows no arrests during the period of the riots.

CONCLUSION

7.58. The police in this area has shown indifference and passivity to the incidents which were occurring in their jurisdiction during the riots. However, no specific allegations against individual police officers have been made by the deponents.

POLICE STATION BADAR PUR

SHO : Inspector Shri Sukhbir Singh

7.59. Located along the border of Haryana this Police Station covers mainly the Industrial Complex near Okhla on one side along with Mathura Road, Tughlakabad and Suraj Kund on the other side.

SEQUENCE OF EVENTS

7.60. Trouble in this Police Station started in the evening of 31st October 1984 when mobs stopped vehicles on Mathura Road, dragged Sikhs from these vehicles and beat them up. Sebal Cinema was set on fire and a number of vehicles set ablaze. The mob also attempted to set fire to the Badarpur Gurudwara and Ahluwalia Petrol Pump on Mathura Road. Incidents of arson and looting continued throughout the night of 31st October and on 1.11.84. Mohan Meakin factory situated in Phase I of the Industrial Area and another factory in B Block was set on fire by the mobs and a dozen Sikhs sustained injuries, one of whom died on the spot. Incidents continued right up to 4th November, 1984.

AFFIDAVITS BEFORE THE COMMISSION

7.61. Shri Kamaljit Singh (2413) and Shri Damanjit Singh (2758) had filed affidavits before the Misra Commission which relate to incidents in this area and the refusal of the police to take any concrete action. Instead of taking action the police threatened the relatives of the deponent Shri Kamaljit Singh and directed them to give false statements. They also did not conduct proper investigations. Shri Kamaljit

Singh has also described how repeated efforts to seek police help were of no avail resulting in family members being mercilessly beaten up by the crowd. As a matter of fact police wanted to know how they had managed to save themselves so far and where they had concealed themselves. It was only with the help of an army Captain that the deponent was later sent to Safdarjung Hospital.

AFFIDAVIT S BEFORE THE COMMITTEE

7.62. Fourteen affidavits from this area have been filed before this Committee and they all allege police indifference and loss of property due to the negligence of the police. According to them the police took no action when killings were going on in Tughlakabad Railway Colony and factories were being looted on Mathura Road. Their cases were also not properly investigated.

POLICE ACTION

7.63. Although in the arguments before the Misra Commission, Delhi Administration has submitted that the police resorted to lathi charge to disperse the crowd on 31st evening, a statement prepared by Delhi Police shows no lathi charge during the riots. The police also did not make use of tear gas to disperse the crowd or make any preventive arrests. The SHO's report dated 27.11.84 mentions a lathi charge which is not corroborated by the Police records.

7.64. In addition to the rioting and other violent incidents in this Police Station, Tughlakabad Railway Station also falls within its jurisdiction. As has been examined elsewhere while dealing with the Railway Police large scale killings took place at the Railway Station and the Chief Security Officer of the Northern Railways had also gone to PS Badarpur to seek assistance but was informed that no force was available to deal with the situation at the Railway Station.

CONCLUSION

7.65. Although there are no specific allegations against individual police officers it is quite clear that the police in this area miserably failed to rise to the occasion and gave a very poor account of itself.

POLICE STATION DEFENCE COLONY

SHO : Inspector Ram Chander

7.66. All India Institute of Medical Sciences is located in the area of this Police Station and it also covers affluent colonies like Defence Colony, Gulmohar Park, Kotla Mubarakpur, Andrews Ganj, Part of Safdarjung Flyover etc. There are two Police Posts- one at Kotla Mubarakpur and the other at Gulmohar Park.

SEQUENCE OF EVENTS

7.67. Incidents of violence started at the All India Institute of Medical Sciences when the President's carcade was stoned in the afternoon when he came to the institute where Smt. Indira Gandhi's body had been kept at that time. This should have put the entire police force on alert but it failed to do so which is indeed tragic. The incidents in the area of this Police Station continued from the afternoon of 31st October, 1984 till 2nd November, 1984. There were some incidents on 3rd November also when shops in Gautam Nagar were set ablaze.

AFFIDAVITS BEFORE THE MISRA COMMISSION

7.68. A number of affidavits were filed before the Misra Commission giving details of the trouble in this area :- prominent among them are those of Shri Kuldip Singh (2312) and Shri Jagjit Singh (2314) who himself is a Congress worker and was present at the All India Institute of Medical Sciences, on hearing about the news of Smt. Indira Gandhi. Besides him, we have the affidavits of Shri Karam Singh (2651) who describes the burning of the Gurudwara and independent witnesses like Shri Ravi Chopra (2771), Shri Dinesh Mohan (2772) and Shri George Mathews (2642) have graphically described what they saw on 31.10.84 near the AIIMS. During their peace march later. Shri Jagjit Singh (2314) has also vividly described how the attack started and how he was advised by responsible people including one who appeared to be a policeman to go away from the area as being a Sikh he was likely to get into trouble. The independent witnesses like Ravi Chopra, George Mathews, Dinesh Mohan, Poonam Mutterreja who were also cross-examined in the Misra Commission have clearly stated that they got an impression that the police was a silent spectator while the mobs went about their nefarious activities. The police did not take any action or any steps to stop the rioters. The Kuldip Singh (2312) has described how he managed to escape from the rioters because of the help given by Major Sandhu.

AFFIDAVITS BEFORE THE COMMITTEE

7.69. A large number of affidavits (20 in number) have been received by the Committee and they have complained about police inaction and the loss they suffered during the riots. They have also complained that their FIRs were not properly recorded as the prominent among these are : Shri Surinder Singh Bindra (70/87), Shri T.S.Bedi(71/87), Shri Jeet Singh Bindra (74/87) and Shri Paul Singh (133/87). Shri Paul Singh has even stated that his business establishment which is right in front of the Police Station was looted and burnt but the police did not come out to save his property. Even when he reported the matter to the police, they took no action to investigate and recover his property. Few of the affidavits are also from non-Sikhs who suffered during the riots.

7.70. Although no loss of human life was reported from this area, there was large scale arson and looting for three days.

7.71. The Commissioner of Police Shri Tandon has in his statement to Justice Misra Commission dated the 18th February, 1986 indicated that on 31st October, 1984 he along with other Officers of Delhi Administration had gone to Defence Colony area where he saw miscreants burning shops in the market and he also recollects a car parked in a house being burnt. This was round about 8.00 PM., ACP Defence Colony and SHO, Defence Colony also arrived on the spot and on the directions of the Commissioner of Police 45 persons were arrested by the local police. Similarly , Shri Gautam Kaul, Additional Commissioner of Police in his statement (note contained in Delhi Police Head Quarters Special Inquiry Cell files. No. XXV/1/85 Vol. XIII) said that he went to Defence Colony area on 1st November, 1984 on hearing that the Army, which had by then been called in to the aid of civil administration, was setting up a wireless station in Police Station, Defence Colony. He reached the Police Station at about 9.30 PM. And while he was there to quote him – “ at that time we got a busload of arrested looters brought from other Police Stations and they were all hurled into lock up. This mob included rioters who had stopped the train near Palam and attacked the passengers. Also the Railway Police had passed on some persons who were detained by them in the Tughlakabad Railway Yard.” He then directed Deputy Commissioner of Police (South) who was also there that since arrests had been made cases should be registered and special investigation teams created for registration of FIRs and their subsequent investigation. However the records of Police Station Defence Colony specially the Daily Diaries on these dates do not account for these arrests made during the visit of the Commissioner of Police on 31st October, 1984, and the Addl. Commissioner of police on 1st November, 1984, although there are 5 FIRs relating to some other incidents. It seems that as in other police Stations

arrested persons were let off by Deputy Commissioner of Police and his subordinates even though the arrests were in the full knowledge of such Senior Officers. This would also explain why in spite of large scale arson and loot the police did not resort to any lathi charge except perhaps on 1st November, 1984. No tear gas shells were used nor did the police resort to any firing to control the riots in this area. It is, therefore, not strange that even though the army was called in and was deployed in South District right from the start, incidents in this area continued right up to the 3rd November. Force would have been effective only if it was utilized properly and police had the will to take action.

7.72. The impression one gets on going through the records of this Police Station is that the police in the initial stages took some action but thereafter it sat back and allowed the rioters to have a field day. The SHO has himself admitted 13 instances of arson and looting, 44 vehicles being burnt, 24 shops and 4 houses being damaged and 3 Gurudwaras set ablaze. These figures are on the lower side when we compare the incidents as shown in the wireless logs.

CONCLUSION

7.73. If the version of the independent witnesses is to be accepted and there is no reason why it should not be one gets the impression that specially after 31st October, 84 the police remained a passive spectator and did not take any initiative to maintain law and order in this area.

POLICE STATION LODHI COLONY

SHO : Inspector Shri Sita Ram

7.74. This Police Station covers Lodhi Colony, Jor Bagh, Safdarjung Airport, Gurudwara Aliganj, Khan Market, Sewa Nagar Flyover etc.

SEQUENCE OF EVENTS

7.75. Incidents of rioting started in this area on 31st October, 1984 near Safdarjung Airport when a number of three wheelers and taxis were burnt near Aurobindo Marg pump and on Lodhi Road. On 1st November, 1984 Gurudwara Aliganj was attacked and burnt and on 2nd November there was arson and looting in Khan Market. Tension was also reported from B.K.Dutt Colony, Mehar Chand Market etc. However, the number of deaths appear to be less and only one casualty has been identified.

AFFIDAVITS BEFORE THE MISRA COMMISSION

7.76. In the affidavits of Shri Narinder Singh (2299), Shri Ashok Jaitley (2512) and Mrs. Jaya Jaitley(2702), we get a general impression of the behaviour of the police. Shri Narinder Singh (2299) has given a graphic description of the burning down of the Gurudwara in Lodhi Colony on 1.11.84. Activities of the mob went unchecked by the policemen who were posted there to protect the Gurudwara.

7.77. Shri Ashok Jaitly and his wife Mrs. Jaya Jaitley described the events in Lodhi Colony and in other areas. They are independent and unbiased witnesses and Shri Jaitley is himself a senior Administrative Officer. The impression they got during the period of the riots when they were continuously on the move was that the police were either ineffective or absent from the scene of the crime and they were not serious about taking any action. As a matter of fact these deponents were informed by the police that the mobs

were only after the Sikhs and that they need not worry. This would indicate passive connivance on the part of the police if not active assistance.

AFFIDAVITS BEFORE THE COMMITTEE

7.78. Four affidavits have also been filed before this Committee viz: Shri Harmohan Singh (77/87); Smt. Swaran Kaur (111/87); Shri Avtar Singh(141/87) and Shri Jaspal Singh (258/87). They have all described the indifference of the police, the losses they suffered and the unhelpful attitude of the local police in registering their cases and indifference in investigation.

POLICE ACTION

7.79. In spite of a large number of cases of arson and loot only three cases were registered by the local police in which they have tried to cover all the incidents. The police records have not mentioned any casualty but the investigation showed one killing in this area. The action of the police against the rioters was negligible during the riots. There is no evidence of any lathi charge or use of tear gas and no arrest under the registered cases was made. No firing was resorted to and no preventive arrests were made on 31st October and 1st November 1984 when the bulk of the incidents were taking place.

CONCLUSION

7.80. Though there are no specific allegations against individual police officers, general inefficiency and passiveness on the part of the guardians of law and order is fairly evident.

POLICE STATION NIZAMUDDIN

SHO : Inspector Ram Phal

7.81. The colonies of Nizamuddin, Jangpura, Bhogal, Badarpur Stock, Sunder Nagar, kaka Nagar, Church Lane, Masjid Lane etc. come under this Police Station. There is a Police Post at Jangpura of which Shri Shakti Singh. S.I., was In charge.

7.82. Apparently there were no incidents in this area on 31st October, 1984 but incidents of arson and looting started in the morning on 1st November, 1984 and continued on 2nd and 3rd November also. The main areas affected were Bhogal and Jangpura where a large number of vehicles parked in Badarpur Stock area were damaged and then set on fire.

AFFIDAVITS BEFORE THE MISRA COMMISSION

7.83. Shri J.S. Gandhi (2432), Shri Raghbir Singh (2433) and Shri Kanwarjit Singh (2429) give a graphic description of the destruction of their vehicles by the mob which was being led by Sri Vijay Choudhary and Hari Chand Saini , both local political leaders. According to these deponents, the police remained silent spectator to the destruction and when the Sikhs who were the owners of the vehicles tried to get together and prevent the mob from destroying their vehicles, they were prevented from doing so by the police. These deponents have also made specific allegations against SI Shakti Singh, In charge Jangpura PP who not only prevented them from going ahead but threatened them and subsequently opened fire on them. If one goes by the description given by the deponents, the persons who should have been arrested were the ring leaders of the mob – Choudhary and Saini, who were indulging in arson, but instead, it seems, the police led

by Shakti Singh was acting under the directions of these two mob leaders. He also obtained orders of DCP at 1400 hrs to shoot at the Sikhs, as would be evident from the log-book of Police Station Nizamuddin. No arrests were made by the police and the vehicles were allowed to be burnt after the Sikhs were threatened, fired upon and thus sent running home. In fact, this kind of behaviour on the part of the police was again witnessed when 5 Sikhs were arrested on 2nd November, 1984 according to FIR No. 413, under section 147, 148, 149 and 188 IPC. Apparently, the police in this area instead of taking action against the aggressors, was preventing the Sikhs from trying to save their property, a role which is hardly expected from the machinery set up to maintain law and order. Shri Gandhi had been cross-examined at length in the Misra Commission. Thus we find that instead of taking action against the aggressors, the police took action against the victims. It is indeed a sad commentary on the role of the law enforcement agency which has also been described by other deponents of South District.

7.84. However, according to the report of the SHO dated 11.3.1985, he had instructions from DCP (South) that the force should be kept in between the 2 groups and 'if Sikhs came forward and attacked', then keeping the situation in mind, firing should also be done but firing should avoid loss of life. Hence the police had to resort to firing and 17 rounds were fired at two places.

POLICE ACTION

7.85. According to the figures compiled by the Delhi Administration, no preventive arrests were made by the police on 31st October, 1st and 2nd November, 1984. No arrests were made even under substantive offences on 31st October, and 1st November, 1984 and the five arrests made on 2nd November, 1984 in FIR No. 413 were that of Sikhs and not the aggressors.

DEATHS

7.86. The SHO reports that there were no deaths in this area. However, Delhi Administration has subsequently identified 7 deaths in the area of this Police Station.

CONCLUSION & RECOMMENDATION

7.87. The overall impression that one gets from the affidavits of independent witnesses like Shri Ravi Chopra (2771), Dinesh Mohan (2772), Poonam Muttreja (2510) etc. and the records and the statements of the officers in respect of this police Station is that instead of providing protection to the victims the police appeared to be under the influence of the mob leaders and not only permitted violence to continue but threatened the Sikhs and even arrested them thus preventing them from exercising their right to self defense. Shri Shakti Singh, SI, has been named specifically by the deponents and, therefore, deserves to be suitably dealt with departmentally for major penalty.

POLICE STATION SRINIVASPURI

SHO : Inspector Shri Om Parkash Yadav.(1.4.84 to 14.11.84).

ACP : Shri Avinash Chander

7.88. Police Station Srinivaspuri has three Police Posts each under a Sub Inspector:

1. New Friends Colony Shri Laxmi Chand, SI

2. Sunlight Colony Shri Ishar Singh, SI.

3. Okhla Phase I Shri Bhawan Singh, SI.

7.89. Srinivaspuri had under its jurisdiction DAV College, Hari Nagar Ashram, Ashram Chowk, Bhagwant Nagar, Shalimar Bridge and Sidhartha Bastis, Sunlight Colony and posh colonies like Maharani Bagh and New Friends Colony. There are a number of other areas including some villages in the extreme south of Delhi. This P.S. was seriously affected during the riots of 1984.

AFFIDAVITS RECEIVED IN THE MISRA COMMISSION

7.90. A large number of affidavits were received in the Misra Commission and some of these affidavits contain specific allegations particularly against the SHO and other police staff besides senior officers.

7.91. (a) SMT. SARABJIT KAUR (166/85) has given a detail account of incidents in her colony Hari Nagar Ashram by the mobs. According to her while the mobs were raising slogans in the morning on 1.11.84, the SHO with two police officers came in a vehicle to that area. They conversed with the leaders of the mob, shook hands with them and they all jointly raised the slogan 'Khooon Ka Badla Khooon'. The mob set fire to her car and also looted movable property from her house. Later in the evening they again attacked. Then the mob poured kerosene through a ventilator into the room where the family was taking shelter and set it on fire. The family members had to come out of hiding to escape from the fire. They were then beaten up, kerosene was poured over the male members and they were set on fire. The mob then started dancing to celebrate the bon-fire. She along with her minor children managed to escape by taking refuge in a toilet and thereafter took shelter with a relative in Vishnu Garden. According to her, police deliberately did not stop the mob from plundering, looting and killing the male members of her family.

(b) SHRI SANTOKH SINGH (2363) had deposed that :- "On 1.11.84 in the afternoon, DCP of the area along with SHO, Ishar Singh and Ved Parkash Sis, Head Constable Mohinder Singh and about 50 Constables reached the spot when their trucks, cars, buses, three wheeler scooters and two wheeler scooters being set on fire by the mob in the presence of the police and we were being brick-batted by the mob. The DCP, SHO and two Sis and constables named above were announcing on the loud speakers that the mob should kill every Sikh and burn their property and houses. The police constables under the order of their superior police officers present on the spot started setting our houses on fire along with the mob." "At about 6.45 it was announced by the Government that curfew order was imposed. The DCP and other police Officers present on the spot, however, simultaneously announced that this curfew order was not for non-Sikhs and was only for Sikhs and the mob need not stop their efforts to kill the Sikhs, loot their properties and burn the Sikhs." The deponent further goes on to say that :- " We have been fighting these criminals including these officers who are hardened criminals in uniform duly armed by Indian law, throughout the night." In this way the Sikh Community in that area was harassed till the military came and saved them."

He also alleged that the DCP announced that one train of Hindus duly slain in Punjab had come at Delhi and now in reply they i.e. the Hindus are to kill the Sikhs and their children and send their bodies in the same train back to Punjab. The deponent has given the names of a number of persons in the area whom he could identify. The deponent was cross-examined by the Delhi Administration and the Union of India and re-affirmed all that he had stated in his affidavit.

(c) SHRI KISHAN SINGH (2271) had deposed that he heard policemen shouting to the mob that they should first finish off the Sikhs of Ashram and that to finish them (i.e. those living in Jiwan Nagar) was a minor thing. However, the Sikhs of that area defended themselves and seeing their swords the mob got frightened

and ran away. He also deposed that he informed Shri Yadav, SHO, about a body lying in the park which was being eaten by dogs, However, the police took no cognizance, behaved rudely and the body continued to lie till it was completely eaten up by dogs.

(d) SHRI KARTAR SINGH (2548) and KESHDEV SINGH BINDRA(2659) have deposed that the SHO Yadav accompanied the mob and instigated them to kill the Sardars and loot their property.

(e) SMT. GOURI CHAUDHARY(2511): Her affidavit was inquired into by the investigating agency of the Misra Commission. She had described how houses of the Sikhs in Maharani Bagh were set on fire by a well-dressed young man leading the riotous mob.

(f) Shri Amit Bararia (2738), Shri Ravi Chopra (2771) and Shri V.Khosla (2589) have all described the indifferent attitude of the police wherever they went. As a matter of fact Shri Amt Bararia who is a Hindu, states that he actually saw policemen firing into houses of Sikhs in Sunlight Colony. Shri V.Khosla has stated that he saw policemen throwing stones along with the crowd at the Sikh Shops. He goes on to describe how a police jeep came seeing which the crowd disappeared but since the police did not interfere with their activities they re-assembled and started looting again.

7.92. Similar versions of the police connivance with the mobs have been given by Smt. Ishar Kaur (2570); Shri Prithvi Singh (2484); Sardar Prithipal Singh (2384); Smt. Surinder Kaur (2440); Shri Ram Singh (2458); Shri K.S. Sawhney (2366); Shri Jagjit Singh (2267); Shri Amarjit Singh (2291); Shri Santokh Singh (2363) and many others.

7.93. A number of these witnesses were cross-examined by the Commission ; prominent among them were Shri Kushdev Singh Bindra (2659) Shri Santokh Singh (2363) along with independent witnesses who were not Sikhs like Smt. Gouri Choudhary (2511), Shri Asim Srivastava (2676), Shri Ravi Chopra (2771), Smt. Lalita Ramdas (2693), Shri V.Khosla (2589), Smt. Jaya Srivastava (2705 & 2734) etc.

AFFIDAVITS BEFORE THE COMMITTEE

7.94. Three affidavits have been filed before this Committee. Two of these deponents Shri Dalip Singh (235/87) and Shri Bansi Lal (238/87) have stated that the police did not render any help and no action was taken on their reports. One affidavit, however, is in favour of the Police (Shri Sarwan Singh, affidavit No. 2/87).

SEQUENCE OF EVENTS

7.95. Trouble in this area started on the night of 31st October, 1984 when a Taxi Stand opposite Police Station DAV College was set on fire. Vehicles were also set on fire in the night near Ashram Chowk. From the morning of 1st November, 1984 incidents started with full fury when the vehicles were set on fire at Ashram Chowk, New Friends Colony, Tamoor Nagar, and houses of Maharani bag hand New Friends Colony were set ablaze. There were some serious incidents in Ashram Chowk on that day besides Bharat Nagar, Shalimar Bridge, Sukhdev Vihar, Kalindi Colony etc. Some incidents continued on 2nd, 3rd and 4th November, 1984 also.

POLICE ACTION

7.96. Throughout the period of riots no tear gas shells were used in this Police Station and even the arrests which were made by and in the presence of the Additional Commissioner of police were not shown or registered. On 1st November, 1984 firing was said to have been resorted to at Ashram Chowk for which both Deputy Commissioner of Police and the SHO take credit. However, Police records do not show any firing at Ashram Chowk on 1st November, 1984. It appears that they both are not giving the true facts. One is more inclined to believe the version of S. Santokh Singh (2363) in which the incident has been fully covered and police inaction highlighted.

DEATHS

7.97. The figures of deaths are also conflicting However, the Delhi Administration, Delhi, has identified at least twenty deaths in the area of this Police Station.

FIR' s

7.98. Although a very large number of incidents of all types took place in this area very few cases were registered and apparently no effective action was taken by the police.

7.99. Shri Om Parkash Yadav SHO was examined by Justice Misra Commission and he deposed that 'till about 0830 hours on 1st November, 1984 no untoward incident came to my notice'. This statement is absolutely incorrect because as stated above incidents had already started on 31st October, 1984 and during the night intervening 31st October, 1984 and 1st November, 1984. Besides, trouble had started at the AIIMS on 31st October, 1984 afternoon and any Police Officer worth his salt would have initiated precautionary measures immediately. He would not have waited for crowds to assemble the next day before trying to take action. In spite of large scale arson, looting and even killings the SHO has tried to make out that 'there was no aggression by mobs before firing was resorted to by Sikhs or they came on the public roads armed with swords'.

7.100. The above would mean that mobs were roaming around without bad intentions and only when the Sikhs came on the roads that mobs retaliated. This is hardly believable considering the amount of damage which occurred in the area. A number of independent witnesses have graphically described the indifferent and callous attitude of the Police. Some have also described that the Police was actually conniving with the mobs e.g. Shri K.S. Sawhney (2366), Shri Ram Singh (2458), Shri Aseem Srivastava (2676), Col. A.S. Dhingra in his letter dated the 15th February, 1985 to the then Additional Commissioner of Police Shri V.P. Marwah, plus many others who visited that Colony during peace march. Similar version of Police indifference have been given by Shri Ravi Chopra(2771), Smt. Gouri Choudhary (2511), Shri Ashok Jaitley (2512), Shri Amit Bararia (2738) and Smt. Jaya Srivastava (2705 & 2734). Smt. Gouri Choudhary's affidavit which was investigated by the Justice Misra Commission shows that a young well-dressed man was leading the mobs. This has been also corroborated by Smt. Jaya Srivastava (2705) who also stated that this young man told her husband that 'you do not worry. If you even lose a pen you can get it from me'. He further stated that 'the idea was only to teach a lesson to the Sikhs and to do a bit but any way that has got already out of hand'. The investigating team of Justice Misra Commission had identified this gentleman as Ajay Satsangi who is the son of a rich person of that area and who was later given a dressing down by his father for indulging in this hooliganism.

7.101. It is also surprising that SHO, Police Station Srinivaspuri has made no mention of the visit of the Additional Commissioner of Police (Delhi Range), Shri Gautam Kaul who visited this area on receiving reports of violence. According to Shri Kaul he had gone, himself, to the area of New Friends Colony along with Deputy Commissioner of Police (South Distt.) and caught about fourteen looters and rioters red

handed; about forty persons were arrested in a two hour operation. Additional Commissioner of Police directed the Deputy Commissioner of police to dispatch these persons to the police Station while the whole area was being surveyed. According to Shri Kaul some persons detained by the Railway Police Tughlakabad had also been brought and were to be sent to the Police Station. The Police records of Police Station Srinivaspuri are, however, silent about these arrests, some of which were made by the Additional Commissioner himself. The police records show 18 arrests but these relate to FIR 369 which pertains to an occurrence at about 1130 AM on 1.11.84 and hence not connected with the arrests made by Sri Kaul. It is a strange commentary on how the Deputy Commissioner of Police and his subordinates functions. Also a sad commentary on the attitude and efficiency of Deputy Commissioner of Police who was present when the arrests were made. Apparently, the Deputy Commissioner of Police did not bother about the arrests made by and in the presence of the Additional Commissioner of Police once the back of Addl. C.P. was turned. That is why no arrests under preventive sections or under substantive offences have been shown in the jurisdiction of Police Station Srinivaspuri as would be clear from the report of SHO dated 31st March, 1985 to the superiors.

RECOMMENDATION

7.102. The Police personnel of this Police Station behaved in a most irresponsible manner and the evidence forth-coming clearly indicates that neither the SHO Shri O.P. Yadav nor the Sub Inspector In charge of Police Posts acted as members of a disciplined force. In fact, the evidence indicates that the mobs had full support of these officers. It is, therefore, recommended that departmental action for major penalty should be initiated against them as they are not fit to be retained in service.

POLICE STATION DELHI CONTONMENT

SHO : Inspector Rohtas Singh

ACP :Shri D.P. Verma

7.103. Delhi Cantt. Police Station has two Police Posts within its jurisdiction , namely PP Palam and PP Dhaula Kuan. This Police Station covers the south-west portion of South Delhi and includes Nangal Raya, Lajwanti Garden, Sagarpur, Palam Colony, Raj Nagar, Sadh Nagar, Raghu Nagar, Gopi Nath Bazar, Sadar Bazar, Mahabir Enclave, Vijay Enclave and a portion of Pankha Road.

AFFIDAVITS FILED BEFORE MISRA COMMISSION

7.104. A very large number of affidavits were filed before Misra Commission in respect of this Police Station. The Misra Commission considering the gravity of the incidents of this area investigated 3 of the affidavits of the deponents and found their version to be, by and large, correct:-

(a) SHRI HARNAM SINGH (2711) who was an active worker of the Congress Party for the last 25 years has described the incidents in Palam Colony and Sadh Nagar and stated that when the mob attacked the Colony and burnt Gurudwara "Section 144 had been imposed and police was moving about. Police did not top the miscreants, rather they encouraged them to loot and burn Sikh shops. My daughter asked the policemen to prevent the miscreants from looting, but they said that since Sardars had killed the Prime Minister, the Sardars would not be spared. This looting continued until 3.00 PM. And then our shop was set on fire." He further described how the local Congress leaders who knew him, were leading the mobs and how even though some of his goods were recovered, they were not returned to him by the police. He has also

described the killings of Sardar Pritam Singh Sewak who was his neighbour, his wife and son. According to him, they were burnt alive along with their tenants.

(b) SHRI SAMPURAN SINGH CHAMBAL'S affidavit (184) was also investigated and he had described how the local leaders were leading the mobs and the police did not give them any protection for 3 days till the military came on 3.11.84 in the evening.

(c) SMT. JASPAL KAUR'S STATEMENT (2539) was also investigated into and her version was found to be true and correct by the investigating agency.

7.105. SMT. SURENDER KAUR (2542) who was a member of the Congress Party Mahila Mandal, Sagarpur has given detailed account of how trouble started on 31.10.84 at about 8.00 PM . How the local Congress leaders attacked Sikh families with the help of the mobs and created havoc in the area. They did not allow her neighbour Dr. Mahabir Singh who was trying to give them protection to let them remain in his house. Her husband was later attacked and killed.

7.106. Sqn. Leader I.S. Chowdhury (Retd.) (38/85) of Lajwanti Garden, Shri Balwant Singh (133) R/o. Nangal Raya, Shri Sampuran Singh (184) R/o. Sadh Nagar, Shri Avtar Singh R/o. Palam Sardar Baljinder Singh Kapur (2376) R/o. Sadh Nagar, Shri Manmohan Singh (2442) R/o. Palam Colony, Smt. Joginder Kaur (2450) R/o. Palam Colony, Smt. Daljit Kaur (2525) R/o. Sagarpur, Smt. Surender Kaur (2542), Smt. Harjinder Kaur (2571), R/o. Dabri, Smt. Gurmeet Kaur (2658), R/o. Sadh Nagar , Smt. Swaran Kaur (2697) R/o. Sagarpur , Sardar Harnam Singh (2711) of Sadh Nagar Mrs. Satya Devi (2423) and a host of other deponents, a number of whom were cross-examined, have all described police absence or apathy.

7.107. Smt. Joginder Kaur's (2450) two sons were saved with the help of Sympathetic policemen. She overheard the mob complaining about the loss of Rs. 500/- for each killing on account of this help.

7.108. The different versions given by the deponents given the impression that the entire area was under the control of local leaders who were directing the mobs to attack the Sikhs and the police did precious little to prevent, arson, loot and killings. The police at places actively connived with the mobs. The investigating cell of the Delhi Police also enquired into these incidents and took the statements of a large number of witnesses and found the version of the deponents to be correct.

AFFIDAVITS BEFORE THE COMMITTEE

7.109. Over 40 affidavits were received by the Committee. A number of these affidavits have praised the role of the SHO Inspector Rohtas Singh. These are obviously motivated and cannot be relied upon. There are a large number of affidavits which speak of police indifference and the failure of the police to prevent the incidents. Shri Harnam Singh (280 & 281/87) is one of the deponents who has also given an affidavit (2711) before the Misra Commission. He goes on to say that the police took no action on his complaint nor investigated and apprehended the culprits. Many affidavits before the Committee also indicate police inaction in this area.

SEQUENCE OF EVENTS

7.110. From the police records as well as the versions of the deponents, it appears that incidents of arson and looting started from the evening of 31st October, 1984 . Pankha Road, Dabri, Raghu Nagar, Nangal Raya were all affected from the evening. Major trouble started on 1.11.84 in Raj Nagar in the morning at about

9.00 AM and then Lajwanti Garden, Janak Setu, Sagarpur and many other localities. Incidents continued unabated and the last serious incident was on 4th November, 1984 at about 7.55 hrs. when 7 Sikhs were killed near Dabri Morh, Sagarpur. Later the houses in Palam Colony were set ablaze at 22.45 hrs. on the same day. The area under the Police Post Palam was one of the worst affected during the riots. Apart from large scale brutal killings at least 272 houses, 14 shops, 2 Gurudwaras and 17 vehicles were set ablaze.

DEATHS

7.111. Large scale killings took place in this Police Station and according to the Citizens' Justice Committee, 427 persons were brutally murdered in the area covered by the Police Station Delhi Cantt. The police kept on giving different versions of the number of deaths. On investigation, however, the Delhi Administration has verified 341 deaths in this area. These figures would naturally be on the lower side because a large number of persons killed had been completely burnt and may not have been accounted for. In any case, 341 deaths in one Police Station can only be accounted for if the police was totally apathetic and inactive. The fact that they had knowledge is clear from the messages in the various wireless log books of SHO Delhi Cantt; ACP Delhi Cantt.; as well as the District Control. However, it seems that under pressure of the local leaders the police refused to act and discharge their duties in a nonpartisan manner. If the version of the Sub Inspector Ramesh Singh Rana dated 14.3.85 is to be believed, and which will be discussed shortly, the major blame for all these killings and incidents remaining unchecked will fall on the shoulders of the DCP of this District viz., Shri Chander Parkash.

FIR' s

7.112. Even though more than 340 people were killed and large scale arson and loot took place in this area, only 5 FIRs were registered. These are on the complaints of some individuals. A large number of deponents have stated that their complaints were not recorded or investigated properly.

POLICE ACTION

7.113. Not a single arrest has been made under preventive sections of law from 31st October to 4th November, 1984. Further, no person was arrested in registered cases till 3rd November, 1984. The police did not resort to any lathi charge or use tear-gas shells to disperse the rioters; although in the report of the SHO Cantt. There is mention of one mild cane charge which is not borne out by police records. On the first 3 days i.e. up to 3rd November, 84, police did not resort to any firing.

7.114. From the above, it would be clear that during the worst days of the riots i.e. from 1st to 3rd November, 1984 police remained totally inactive in this area. The plea of the senior officers that they were not aware of what was happening, can not be accepted as on his own admission the DCP took round of this area between the night of 31st October and 1st November. Besides, in the log book of PCR 'A' Net there is a clear message on 1.11.84 at 0942 hrs. from DCP regarding arson in Lajwanti Garden. ACP and Addl. DCP were also in this area on a number of occasions. The wireless log books of SHO Cantt., ACP Cantt., as well as the District Control clearly indicate that the senior officers were fully aware of what was happening and this leads one to give credence to the report dated 14.3.85 which has been submitted by Sub Inspector Ramesh Singh Rana In charge Sagarpur Division.

7.115. S.I. Ramesh Singh Rana has explained that he had only one Constable with him, so finding the situation in Sagarpur getting out of control, he reported the matter to PS Delhi Cantt; at about 11.30 AM. On 1.11.84 (DD Entry No.9 dated 1.11.84). He was then ordered to go to Sagarpur where he met Shri Chander Parkash, DCP, Addl. DCP, ACP and SHO Cantt. With about 8/9 Officers/men in a caravan of cars and

jeeps. Addl. DCP announced on a loud speaker that no one from the public should be seen on the road-side when any police contingent or party came. The public understood this to mean that they could carry their illegal activities when the police was not in sight. They shouted slogans like " DCP Zindabad (long live): Delhi Police Zindabad." And the DCP left the scene along with his caravan. He also instructed SI Ramesh Singh Rana to keep restraint and not to use any fire arms as he had a pistol and the constable accompanying him had a stein gun. DCP had already seen the havoc that had been wrought but he did not bother and went away towards Nangal Raya. When SI Rana asked for additional staff, he was told that he was a Jat and, therefore, more than enough in the area. Further , according to SI Rana, DCP (South) had been in close touch with all the happenings in Delhi Cantt. But he did not order any officer either to use arms or lathi charge the mob which was moving about unchecked.

7.116. SI Rana then goes on to say that when he reported about 77 deaths in Sagarpur Division and the new SHO who replaced Shri Rohtas Singh reported about 100 deaths for Delhi Cantt. As a whole, SI Rana was called at mid-night(9-10 November 84) and asked to reduce the number of deaths which he refused. Thereupon he was threatened with dire consequences. He was then suspended on 15.11.84 on the excuse that he had shown lesser number of deaths whereas the DCP himself had been sending the number of deaths to be approximately 20 only to Headquarters up to 20.11.84. According to SI Rana, DCP himself got the dead bodies cleared and burnt in the area at night as he used to patrol the area himself. SI Rana complains that he had been made a victim of circumstances and it was actually the DCP(South) and Addl. DCP (South) who failed to control the situation.

7.117. If the above statement of Shri Rana is believed and there seems to be no particular reason as to why it should not be believed, then the DCP's report dated 16.11.84 that the senior officers were not kept informed of the various incidents in the jurisdiction of Delhi Cantt. Police Station does not hold water. Even otherwise, the log books of SHO Cantt; ACP Cantt; and entries in the 'A' Net of PCR and 'Y' Net asking for additional force clearly show that both DCP and Addl. DCP were aware of the happenings in that area and his plea of ignorance is not acceptable. It is also strange that while curfew was imposed in other area, DCP (South) did not impose curfew in areas where there was trouble in Delhi Cantt. Even if the route to Palam had to be kept open for VIP movement, the areas where trouble was going on could have been identified and appropriate action taken , including imposing of curfew.

7.118. The fact that large scale massacre continued unchecked for 3 days clearly indicates that the will to act at all levels was lacking and the responsibility will have to be shared by all officers from DCP downward. All ranks, namely, DCP, Addl. DCP, ACP and SHO are accountable for what was allowed to happen in the jurisdiction of this Police Station.

RECOMMENDATION

7.119. While the role of the senior officers will be discussed separately, it is recommended that disciplinary action for major penalty may be taken against Inspector Rohtas Singh, SHO Cantonment Police Station for dereliction of duty. He is hardly fit to head a Police Station.

DEPUTY COMMISSIONER OF POLICE (SOUTH)

SHRI CHANDER PRAKASH

AND

ADDL. DEPUTY COMMISSIONER OF POLICE

SHRI AJAY KUMAR CHADDHA

7.120. From the aforesaid discussion about the functioning of the Police in the 14 Police Stations of South District under the control of Shri Chander Prakash Deputy Commissioner of Police (South), it is quite clear and evident that there was a complete break-down of law and order in this District during 1984 riots.

7.121. Incidents of violence started in front of the AIIMS. In the afternoon of 31st October, 1984 and continued unabated in various parts of this District, for a number of days. All the Police Stations were badly affected but the maximum killings took place in Delhi Cantt. In spite of repeated enquiries made from the DCP (South), he did not come out with the correct figures of the killings. As a matter of fact, in his various reports, the DCP (South) gave different figures and deliberately tried to conceal the gravity of the situation. This would be evident from his D.O. letter No. 29597 RDP/HD dated 3.12.1984 addressed to the Addl. Commissioner of Police with which he enclosed his various reports submitted earlier.

7.122. In the Districts a whole, there were over 450 deaths during the riots. Delhi Cantt. Alone accounted for more than 300 deaths, according to the preliminary enquiry made by Shri R.S. Sethi, the then Deputy Commissioner of Delhi. Subsequently, in the detailed enquiry made by Shri Ahuja, Secretary (Home) , Delhi Administration the figure of deaths rose to 341 in Delhi Cantt. Alone. The rest of the killings were in Srinivaspuri and other Police Stations as discussed earlier. Arson, loot and killings took place all because of the dubious role played by the DCP and his staff in this District during the entire period of the riots. Although technically section 144 had been promulgated and later curfew had been imposed in the district, these orders only remained on paper and the police made no efforts to implement the orders and took no action against the rioters. In some police Stations it has been quite evident that the Police was actually hand in glove with the leaders of the mobs with the blessings of the DCP/Addl. DCP. In some areas the police even announced that the curfew was only for the Sikhs and not for others which is indeed surprising when it comes from the law enforcement agency. Train after train was stopped within the jurisdiction of this District but no action was taken to curb the mobs in spite of the fact that DCP had full knowledge of what was happening.

7.123. It has been clearly brought out in the affidavits of the deponents, some of whom were victims and others who were completely independent, that while in some places the police remained a passive spectator to the crimes committed, in other places they actively connived with the rioters. For instance, Shri Ajit Singh(2315) who is an independent witness rang up the police Station Vinay Nagar when he saw the incidents occurring in his area but he was informed that the police had orders not to move out and take action. His statement is corroborated by similar statements from witnesses of other Police Stations who are independent witnesses, viz., Ashok Jaitly (2512), Smt. Jaya Jaitley (2702), Km. Poonam Muttreja (2510) , Shri Dinesh Mohan (2712) and Shri Ravi Chopra (2771) to name a few. In respect of some Police Stations like Delhi Cantt. And Srinivaspuri, there are very direct allegations against the DCP (South) where he was openly encouraging the mob to indulge in violence.

7.124. In Delhi Cantt., apart from the affected persons, Shri Ramesh Singh Rana, SI I/C Sagar Pur Division, has gone on record to say that the DCP (South) and the Addl. DCP told the rioters that they should not be present when the police was in the locality but otherwise they could continue with their activities. The mob, indulging in their nefarious activities, on hearing this raised slogans in favour of the DCP (South). The SI was also instructed not to resort to firing and thus he was made helpless. Shri Rana goes on to say that because he reported a number of deaths in his area, he was subsequently taken to task and victimized. This is in direct conflict with the statement of the DCP who was trying to make out that he was not aware of what was happening in Delhi Cantt., otherwise he would have sent additional force. The DCP(South) was obviously telling lies because the log books of the Police Station Delhi Cantt. And ACP, Cantt. Clearly show that the DCP was fully aware of what was going on in that area which he visited several times. Even in his

movement chart enclosed with his letter No. 3290/84(X), dated 15th February , 1984, he has shown his visit to Nangal Raya etc. He also took a round of Palam in the night of 1st November, 1984, according to the report of SHO, Delhi Cantt. Thus the facts clearly indicate that Shri Chander Prakash along with Shri Ajay K. Chadha, Addl. DCP had visited the Lajwanti Garden Chowk and Nangal Raya and this is further corroborated by SI Ramesh Singh Rana, I/C Sagarpur Division. In a clumsy effort to do away with the relevant evidence, the wireless log books of DCP and Addl. DCP have been tampered with as discussed earlier.

7.125. Shri Santokh Singh (2363) has made direct allegation about the behaviour of DCP who ordered the police to fire on the Sikhs who were trying to protect their vehicles from the mob and according to him, DCP even announced that the curfew was only for the Sikhs and not for the non-Sikhs. Shri Amit Bararia (2738) has also corroborated that he saw a policeman actually firing into the houses of Sikhs in Sunlight Colony. Smt. Sarabjit Kaur (166/85) and Smt. Surender Kaur (2440) have also described the partisan attitude of the police in this Police Station, namely, Srinivaspuri.

7.126. The way the mind of the DCP was functioning would be quite clear from the fact that the looters who were caught red-handed by Shri Gautam Kaul, Addl. Commissioner of Police, in Srinivaspuri and Defence Colony area have not been accounted for in the police records. They were apparently let off even though his superior had himself caught them red-handed. A bus-load of others who had come in the presence of the Addl. C.P. in P.S. Defence Colony have also not been accounted for in the Police records. If this is the manner in which the DCP was behaving, precious little could be expected from his subordinates who would naturally take the cue from him.

7.127. While discussing PS Hauz Khas, we noticed that Shri A.K. Ojha, ACP, rounded up 74 persons in the morning on 1.11.84 and also registered cases but he was quickly removed; SHO of Vinay Nagar who seemed to be inclined to take firm action was also immobilized. The message must have been clear and loud to others as to how they were to behave and that explains why hardly any preventive arrests were made in this District. There was also no use of tear-gas or lathi charge in most of the Police Stations of this District to curb the mobs. Besides, very few arrests in substantive offence were made during the riots.

7.128. In an effort to do away with the evidence which would incriminate the officers, we find that the wireless log books have been tampered with especially those of DCP (South) and Addl. DCP (South). As discussed earlier, the beneficiary in removing pages by tearing them out or re-writing the log books could only be the officers themselves. One does not expect officers of the level of DCP and Addl. DCP to tear out pages, manipulate, and, tamper with their log books which are vital documents. Some other log books of ACPs have not been made available , e.g. ACP, Defence Colony and ACP Hauz Khas. These log books were not made available in spite of repeated reminders to the office of the Police Commissioner. Perhaps it was not convenient for the police as they might have revealed the facts which might have proved damaging.

7.129. Shri Gautam kaul , Addl. C.P. had, during his visit to Defence Colony and New Friends Colony, himself instructed DCP(South) to register as many cases as possible for the incidents taking place, and to create special investigation teams in the Police Stations for the registration of FIRs and for subsequent investigation. However, the DCP and his staff did exactly the opposite. He let off the criminals who were arrested by the Addl. C.P. or who were brought to the Police Station in the presence of the Addl. C.P. His subordinates, following the example set by the DCP, did not even register cases or take any deterrent action against the miscreants and at times even misled the army. This would explain why the situation went from bad to worse. The behaviour of the police in general in this District , and that of the DCO(South) and Addl. DCP in particular was deplorable and amounts to dereliction of duty bordering on willful criminal negligence.

7.130. The behaviour of the DCP (South) in going in writ against the departmental enquiry which was being conducted by the then Addl. C.P. under the orders of the Commissioner of Police becomes quite understandable as he was unwilling to face the consequences of his negligence and irresponsible behaviour. He managed to stall the enquiry by obtaining a stay order. He again made efforts to stall the functioning of this Committee also by going to the Central Administrative Tribunal. The Tribunal, however, finding no force in his application rejected the same outright vide their order dated 16.6.1988 in the case Registration No. OA-652/88 dated 16.6.1988 copy of which is annexed.

7.131. While suitable disciplinary action is called for against the SHO and the ACPs who are still in service, for dereliction of duty, the main brunt of the break-down of the law and order in this District will have to be borne by the DCP(South) and the Addl. D.C.P.(South) who did not behave as officers of a disciplined force. Their supervisory role was negative and, in fact, acted as a deterrent to the lower formations from functioning in an upright manner. Dr. Sushila Nayar and Shri Santokh Singh (2363) aptly describe how the DCP and his subordinates were functioning. Shri Santokh Singh in despair even says that 'they fought these officers who are hardened criminals in uniform duly armed by Indian law throughout the night'.

RECOMMENDATIONS

7.132. (a) If faith in the Administration has to be restored, officers like Shri Chander Prakash, DCP, have no place in a disciplined force and should be dealt with in an exemplary manner. He appears to be absolutely unfit to be retained in service and Government should consider his case for being dealt with in accordance with the provisions of Article 311 (2) (b) of the Constitution of India. This will act as a deterrent to others in future and help in toning up the police set-up of the Capital of the Country.

(b) As far as Shri Ajay Kumar Chadha, Addl. DCP, is concerned, suitable disciplinary action for major penalty is also recommended against him.